



Government of Kerala

**SCHEDULED TRIBE DEVELOPMENT IN GRAMA PANCHAYATS
A STUDY OF KUTTICAL GRAMA PANCHAYAT
THIRUVANANTHAPURAM DISTRICT**

**STATE PLANNING BOARD
THIRUVANANTHAPURAM
NOVEMBER 2013**

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Preface

The state started Tribal Sub Plan (TSP) strategy during 1974-75, the first year of fifth five year plan. After launching the strategy, funds were earmarked to TSP in proportion to the population of tribals in the state and programmes were chalked out and implemented ensuring the support of various line departments in the state. The flow of funds to TSP (flows to TSP) was always more than proportionate and the rate of flow has been increasing from the very beginning. Although a lot of programmes in the sectors of education, housing, health, drinking water and sanitation, roads and communications, agriculture and other economic development programmes were formulated and implemented, these programmes could not fully achieve the targets set mainly due to the absence of tribal's participation in the formulation, implementation and monitoring of Scheduled Tribe Development programmes and due to the absence of proper assessment of the actual need of the programmes in the light of the customs and traditions of the tribal families, which vary from one tribal clan to another and are followed by them from time immemorial.

Decentralised planning and panchayati raj system was introduced in the state during 1996-97 and funds were given to the local governments in the form of grant-in-aid from 1997-98 for the formulation and implementation of location specific and need based programmes for the people. One of the main components of the grant-in-aid is characterised by Tribal Sub Plan funds. In the initial years of decentralisation more than 67% of the TSP funds were distributed to the local governments on the basis of the population of STs in the area of jurisdiction of the local governments.

A major shortfall noticed in the formulation and implementation of TSP by local governments under decentralised planning is that the utilisation of funds under TSP was always lower than that of the general sector funds in respect of majority of the local governments. As a remedial measure, local governments were directed to make compensatory allocation from general sector funds to fill the gaps in TSP utilisation. Besides this, TSP flows to local governments from the State's TSP quantum also were gradually reduced from 2002-03.

In spite of these measures, the performance of several local governments, particularly grama panchayats could not be improved vis-a-vis the formulation and implementation of TSP Programmes. However, a few grama panchayats have shown greater enthusiasm in TSP programmes surpassing the hazardous field realities in the tribal areas in their jurisdiction, mostly forest and cut off areas. In the circumstances it was decided to study the oorukuttam based TSP formulation and implementation in the grama panchayats from 11 th Five Year Plan and suggest policy changes needed in the decentralised scenario for better formulation, implementation and monitoring of TSP based on the critical gaps identified in various sectors, after selecting a typical grama panchayat actively involved in tribal development from the beginning and facing multiple tribal development issues. Considering these facts

Kuttichal Grama Panchayat in Thiruvananthapuram district was selected as a model and carried out the study.

While we analysed the performance of the grama panchayat under decentralised planning, it was seen that the average grama sabha participation in Kuttichal Grama Panchayat was 10 per cent inspite of their best efforts to mobilise the people. Whereas the average participation of ST families in oorukuttams was more than 25 per cent. This is highly appreciable. In Kuttichal Grama Panchayat, grama sabhas were convened four to five times and oorukuttams were convened three to four times in an year. The functioning of working groups, including that of ST development, stakeholder consultation, meeting with banks, development seminar, timely vetting and approval of plans etc. were done in the panchayat strictly as per the guidelines on decentralised planning. Apart from this, Forest Right Committees were also convened as and when needed.

The study goes deep into the present socio economic status of the ST families, the convergence of various sources of tribal development funds at Kuttichal and their utilisation from 11th plan to 2013-14, the second year of 12th plan, the impact and shortcomings of the programmes and comes up with several suggestions for the better formulation of TSP and optimum utilisation TSP and other funds in future. It has shown many unidentified thrust areas where TSP funds can be more effectively utilised and brings out the scope for further enhancement of the flow to TSP from State Plan to critical inevitable micro sectors of tribal development. It has given emphasis on the cultural aspects and geographical effects of the STs and their integration with their development perspectives; the present problems faced by them in forest areas especially with respect to the deprivation of development in the sectors of education, health, housing, electrification, drinking water, sanitation, road access etc. Several critical areas like need for preservation of tribal healing practices and tribal medicine, cultivation of medicinal plants, sustainable agriculture development and poverty alleviation after combating wild menace through indigenous and tactful methods with the participation of the tribals, further improvement of basic amenities of housing, drinking water, sanitation and electrification etc. have been identified. Need for more infrastructural facilities like pathways, footbridges, internal roads and culverts in strategic areas have been stressed in the study. Several suggestions have been made to improve tribal health and education, generation of employment opportunities and reduction of seasonal poverty.

As per present land records maintained by the Revenue Department, vide provisions under the Kerala State STs (Restriction of Transfer of Land and Restoration of Alienated Lands) Act 1999, the lands lost by ST families in Thiruvananthapuram district are negligible. But there exists historical evidence that the Kani families had lost thousands of acres of tribal lands namely KANIPATTU in and around the present Ottasekharamangalam Grama Panchayat between 1945 and 1950. A gist of the history of KANIPATTU, and its ultimate loss by Kani tribals have been given in the report.

Organised exploitation of tribals by usurping their intellectual properties is a new threat seen in the area of tribal development. Although the Bio Diversity Act 2002 and the Forest Right Act 2006 (since amended in 2012) have clear provisions to safeguard the interests of the tribals, very little effort has been made in the state to combat this problem. The AROGYAPATCHA issue between the kani tribals of Kuttichal and the Tropical Botanical Garden and Research Institute, Palode, Thiruvananthapuram has been narrated in the study with suggestions to amicably solve it.

Similarly the implementation of the provisions of the Forest Right Act 2006(FRA 2006) and its amended Act 2012 have been analysed in the study in the context of tribal families of Kuttichal. The State has secured higher rank in its implementation compared to other states mainly because of the implementation of provisions of individual rights. As part of this, almost all kani families in Kuttichal have been given possession certificates for the forest lands possessed by them. But our achievements in the community rights and development rights are dismal. The need for more vigorous implementation of the provisions of the Act has been highlighted with factual evidence.

Minor Forest Produce (MFP) collection and its marketing is a neglected area now as far as tribals' role in the changed scenario is concerned. The state is yet to recognise the rights given in the Act for MFP collection and marketing. Accordingly, the study has made suggestions for better involvement of tribals in the dual systems under the control of Vana Samrakshana Samithy(VSS) and the Kerala State Co-operative Federation for SC/ST (HARIGIRIFED), the two organisations currently engaged with collection and marketing of MFP in the State.

Illiteracy of tribal youths in the age group 22-45 is one of the critical gaps occurred due to the lapse of 'saksharatha' and other educational programmes. The existence of comparatively high level of poverty and unemployment among the cultivator tribal families despite the possession of several acres of arable fertile land, underestimated proportion of ailing persons(PAP) in tribal areas and the need for an object oriented health survey and accelerated health care in remote settlements, improper maintenance of solar systems launched in tribal areas, absence of proper statistical system in the grama panchayats, drug addictivity of tribal youths, need for a comprehensive Tribal Sub Plan online monitoring system integrating the programmes of ST Development Department, TSP implementing local governments and line departments etc. are identified as other critical areas which need special attention. A number of suggestions have been made to fill up these gaps.

The study reveals that the grama panchayat was successful in planning and implementing ST development programmes ensuring the convergence of various sources of funds. It has succeeded in solving the issues in housing, drinking water, sanitation, electrification, roads and other communication facilities to a great extent. In the areas of education and health care the performance has to be improved a little bit.

The study report was prepared by Sri. N Radhakrishnan, Consultant under the supervision of Dr. MR Motilal, Chief (Decentralised Planning Division-Rtd) and Smt.N Prasannakumary, Chief (Decentralised Planning Division) I/C with the technical support of Sri Habeesh C, Consultant in the Decentralised Planning Division. The Co-operation and support of Kuttichal Grama Panchayat in furnishing crucial information for the study is highly appreciated.

I am sure that this publication would be very useful for planners, policy makers and other stakeholders concerned with tribal development in the state.

C P John

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<u>ABBREVIATIONS AND ACRONYMS</u>	
1. ANERT	Agency for Non-Conventional Energy and Rural Technology
2. APL	Above Poverty Line
3. AROGYAPATCHA	An endemic medicinal plant seen in the Agasthyar Forest areas of Thiruvananthapuram
4. AVP	Arya Vaidya Sala Pharmacy, Coimbatore
5. BPL	Below Poverty Line
6. CBD	Convention of Bio Diversity
7. CDS	Community Development Society
8. CHAT	Chanting of Hymns of Kanis (always loudly)
9. CHIAK	Comprehensive Health Insurance Agency of Kerala
10. Corpus Fund	A portion of the TSP fund kept in the Head Quarters by Director of ST Development Department for the purpose of financing critical gap filling projects proposed under ST Development
11. CSS	Centrally Sponsored Scheme
12. CUTANEOUS LEISHMANIASIS	A kind of skin disease seen among the Scheduled Tribes
13. DALE VIEW	An NGO in Thiruvananthapuram District
14. DLWG	District Level Working Group
15. DPC	District Planning Committee
16. DPEP	District Primary Education Project
17. DPO	District Planning Officer
18. EDC	Eco Development Committee
19. EMS Housing	Total Housing Programme introduced during the 11 th Five Year Plan
20. FRA 2006	Forest Right Act 2006
21. FRC	Forest Right Committee
22. FSP	Food Support Programme
23. HARIGIRIFED	HARIGIRI FEDERATION - Another popular name of Kerala State Federation of SC/ST Development Co- operatives
24. IAY	Indira Awas Yojana
25. ICDS	Integrated Child Development Services

26. ITDP	Integrated Tribal Development Project
27. KANIPATTU	Around 36000 acres of Land possessed by Kanikkar Scheduled tribe families in Neyyattinkara Taluk during the period between 1742 and 1945. This land area was given to the Kani families by His Highness Marthandavarma Maharaja, the founder of Travancore
28. KIRTADS	Kerala Institute for Research, Training & Development of SCs & STs,
29. KPSC	Kerala Public Service Commission
30. KOKKARAI	A Musical instrument used by Kani Scheduled Tribes while chanting their hymns loudly(CHAT)
31. KSEB	Kerala State Electricity Board
32. KWA	Kerala Water Authority
33. LSGD	Local Self Governments Department
34. LSG	Local Self Governments
35. LSGI	Local Self Government Institution
36. MCH	Medical College Hospital, Thiruvananthapuram
37. MFP	Minor Forest Produce
38. MGLC	Multi Grade Learning Centres (Alternate Schools of Education situated in remote scheduled tribe habitations)
39. MGNREGS	Mahatma Gandhi National Rural Employment Guarantee Scheme
40. MITHRANIKETHAN	An NGO in Thiruvananthapuram District
41. MLASDF	Special Development Fund for MLAs
42. MRS	Model Residential School
43. MPLADS	MP's Local Area Development Scheme
44. MUTTUKANI	Kani Chieftain
45. NAMASTHE	An NGO in Thiruvananthapuram District engaged in ST Development
46. NGO	Non-Government Organisation
47. NRHM	National Rural Health Mission
48. NSSO	National Sample Survey Organisation (Under the Min. of Statistics & Programme Implementation, Government of India)
49. NWDPR	National Watershed Development Project for Rainfed Areas
50. PAP	Proportion of Ailing Persons
51. PDC	Pre-Degree
52. PHC	Primary Health Centre
53. Plathy	Tribal Healer of Kani Scheduled Tribes

54. Pooled Fund	A portion of the TSP fund kept in the Head Quarters by the Director of ST Development for financing critical gap filling projects proposed by various line departments concerned with ST Development(The projects need the clearance of the Vice Chairman,SPB also)
55. PSC	Public Service Commission
56. RCC	Regional Cancer Centre,
57. RRL	Regional Research Lab
58. SC/ST	Scheduled Caste/Scheduled Tribe
59. SCA	Special Central Assistance
60. SCP	Special Component Plan
61. SCTIMST	Sree Chithira Thirunal Institute for Medical Sciences & Technology
62. SHG	Self Help Group
63. SPB	State Planning Board
64. STDD	Scheduled Tribes Development Department
65. SSA	Sarva Siksha Abhiyan
66. SSLC	Secondary School Leaving Certificate
67. ST	Scheduled Tribe
68. ST Promoter	Scheduled Tribe Promoter(Tribal Promoter)
69. TAGs	Technical Advisory Groups
71. TBGRI	Tropical Botanical Garden & Research Institute,Thiruvananthapuram
72. TD Officer	Tribal Development Officer
73. TEO	Tribal Extension Officer
74. TSP	Tribal Sub Plan
75. UNDP	United Nations Development Programme
76. UNESO	United Nations Educational, Scientific & Cultural Organization
77. VINOBAKETHAN	An NGO in Thiruvananthapuram District engaged in ST Development also.
78. VSS	Vana Samrakshana Samithy
79. WGDG	Western Ghats Development Programme

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INTRODUCTION

1.1 Decentralised Planning with emphasis on SCP/TSP

As a prelude to decentralisation of planning process, the Tribal Sub Plan(TSP) strategy, aimed at the comprehensive and holistic development of scheduled tribes, was introduced during the Fifth Five Year Plan (1974-79). Similarly the Special Component Plan (SCP) benefitting the scheduled castes was also launched during 1980-81, the first year of Sixth Five Year Plan.

For both SCP and TSP, funds were earmarked on the basis of population of SCs and STs in the State. Accordingly, line departments concerned with the implementation of these two programmes earmarked a minimum of 10 per cent and 2 per cent respectively for SCP and TSP from their annual plans. In order to fulfil the requirement some departments earmarked certain non-divisible schemes also as flow to these two programmes (notional flow). Very often the notional flows never materialised and the actual flows to SCP and TSP were much less than the anticipation.

The State Planning Board started District Planning offices in all districts in 1979-80 with a view to co-ordinate the formulation, implementation and monitoring of schemes amenable in the district level and to support the administrative set up required for achieving these objectives.

During 1983-84 the state decentralised the SCP and TSP to the districts and a major portion of the divisible SCP/TSP funds of the line departments were placed at the disposal of the district administration for the formulation and implementation of need based and location specific programmes beneficial to SCs and STs. The programmes were formulated and implemented at the district level under the supervision of the District Level Working Group (DLWG), headed by the District Collector. All district level officers were members of the DLWG, the District Collector being the Chairman and the District Planning Officer, the Convener. The District Planning Offices started functioning as secretariats to the District Collectors in the new system. This system helped a lot in developing the infrastructural facilities of the SC/ST settlements and for improving the socio-economic status of the SC/ST families to a certain extent. But several problems in the sectors of housing, drinking water, health and sanitation, road access, electrification, education, employment etc. remained unsolved due to the absence of participation of the SC/ST people in the formulation and implementation of SCP/TSP programmes. This system continued up to 1996-97 and ceased to exist from 1997-98 due to the introduction of the decentralised planning and panchayati raj system in 1996-97.

The role of the DLWGs was entrusted with the District Planning Committees (DPC) in each district. The local governments were given power, finance and institutions of various sectoral departments were transferred for the formulation and implementation of location specific and need based projects based on the proposals originated at grass root level, with the participation of the people.

From 1997-98, the local governments are given funds in the form of plan grants. A major portion of the plan grant is characterised by the SCP and TSP. While the general sector funds given to the local governments formed nearly 33 percent of the State's Annual Plan, the SCP and TSP funds formed around 67 per cent in the initial years of decentralisation. Though the TSP quantum to Local Governments has been reduced subsequently (after 2001-02) the proportion of SCP funds to the local governments remain more or less unchanged.

Even if a major portion of the TSP fund is kept now at the disposal of the department the local governments utilise this fund by submitting viable projects for filling up the critical gaps occurred in the development of scheduled tribe families under the area of jurisdiction of the Local Governments. Hence SCP and TSP still continue to be the thrust areas in decentralisation, the primary objective of which is delivery of development benefits accrued to the most disadvantaged groups including SC/ST families and families living below poverty line, ensuring their involvement in the process at all levels.

The decentralised planning has been institutionalized in the State now and Kerala is considered as the torch bearer in implementing panchayati raj and decentralized planning in the country with ease and valour. However, there exist a lot of missing links, short falls, bottlenecks and points which still need clarification in the areas of guidelines issued, execution of works, release and utilization of plan grants, online formulation and monitoring of projects etc.

During 12 th Plan there has been a lot of positive changes in the guidelines for decentralized planning by which the Panchayats are able to formulate the Plan much easily. But the details of the impact of the new method has to be looked into keeping SCP and TSP as top priority sectors in the decentralised set up. The present study aims at analysing these factors in a selected Grama Panchayat giving utmost importance to scheduled tribe development scenario, the first decentralised sector which still dominates with people living in pre agricultural level of development, very low literacy rates and inhabit remote areas in forest and other locations.

1.2 Objectives of the Study

1.2.1 Broad Objective of the Study

To study the impact of changes in guidelines during 12 th Five Year Plan on the formulation and implementation of annual plans of local governments with emphasis on SCP/TSP as compared to 11 th Five Year Plan.

In order to facilitate this, a quick evaluation of plan procedures followed by the panchayat is needed. Therefore the components of the process being evaluated are: formation of sectoral working groups and their functions, preparation of draft status report and project proposals, action taken in linking projects with institutional finances of Banks and other financial institutions, stakeholder consultation, convening of grama sabha, finalization of status report and

project proposals , preparation of development report for the five year plan and plan document for the annual plan, preparation of integrated projects, development seminar, approval of development report, deciding final plan outlay and its allocation to prioritized projects, preparation of projects, approval of projects by standing committees, vetting of projects by the erstwhile TAGs, vetting of projects by competent designated plan implementing officers (from 12 th Plan), approval of annual plan document and projects by the panchayat committee , initiatives taken by the sectoral working groups in monitoring the project implementation, DPC approval etc.

1.2.2 Special Objective

To study the oorukuttam based TSP formulation and implementation in the grama panchayat from 11 th Five Year Plan and suggest policy changes needed for better formulation, implementation and monitoring of TSP based on the critical gaps in various sectors found through the study.

1.3 Methodology

As stated earlier, supreme importance is given in the study to scheduled tribe development/ Tribal Sub Plan as a part of the broad and special objectives being set, a suitable Grama Panchayat actively involved in the development of STs from the beginning of panchayat raj system in 1996-97 has to be identified. Though there are 27 Grama panchayats in Thiruvananthapuram District having scheduled tribe settlements in their area of jurisdiction, only 9 among them have major scheduled tribe concentrations. Kuttichal panchayat is one among them with the distinction that all the scheduled tribe families are living within forest areas and majority are in cut off locations. Kuttichal Grama Panchayat is also one among the well functioning grama panchayats in the State. It has the credit of launching total housing scheme during 11 th plan (EMS Housing) within a record time of 3 months. They could complete 100 new houses ensuring high participation of the beneficiaries as well as general public in the form of donations, voluntary labour, building materials etc. Even then, due to accessibility problems, high transportation cost etc. the 100 percent coverage could not be achieved in the tribal areas of Kuttichal. Likewise, many sectoral issues of the scheduled tribe families in education, drinking water, electrification, health care, seasonal unemployment etc. still remain inspite of the best efforts of the panchayat in scheduled tribe development.

As per the ST survey conducted by the State in 2008, there are 25 scheduled tribe settlements within the forest areas of Kuttichal. The problems of the scheduled tribe families were many including, lack of schooling and health care, poor housing conditions, unemployment and poverty, scarcity of drinking water etc. Their surroundings aggravate all the problems. Besides these, the likely threat from wild animals in the form of attacks and damage caused to agricultural crops are their longstanding problems.

Considering the presence of proportionately large ST population, mostly in cut off areas, and in the light of the problems confronting them, Kuttichal Panchayat is selected for the present study as a part of the special objective stated early.

The study, which concentrates on ST development in the panchayat from 11 th Plan, is mainly based on the ST survey conducted in 2008 all over the State including Kuttichal. Besides this, secondary data from various official records of the panchayat like 12 th Five Year Plan document, development document of the Panchayat for 12 th five year plan, plan and development documents of the District Panchayat and Velland Block Panchayat etc. were also collected. Moreover, details and key information on ST development have been collected from Forest Department, ST Development Department, HARIGIRIFED etc.

The websites of Information Kerala Mission, Ministry of Tribal Affairs, Ministry of Environment and Forests (Government of India) and websites containing various articles on tribal issues relevant to Kuttichal Grama Panchayat have been visited and information collected. Reports of the Census of India and Economics and Statistics Department have been used for comparative analysis.

Personal discussions were held with the President, Vice President, Standing Committee Chairpersons and Members of the SC/ST Working Group in the Kuttichal Grama Panchayat. This has helped to collect information on various topics related to ST development in the panchayat and to clarify various points concerned with scheduled tribes and their development in Kuttichal. The scheduled tribe settlements were visited and a few photographs showing the present level of development and living conditions of the scheduled tribe families have been taken for inclusion in the report.

1.4 Area of Study

The Kuttichal Grama Panchayat, which exists from 1964, is located within the geographic boundaries of Velland Block Panchayat of Thiruvananthapuram district. The panchayat which is lying at the eastern part of Western Ghats (sahyadri), is a tranquil rural area dominant in agriculture, comprising of parallel hilly terrains, huge sloppy places, valleys, grass lands, mountain peaks, rocky terrains, graceful brooks and other drainage lines, ponds, evergreen and dense forest areas etc. More than 50 per cent of the panchayat area is covered by reserve forests, which forms part of the rich bio-diversity zone of southern extreme of Western Ghats. Except lion and rhinoceros, all types of wild animals, reptiles and birds, are seen in the forest here.

Prior to the formation of the panchayat in 1964, it was part of Poovachal Panchayat. Though its location is only 24 kms away from Thiruvananthapuram city, it was a backward area with traditional dominance in agriculture. The construction of the Neyyar irrigation project paved way for the construction of roads to the vicinity.

The panchayat has an area of 99.74 sq.km. Out of the 14 ward members, 7 are women. It has a moderate literacy rate of 85.96 per cent(2001 Census)

Arrival of Christian missionaries in the Panchayat originated educational programmes in the location. In 1949 the Paruthipully UP School was established. Now the panchayat has one Engineering College within its area of jurisdiction.

Rubber cultivation started during 1950-60, soon after the arrival of settlers from the Central Travancore. Now rubber cultivation has surpassed all other crops in the Panchayat. The

Panchyat is famous for its rich dark fertile soil and most of the areas are covered with ever green forests.

The geographical area of Southern Western Ghats from Aruvamudi Ghats in Tamil nadu to Aryankav Ghats in Kerala is known as AGASTYAKOODAM or ASAMBOO. This area falls in Thiruvananthapuram and Kollam districts of Kerala and Kanyakumari and Thirunelveli districts of Tamil Nadu. The average height of hilltops in this region is 1700 metres. Agasthyarkoodam is the highest mountain peak in this region with a height of 1869 meters. During 2001 the UNESCO declared the Agastaya Hills as one of the Bio Sphere Reserves(area which needs special care and protection on account of the high density of wildlife habitations, vastness of rare plants and trees, presence of endemic plant species and other living beings on the verge of extinction etc.) in the World and accordingly this region is one among the 531 Bio Sphere Reserves located all over the world in 105 countries. The total area of the Agasthya Bio Sphere Reserve is 3000 sq.km. Of this 1828 sq.km is in Kerala. This region has nearly 3500 rare species of plants.

Neyyar, Peppara and Agasthyavanam Biological Park are the 3 wild life sanctuaries in the Agasthyar valleys lying in Kerala. Neyyar Wild Life Sanctuary is the largest among the three with 128 sq.km. Even in the small area of 128 sq km comprising of Neyyar Sanctuary there are 43 varieties of sasthanies, 217 kinds of birds, 46 types of uragams, 13 ubhaya jeevis, 27 varieties of fishes , 233 number of insects. Hence the Agasthya Bio Sphere reserve is the rare forest area with highest number of wild life habitations in India.

All the settlements of the ST families of Kuttichal are seen located in these three wild life sanctuaries lying in reserve forests, which have paramount strategic & environmental importance.

1.5 Limitations of the Study

The study is primarily based on the ST survey conducted by the ST development department in collaboration with the Local Self Government Department in 2008. Since then the programmes of the 11 th plan and that of the first year (2012-13) of 12 th Plan have been implemented. For getting a thorough feed back of the impact of these programmes in Kuttichal Grama Panchayat another field survey would have been carried out prior to the study. However, efforts have been made to estimate the present socio economic status of the families on the basis of the programmes implemented from 2007-08 to 2012-13 in various sectors by the Local Government and the Departments under their control. While collecting the progress of the projects implemented by the different agencies, it was possible to obtain the expenditure or financial progress from the sources, including Information Kerala Mission. But it was difficult to obtain the exact physical achievements corresponding to the targets set. In order to minimise the factual errors and omissions, points seen doubtful have been discussed with the functionaries of the Local Governments, especially with Kuttichal Grama Panchayat.

As the entire study area lies within reserve forests, it was difficult to approach the scheduled tribe families without the help of Kuttichal Grama Panchayat or the Forest Officials or a tribal promoter. The inner most scheduled tribe settlements *pattampara* and *anakaal* are situated at a distance of 25 km from Kottur, the starting point of forest. From Kottur to Valippara

settlement (5 km) normal journey is possible, though both sides of the road are thick forests with the occasional presence of wild elephants during day time. Thereafter, only four wheel drive jeeps can pass through the narrow forest roads. From Podiyam settlement the next 10 km to Amode settlement through *Kamalakam, Kombidi and Mukkothivayal* settlements, the journey is very tedious as there exists only very difficult forest pathways. Only pedestrian journey is possible from *Amode* settlement(7 kms) through forest pathways for reaching *Anakal and pattampara* settlements.

At Mukkothivayal grass lands the highest point of Agasthyar peak is visible. From Mukkothivayal onwards, the forest areas have many grass lands, which are ideal habitats of bisons, certain varieties of deer, wild goat etc.

1.6 Reference period

The reference period of the study is mainly 11th plan period(2007-2012) and first year of 12th plan (2012-13). However, effort has been made to cover the TSP programmes being implemented during (2013-14) also.

SCHEDULED TRIBE DEVELOPMENT IN KUTTICAL GRAMA PANCHAYAT

2.1 The Kanikkar scheduled tribes in Kuttichal Grama Panchayat

The Kanikars (hereditary proprietor of land), the Scheduled Tribe community, commonly known as Kanis, inhabit the southern mountain areas of Sahyadri from time immemorial. Around 5.5 per cent of the Kanikkars of Thiruvananthapuram District is seen in Kuttichal Grama Panchayat. The Kanis are great hunters, shifting cultivators, skilful minor forest produces (MFPs) collectors, artisans in making their own houses and handicrafts with bamboo reeds and other forest raw materials and also famous for tribal healing practices using various medicinal herbs available within forest. They believe that they are the descendants of two hill kings namely Rangan and Virappan who emigrated from Pandian territories beyond Agastyarkoodam under pressure from a superior force and never returned to their low country (Castes and Tribes of South India, Vol 3-Edgar Thurston and K Rangachari 1909). This may be more or less true as more than 77 percent of the Kani families in Thiruvananthapuram district are still residing within and in the neighbourhood of forest areas and the district ranks first in this aspect among the 14 districts of Kerala (vide Tribal Survey 2008)

The Kanikars could establish good relationship with His Highness Anizham Thirunal Marthanda Varma Maharaja (coronation in 1729), the founder King of Travancore. They being faithful in ensuring refuge and protection to the King in remote forest settlements and thereby safeguarded the life of the King from his enemies, Ettuveetil Pillamar. The King esteemed them with 36000 acres of land tax free and issued title deeds (Chempu pattaya-Vattezhuthu) during 1742 AD. They were also exempted from paying taxes for all the forest produces collected and sold by them. This land was known as KANIPATTU. As a matter of showing gratitude and respect, the Kani Chieftains (MuttuKanIs) visit the maharaja every year and submit valuable forest produces before the king. Even now, this practice is continuing.

Till the beginning of 20 th Century, this scheduled tribe group enjoyed all sorts of freedom within the forest ensuring self sufficiency of their own under a participatory clan system having high ethical values and democratic principles. They practiced shifting cultivation in the forest lands possessed by them as inheritance and also in the KANIPATTU lands offered by the Maharaja. Since then, as a measure of protection of forest resources, several restrictions were imposed by the Government through the Forest Protection Acts enacted by the British rule (1927). Shifting cultivation and hunting of animals within forest for their food requirements and healing practices were banned. This affected their culture as also livelihood and led to gradual dependence on non scheduled tribes. The migration of other people to the neighbourhood of their settlements within and outside the forests resulted in exploitation of them in one form or other, including alienation of tribal lands by settlers.

Until 1945 the Kani people were in full possession of the KANIPATTU land. As a part of the *Grow More Food Campaign* utilising lands kept as fallow, ordered by Sir CP Ramaswami Iyer, Divan of the erstwhile Travancore State during 1945-46, non-scheduled tribes started encroaching the KANIPATTU land also extensively and a major portion of the land was lost or alienated even before independence of the country in 1947. Due to ignorance, the Kani people had not taken any action in mutating (pokkuvaravu) the KANIPATTU property received by them through the

Chempupattayam. Moreover a large portion of the KANIPATTU was left as fallow by the Kani people without proper boundary or fencing. These favourable conditions enabled the encroachers to secure title deeds easily for the KANIPATTU lands seized by them. Those ST families remained in the KANIPATTU were subjected to severe atrocities by the encroachers and consequently majority of the remaining Kani families of the KANIPATTU retreated themselves deep into the forest lands, abandoning their centuries old land. The location of the KANIPATTU land was in Ottasekharamangalam and Kunnathukal Sub Divisions of Neyyattinkara taluk

Thereafter the Kani people faced all kinds of atrocities and exploitation by the encroachers and the landlords. After independence of the country in 1947, the Travancore-Cochin State and the Kerala Government had taken initiative in solving the KANIPATTU issue. During 1957 the State decided to give not more than 3 acres of land to each family in the KANIPATTU (to encroachers as well as scheduled tribe families in KANIPATTU) and the balance to landless people. But majority of the Kani families who were in the KANIPATTU were ineligible to receive the lands owing to various reasons. Those ST families who received land under this programme also lost their lands subsequently. At last the State again tried to recoup the lost tribal lands as follow up to implement a Supreme Court judgement in this regard. But it was a vain effort due to the obstructions created by the politically backed farmer organisations.

As explained above, the period 1946-58 was the most clumsy and disgraceful time in the history of the Kani people in Thiruvananthapuram district. Their failure in retaining the KANIPATTU, further threat of encroachment of non-scheduled tribes in the vicinity of their settlements in forests and the impact of Forest Conservation and Wild Life Protection Acts on their socio-economic and cultural life forced them further to form permanent settlements within the forests under the leadership of their Chieftain – MuttuKani. Since the Kani people were following a kind of democratic system under the Kani Chieftain from centuries back, they were able to face the problems in their own way to some extent. A committee namely KUDIYANPER comprising of senior Kani people to help the MuttuKani in administrative, spiritual and cultural matters was functioning in all settlements.

However, as they could not retain their autonomy within forests due to the restrictions in cultivation and ban on hunting of even small animals for their food etc. they were constrained to depend on non-scheduled tribes for their livelihood support. From the middle of 20th century there was a clear transition from shifting cultivating-MFP gathering-hunting mode (self employed & independent) to settled cultivating-marginal MFP gathering-casual wage labour mode (wage employed and dependent mode). This led the kani scheduled tribes to gradual impoverishment from the healthy and prosperous life enjoyed by them under the centuries old and democratic clan system. Their previous bitter experience with the mainstream in the two decades from 1940 naturally generated a mindset in them to keep aloof from the non-scheduled tribes as far as possible. Their organised move in 1980 to destroy the single Teacher School at Chonampara, set up by the ST Development Department, is a clear example to prove this. Even now the MuttuKani of Anakal, the innermost ST settlement in Kuttichal, is of the strong opinion that contacts with the mainstream and their education have corrupted their younger generation, who are losing faith in their traditional customs and beliefs.

Similar attitudes towards the mainstream further worsened their socio-economic development from 1960 to 1974-75, the year during which Tribal Sub Plan(TSP) strategy was

launched by the Government of India. Those who have settlements outside cut off forest areas could attain literacy status and educational attainment to a certain extent and few among them could get employment in Government departments during the 1970s. But the problem of illiteracy was almost 100 per cent during 1970-80 in all the remote ST settlements and many other sensitive problems existed in all the settlements located within forests during this period.

Though the Chempu pattaya documents and KANIPATTU are not current issues now, it is quite obvious that a few Kani families still possess forest land and even revenue land ranging from one acre to 20 acres as remnants of either KANIPATTU or the forest land they were occupying from centuries back and this would have paved way for them in making claims under the Forest Right Act 2006 for getting title deeds/possession certificates. (Indeed the new Forest Act 2006, which ensures right to STs in forest areas on several issues, has enabled them in attaining this). More details about the KANIPATTU issue has been given under the sub para 3.15.4. *Land Alienation and Kanikkars of Agasthyarvanam*

2.2 Evolution of Tribal Sub Plan (TSP) Strategy and Decentralized Planning

While the people in the mainstream got independence in 1947 from colonial rule, the fate of the scheduled tribes was quite different. They lost their independence in their habitats, alienated the lands in which their habitats were located and became the dependents of the non scheduled tribes in their vicinity. The Forest Conservation and Wild Life Protection Acts, which curtailed their freedom in cultivation of crops, hunting of animals etc., played a catalytic role in the gradual impoverishment of the scheduled tribes. During the first two decades after independence, the tribal situation in the country remained more or less unattended by Central as well as State Governments in spite of several problems like large scale encroachment of tribal lands all over the country, eviction of scheduled tribes from their habitats consequent on the launching of major projects without proper rehabilitation programmes, imposition of large scale restrictions in forest areas, increasing trend of atrocities against them etc.

Accordingly, the general development strategy followed in Five Year Plans from 1951 to 1972-73 had little impact in ensuring adequate livelihood support to the scheduled tribes in the country. Although Tribal Blocks were formed by Government of India during 1962 (The Attapady Tribal Block was formed in Kerala during 1962), there were a lot of spatial limitations in delivering benefits to the ST families due to geographical isolation and concentration of the ST families in certain pockets and also their dispersed status in some other areas; Kerala State in particular. In order to overcome this drawback and to ensure comprehensive overall sectoral development, including protection of them from all kinds of exploitation, the Tribal Sub Plan (TSP) was launched in the country as a whole during Fifth Plan (1974-75). By grouping continuous blocks with tribal concentration, the area of implementation of Tribal Sub Plan also was demarcated during 1974-75; namely Integrated Tribal Development Project (ITDP) areas. As stated, this system ensures the earmarking of a quantum of funds from the States' Annual plan in proportion to the scheduled tribe population in the State and the segregated fund is divided among the various line departments for the formulation and implementation of need based and location specific programmes for the development of scheduled tribes. The ST families outside ITDP areas were treated as dispersed tribes and their case also had been duly considered.

As mentioned, the TSP decentralised to the districts. During 1983-84 the schemes were formulated and implemented at the district level under the supervision of District Level Working

Group (DLWG), headed by the District Collector, giving high emphasis to the Integrated Tribal Development Project Areas (ITDPs). The TSP strategy could yield results by creating tangible productive assets as also useful infrastructure to the scheduled tribes as well, barring few shortcomings occurred. It also helped to generate seasonal employment to the scheduled tribes in forest and other areas and enabled them in eradicating poverty to a certain extent. The TSP formulation and implementation continued in the districts under DLWGs, till the emergence of Local Governments in 1996-97. The main drawback of the system was non participation of the scheduled tribes in the formulation and implementation of Tribal Sub Plan and failure of the programmes in isolated and remote scheduled tribe habitations located within forest areas.

As per provisions contained in the 72 nd and 73 rd Constitutional Amendments, the new system of Panchayati Raj came into being in Kerala also and elections were held in all the Local Bodies during 1996-97. From 1997-98, all the local governments were given separate budget support as plan grants from the Annual Plan of the State. One major component of the Plan grant was Tribal Sub Plan. From 1997-98 to 2001-02, 67 % of the Tribal Sub Plan was distributed among the local governments having scheduled tribepopulation. From 2002-03 onwards the proportion of TSP funds being given to the local governments as grant in aid has been gradually reduced and now nearly 33 per cent of the State's TSP allocation only is given to the local governments. Remaining 67 per cent is given to the ST Development Department (STDD) for the formulation and implementation of educational, housing, health care, drinking water, electrification, roads and other need based socio economic development programmes beneficial to the scheduled tribes .The ST Development Department retains a portion of the TSP as corpus fund for undertaking critical and gap filling programmes based on the project proposals made by Local Governments and other agencies. A small portion of the TSP fund under STDD is also kept as pooled fund mainly for undertaking the gap filling project proposals of the line departments engaged with TSP implementation. The projects claiming pooled fund under TSP need the prior appraisal of the Vice Chairman, State Planning Board before placing it before the State Level Working Group on ST Development for approval. Projects claiming the Corpus Fund need only place before the State Level Working Group for approval. The remaining and major chunk of the TSP fund is used for implementing the on-going TSP schemes of the ST Development Department, including Centrally Sponsored schemes like Model Residential Schools, Tribal Hostels, tribal housing, resettlement of landless scheduled tribes, special programmes for vulnerable communities like primitive tribes (kurumbas of Attapady,kadaras of Palakkad and Trissur, Kattunaikans of Wayanad and Nilambur, cholanaikan of Nilambur,koraga of Kasaragod) , adiya, paniya etc.

During the annual plan 2013-14 the quantum of Tribal Sub Plan was Rs 38985 lakhs. Of this Rs. 12430 lakhs was the grant in aid portion of TSP to local governments in the State. The remaining amount of Rs. 26555 lakhs was with the STDD, including the Corpus Fund (Rs. 3460 lakhs) and Pooled Fund(Rs. 1300 lakhs). The STDD has 42 ongoing TSP schemes for utilising their TSP provision.

2.3 Convergence of TSP and other funds from various Sources at Grama Panchayat Level

Considering the presence of the reasonably large population of Kanikkar scheduled tribes in the Kottoor (now known as Agasthyavanam Biological Park) and other forest areas of the

Kuttichal Grama Panchayat, the Panchayat is also eligible for the TSP allocations. The Grama Panchayat also started formulation and implementation of Tribal Sub Plan from 1997-98 utilising the TSP grant in aid received as part of their plan grant, ensuring the participation of the Tribal Grama Sabhas(Oorukuttams).

The ST Development Department, allocate funds to the Project Officers, ITDP/ Tribal Development Officers for implementing ongoing schemes on the basis of certain objective criteria such as population of STs, relative backwardness and inaccessibility of the habitations due to absence of roads, illiteracy and pre-agricultural level of development, dwindling population, landless houseless condition, scarcity of drinking water, seasonal unemployment and associated poverty, absence of health care and educational facilities etc. The Project Officer, ITDP Nedumangad (PO,ITDP) also receives the allocation of TSP funds from STDD. The PO,ITDP utilises a portion of this fund for implementation of their ongoing schemes in the jurisdiction of the Kuttichal Panchayat also on the basis of the proposals received from the Kuttichal Panchayat, Tribal Oorukuttams and scheduled tribe families.

The Thiruvanthapuram District Panchayat and Vellanad Block Panchayat also have TSP grant for undertaking projects in the areas of the Grama Panchayats under their jurisdiction. Therefore these two higher tier local governments receive a portion of the TSP grant for the formulation and implementation of TSP projects proposed by the Grama Panchayats in their jurisdiction with the approval of Tribal Oorukuttams. Accordingly, the Kuttichal Grama Panchayat is also entitled to receive a portion of the TSP projects being implemented by the District Panchayat and Vellanad Block Panchayat.

From 2005-06 onwards a portion (7.5 % of the total funds entitled to receive by an MP in a year) of the MP's Local Area Development Scheme Fund (MPLADS) is earmarked for ST Development programmes. Besides these, fund flow from programmes of the Rural Development Department of GOI like IAY, MGNREGS, WGDP of GOI etc is also available.

In the context of the present scenario, this study analyses the socio economic status of the scheduled tribe families in Kuttichal Grama Panchayat at the beginning of 11 th Plan, the scheduled tribe development programmes / projects formulated and implemented in the area of Kuttichal Grama Panchayat from 11 th Five year Plan (from 2007-08 to 2012-13)by various agencies , shortfalls occurred and achievements made, and the likely impact of the programmes.

CHAPTER 3

SOCIO ECONOMIC STATUS OF SCHEDULED TRIBES IN KUTTICAL GRAMA PANCHAYAT 2008

3.1 Population

As per the tribal survey conducted jointly by the Local Self Government and Scheduled Tribes Development Departments in 2008, there were 1205 scheduled tribes in Kuttichal Panchayat(597 male and 608 female). Since there were one SC person and two others also in the families(having marriage relationship with kani people and were members of kani households) the total ST population including these 3 were 1208 (597 male and 611 female). There were 362 households distributed over 25 settlements. Of the 14 wards of the Panchayat, scheduled tribe families reside in 4 wards namely Vazhappally, Kottur, Elimala and Chonampara. All the scheduled tribe families in Kuttichal belong to the Kanikkar community. Average household size of a family is 3.33(rounded to 3). The average household size of ST families in Thiruvananthapuram district as a whole was 3.31 during the survey 2008. These household sizes are almost equal to the State's household size estimated during 2011 Census (ie.3.32). Whereas the household size of scheduled tribe families in the State as a whole found through the ST Survey 2008 was 3.94, which is slightly higher. There were 24 male single member households and 8 female single member households in the ST settlements of Kuttichal Grama Panchayat.

The population of scheduled tribes in Kuttichal given in the Development Document 2012-18 and 12 th Five Year Plan Document of Kuttichal panchayat was 1810 during 2011-12. This shows 50 percent increase in ST population in Kuttichal over the 3 years from 2008, which is unrealistic. Hence either the population figure estimated by the Panchayat or the figure arrived at through the ST Survey 2008 is wrong.

3.2 Marital status

Out of the 1208 ST persons, 584 were married (48%).Women outnumber men in marital status (ie 294 women as against 290 men). The minimum age at marriage was between 18-21. The number of divorced persons was 18 (of which 13 were women), which is 3.08 % of the married. There were 5 *unwed (single mother) mothers. Among them 4 were head of households. There were 55 widows and 8 widowers. 48 widows were head of the households.*

3.3 Ward wise distribution of Oorus/settlements

As per the survey of 2008, there were 25 ST settlements in Kuttichal Grama Panchyat. During 2008 these settlements were located in 4 wards namely Vazhappally, Kottur, Elimala and Chonampara. The ward wise distribution of settlements in 2008 is given below (table 3.1).

Table 3.1
Ward-wise Distribution of Settlements in 2008

Sl.No	Name of Ward	ST Settlements	
		Number	Percentage
1	Vazhappally	7	28
2	Chonampara	10	40
3	Kottur	3	12
4	Elimala	5	20
	TOTAL	25	100

Average number of households per settlement was 14. Here the distribution of houses in the ST settlements is quite different from the ST settlements seen in places/scheduled tribe concentrations like Attapady or Wayanad. The households are scattered within the settlement and each scheduled tribe household is located in the middle of the agricultural land possessed (forest areas demarcated by gendas) by them. Crops like tapioca, ginger, kashthuri manjal, plantain, rubber, paddy, vegetables, medicinal herbs etc are cultivated in the lands.

The ward jurisdiction changed during the panchayat election 2010 and now these 25 settlements are seen in the two wards namely Elimala and Chonampara. Out of the 25 settlements, 18 are in Chonampara ward and the remaining 7 in Elimala ward. The present ward wise distribution of settlements is given below in table 3.2 (ST population and number of families given against each settlement are as per ST survey 2008) .

Table 3.2

ward-wise distribution of settlements in 2010 and ST population in 2008#							
SI No	Name of settlement	No. of ST families	Population			Name of Ward**	Name of Forest Area
			Male	Female	Total		
1	Aayiramkal	10	20	19	39	7-Chonampara	Neyyar Wild Life Sanctuary
2	Aamala	15	28	24	52	.....Do.....	.....Do.....
3	Plath	7	7	10	17	.....Do.....	.....Do.....
4	Anakal	10	20	19	39	.....Do.....	.....Do.....
5	Ariyavila	9	17	12	29	6-Elimala	Agasthyarvanam
6	Chonampara	23	42	38	80	7-Chonampara	.....Do.....
7	Kaithode	20	33	29	62	.....Do.....	.....Do.....
8	Mankode	17	24	27	51	6- Elimala	.....Do.....
9	Mulamood	10	16	18	34	.....Do.....	.....Do.....
10	Pankav	16	27	34	61	.....Do.....	.....Do.....
11	Thottinpuram	11	17	17	34	.....Do.....	.....Do.....
12	Valippara	12	18	21	39	.....Do.....	.....Do.....
13	Valiyakunnadi	27	26	34	60	.....Do.....	.....Do.....
14	Pattanippara	7	9	7	16	7-Chonampara	.....Do.....
15	Podiyam	24	35	44	79	.....Do.....	Peppara wild Life sanctuary
16	Kamalakam	35	72	60	132	.....Do.....	.....Do.....
17	Kompidi	24	39	47	86	.....Do.....	.....Do.....
18	Cherumankal	9	12	9	21	.....Do.....	.....Do.....
19	Aamode	10	18	22	40	.....Do.....	.....Do.....
20	Kunnatheri	10	22	22	44	.....Do.....	.....Do.....
21	Pattampara	6	11	11	22	.....Do.....	.....Do.....
22	Pothodu	12	17	17	34	.....Do.....	.....Do.....
23	Yerumpiadu	7	12	11	23	.....Do.....	.....Do.....
24	Plavila	17	35	37	72	.....Do.....	.....Do.....
25	Mukkothivayal	10	18	19	37	.....Do.....	.....Do.....

ST population is given as per ST Survey 2008

** During the ST survey 2008, the 25 ST settlements were distributed over 4 wards viz. Elimala, Chonampara, Kottoor and Vazhappally. But during Panchayat Election 2010, the wards were reconstituted and the settlements are now found in 2 wards viz. Elimala and Chonampara

3.4 Infrastructure Facilities in ST Settlements

3.4.1 Roads, Footpaths, Footsteps etc

Of the 25 settlements, 13 have motorable roads near the settlements. In 12 remote settlements (Anakal, Pattampara, Plavila, Plath, Kunnatheri, Pattanippara, Amode, Mukkothivayal, Pothode, Yerumpiyadu, Amala, Aayiramkal) only foot paths/pathways are available. In Pattampara and Plath settlements footpaths are not suitable for trekking as there are no foot bridges or culverts to support them.

A household wise analysis of road/pathways in the 12 remote settlements reveals that only 2 families had metal/katcha road with 1->3 mtr width. 2 families not even had pathway facilities. 39 families had only path way facilities (width below 1 mtr). Path ways of 53 families always get damaged and unsuitable for walking during monsoon.

During 2008, there were no tar roads within any settlement. Only 1 settlement had metal road within settlement. 2 settlements had katcha roads within them. Katcha roads were available in 10 settlements within a radius of 1 km. Five had only pathways within them. Families belonging to 12 remote settlements used to walk 5 to 10 km through dense forest to reach the nearest bus stop at Valippara (Pattampara, Anakal, Kunnatheri, Plath etc. being most affected) Now the situation has slightly improved as buses come upto Kaithode settlement.

3.4.2. Availability of Educational Facilities

Only 6 settlements (Mankodu, Podiyam, Pattanippara, Plath, Mukkothivayal and Anakal) have alternate schools/Multi Grade Learning Centres (MGLC) within a radius of 2.5 km. Now the MGLCs at Mukkothivayal and Anakal are not functioning. Teachers of the alternate schools cannot attend the school regularly, as they have to travel through forest roads, which are passing through the habitats of wild elephants. This has affected the smooth functioning of these schools. Even during 2008, 8 children in the age group (6-14) were not attending school because of their inability in reaching the schools. Students of 16 settlements have to walk more than 5-10 km to reach their nearest primary or alternate school. All settlements lack High school/HSS/VHSS facility within 5 km.

Students of almost all the settlements have to travel more than 20 km to reach their nearest Arts & Science College (Kattakkada Christian College). Even though one Engineering college is functioning within the Panchayat area, this institution itself is far away as far as the 12 settlements are concerned.

3.4.3 Availability of Common Service Institutions and Other Facility Centres

All the ST families come to Kottoor market in Kuttichal Panchyat for purchasing their domestic needs as well as selling their forest produces. This market is 10 to 20 km away from the remote scheduled tribe settlements. Now KSRTC buses come upto Kaithode settlement through Valippara, Mankode and Chonampara settlements. Even after getting this facility, the ST people of remote settlements like Pattampara have to walk more than 15 km from the Bus point to reach their settlements. For availing the facilities of community centres, libraries, rationshops, medical

stores, private clinics/ hospitals, MFP collection Centre these families are experiencing the same access problem.

For reaching the post office, families of 8 settlements have to travel more than 10 km and 13 of them have to walk at least 5 km. The location of the village office, police station, and veterinary hospital, KSEB Office, Krishi Bhavan and KWA Office are more than 10 kms away from 90 per cent of the settlements.

3.4.4 Access to Health Care facilities

During 2008 there were no PHC or Health Sub Centres in any of the settlements. Still the Primary Health Centre (PHC) at Paruthyppally is their nearest allopathic medical institution. For reaching this Centre, families belonging to 6 settlements have to travel 5 -10 km. The distance of the PHC is 10-20 km away for the families in the remaining settlements. Now with the earnest effort of the Kuttichal Grama Panchayat one JPHN and an attendant are visiting the Podiyam settlement regularly in day time. (Podiyam is one settlement located almost in the mid portion of the settlement areas and is accessible only by 4 wheel drive jeep. This arrangement has satisfied the immediate health care needs of the remote ST families to some extent. Since this is an interim arrangement the system has to be made permanent by providing permanent building, quarters and other amenities to the staff etc.)

Compared with the PHC, the health facilities available in Ayurveda Hospital at Kottoor and Homoeo Hospital at Pezhumood are less accessible to the remote settlements.

3.4.5 Availability of Anganwadies

There are 21 anganwadies in the Grama Panchayat. During 2008, the number of settlements having anganwadies within them was 5. These anganwadies were accessible to the nearby 6 settlements also. The remaining 14 settlements lack the facility.

3.4.6 Availability of Community Halls / Cultural centres

During 2008 there were 7 community halls/ cultural centres within the scheduled tribe areas of Kuttichal Grama Panchayat. Now there are 9 such centres as given below

Table 3.3
Availability of Community Halls/Cultural Centres in ST habitations of Kuttichal

<i>Sl No</i>	<i>Name of the Hall</i>	<i>Name of location</i>
1	Cultural centre	Pankav settlement
2	Community Hall	Mankodu settlement
3	Community Hall	Podiyam settlement
4	Rest House/Inn	Kaithode settlement
5	Cultural Centre	Valippara settlement
6	Forest Cultural Centre	Amodu settlement
7	Arogya Patcha Trust Hall	Chonampara settlement
8	EDC Centre	Podiyam settlement
9	Forest Cultural Centre	Mankodu settlement

3.5 Educational status of ST families in Kuttichal panchayat

3.5.1 Literacy and level of education

Among the literates of Kuttichal, only one person was post graduate, 4 were graduates and 29 had PDC/plus 2 qualification. Out of the 682 literate persons, 106 had the qualification SSLC or above. This is 15.54 per cent of the literates. This is an achievement in the light of the hurdles to be crossed by the students here in the form of inaccessibility. The survey could not find any person with professional qualifications like engineering or medicine. However 2 persons had other professional qualification and 9 others had vocational training certificates.

The tribal illiteracy rate of 35.96 percent in kuttichal Panchayat is an eye opener to all as this indicator has direct bearing with the inaccessible habitations of scheduled tribes. It is discernible that ST persons in the age group 22-59 are the largest illiteracy group (ie.74.67 percent of the illiterates) among the Kuttichal scheduled tribes. In a society where the able bodied young men and women remaining illiterate cannot attain any meaningful socio-economic advancement at par with the mainstream, which is growing, concurrently supported by modern technological advancement. The illiteracy rate among the scheduled tribe people in the age group 22-59 would have been much lower if the post literacy programmes after the tribal literacy campaign in 1993 were adequate to consolidate the total tribal literacy status declared as achieved in 1993.

If the age distribution of illiterates in Kuttichal Panchayat obtained through the ST survey 2008 is analysed, it would show that illiteracy rate increases sharply after the age group 18- 21. The number of illiterates increased to 61 in the age group 22-29 from 5 in the age group 18-21 . The sharp declination of illiteracy rate in the age group 18-21 and its further decrease in the age group 15-17(all time low) are definitely due to the interventions made by various agencies to improve the literacy and educational status of scheduled tribes in Kuttichal during the period 1991-97.

The interventions include:-

- Tribal Literacy Programmes undertaken by the State during 1991-93
- Launching of Multi Grade Learning Centres(MGLCs) in scheduled tribe areas from 1996-97 by Education Department under the DPEP/SSA programme
- Concerted effort of the Kuttichal Grama Panchayat from 1997-98 in improving the literacy and educational status of the scheduled tribes in collaboration with ST Development and Education Departments.
- Better Education Facilities (including food, accommodation and other facilities) provided by NGOs like Mithranikethan and, the STDD

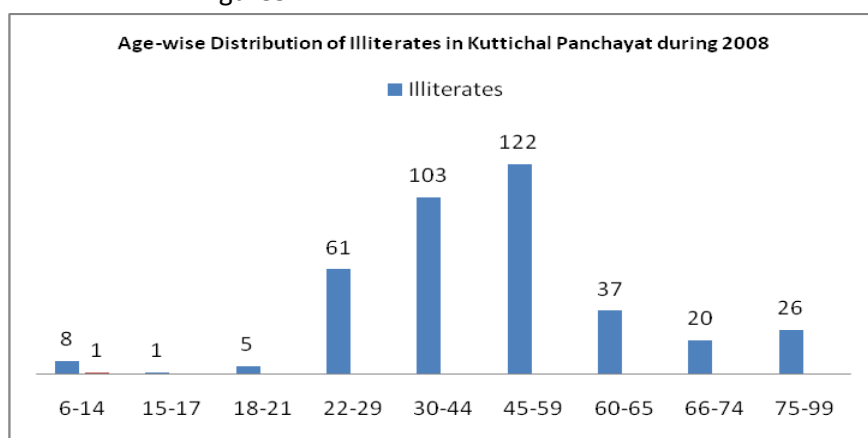
The following table and figure clearly explain the age-wise illiteracy level among the scheduled tribes of Kuttichal during 2008

Table 3.4 –

Illiteracy Level of scheduled tribes in Kuttichal Panchayat

Age group	ST illiterates- 2008-09
6-14	8
15-17	1
18-21	5
22-29	61
30-44	103
45-59	122
60-65	37
66-74	20
75-99	26

Figure3.1



-----→-----Age Group of STs-----→-----

3.5.2 Class wise distribution of students & occupational status of parents

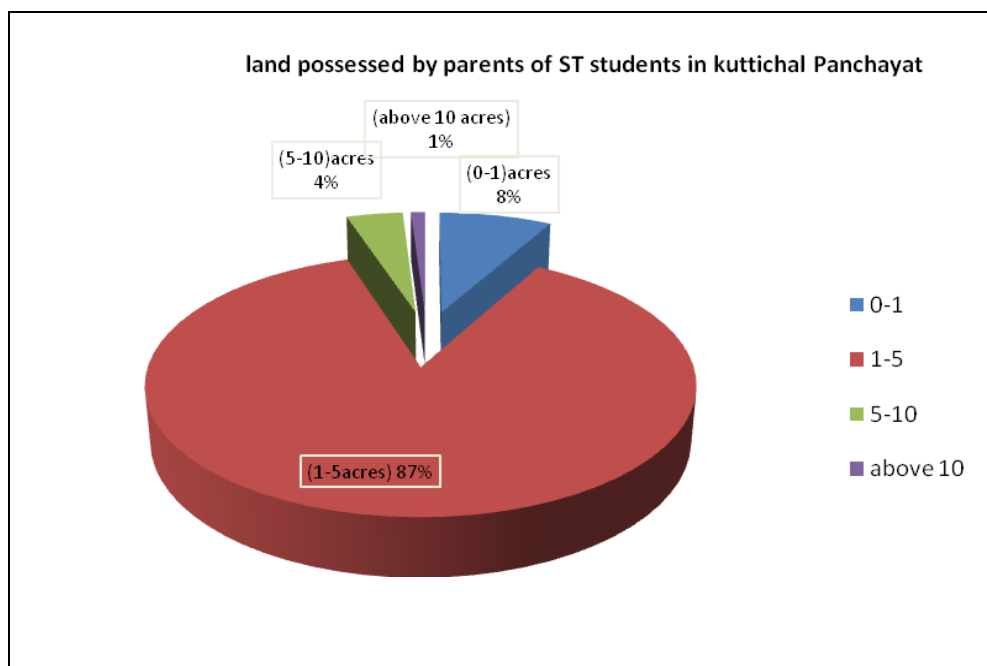
There were 277 students during 2008. Of them 24 were in anganwadies, 179 in primary schools, 57 in secondary and 15 in higher secondary.

Out of the 277 students, 71 (25.63 percent) were staying in hostels. The main occupation of the parents of these students was in agriculture sector (57.40 percent). Casual wage labour in forest, MFP collection and participation in MGNREGS were the other means of livelihood of the parents.

3.5.3 Land possessed by parents of ST students

While analyzing the land possessed by the parents of ST students in Kuttichal , it is seen that 2 of them have more than 10 acres and 10 have land in the range 5-10 acres. 243 parents (87.72 percent) possess land in the range 1-5 acres. *In spite of the availability of these land resources, the ST families are striving hard to make both ends meet.*

Figure 3.2



3.5.4 Drop-out of ST students and the reasons

The ST survey 2008 could identify 117 students who were drop outs due to various reasons. Among them, there were 11 degree, 10 ayurveda degree and 3 engineering degree students. The remaining drop outs were from primary to higher secondary. Maximum drop outs were seen in secondary followed by primary.

The reason for drop out of engineering students was – failure in one case and ‘other reasons’ in the case of others. Ayurveda students drop out due to unfavourable surroundings at home (4), remoteness of the institution (1), poverty (1), failure (1) & marriage (3). Unfavourable family background, poverty and other financial problems, failure and remoteness were the main reasons for drop outs.

Of the total 117 drop outs, 17 are due to remoteness (14.53 percent). It was seen that the occupational status of the parents of drop out students were agriculture, agriculture labour, casual wage labour etc.

The engineering student and one among the ayurveda students who dropped out were willing to resume their studies during 2008, if possible.

3.6 Health Extension and Health Care

3.6.1 Availability of Health Care Packages in Tribal Areas

During 2008, 24 ST settlements received treatment assistance from ST development department (through ITDP) and 20 settlements received the same from Kuttichal Grama Panchayat. Moreover, various NGOs had also delivered financial assistance for medical treatment in 11 settlements.

All the settlements were in receipt of free medical service of government doctors. Except one settlement, gynaecology related pre natal and post natal care were available. Medical camps, preventive care programmes, awareness programmes (IEC) etc. were regularly conducted in 19 settlements.

During 2008 Public health utility services were permanently available in 17 settlements only. In the 8 remote settlements these facilities were lacking.

3.6.2 Health Extension by Government Medical Institutions

The Mobile Medical Unit under the control of ST Development Department (ITDP) frequently visits tribal areas of Kuttichal with emphasis on 16 interior ST settlements and does health extension work. The PHC at Paruthipally has now made an interim arrangement at Podiyam settlement and doing health extension work, deploying two health service personnel. This is beneficial to the most interior settlements spread from Podiyam to Pattampara. Pregnant women and children are given due care in the health care programmes. The Ayurveda hospital at Kottoor and Homoeo hospital at Pezhumood are beneficial mainly to 9 settlements and 5 settlements respectively.

3.6.3 Preventive medicine/injection received by scheduled tribe children

89 families (out of 362) had children below 5 years. Inoculation or vaccination was given 83 children. This shows a high coverage. However 3 children were left uncovered.

3.6.4 Tribal Healers (Traditional Tribal Medicine)

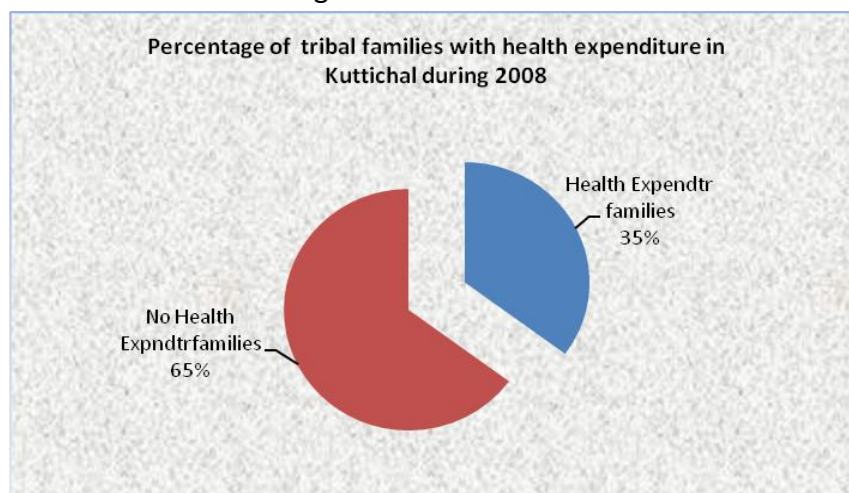
Like their counterparts in Attappadi, Wayanad, Idukki scheduled tribe concentrations, trials in kuttichal panchayat also have tribal healers prominent in treating several ailments including water borne deceases, respiratory problems, diabetes etc. They use rare medicinal herbs and plants growing only in interior forest areas. The hereditary knowledge they have acquired will not be disclosed to anybody other than a faithful ST disciple, who is not money minded.

Among the 25 ST settlements in Kuttichal, tribal healers (*local name-Plathis*) are residing in 7 settlements. As per the ST survey 2008, the treatment practice is still in vogue in 8 settlements. Around 67 percent families are primarily following this system of medicine.

3.6.5 Monthly expenditure on health care and consumption of liquor.

As per the survey 2008, 236 families out of 362 had no monthly expenditure on health care. This means more than two third ST families were not spending anything for health related problems. Nearly 21 percent families were spending more than 10 percent of their total income for solving health problems. Around 13 percent families had health related expenditure only up to 10 percent of their total income.

Figure 3.3



As far as liquor consumption is concerned, 52 out of 362 families have monthly expenditure in consuming liquor (14.36 percent). Among the liquor users, 11 families spent more than 10 percent or more of their total income for purchasing liquor. It is a positive sign that 85.64 percent families were not using liquor at the time of the survey in 2008.

However it is understood from the Kuttichal panchayat that ST women belonging to Pattampara ST settlement regularly use intoxicating liquors (not distilled by them) – mainly received from the Beverages Corporation. In Ariyavila settlement both ST men and women consume liquor jointly.

In olden days the ST families use a relatively soft variety of liquor brewed by them. While using this, entire family, including grown up children, participate in it as if it were part of their routine refreshments. These habits never created any health hazards to them or lead them to liquor addiction. But after 1945, because of the contacts with the non scheduled tribes who ultimately encroached their landholdings, their routine changed and they started using costly intoxicating liquor items, including arrack and branded ones. The approaching encroachers wisely utilised the ST's infatuation towards externally brewed liquor varieties in snatching their lands possessed.

Figure 3.4



3.7 Incidence of disease, epidemics, physical and mental disabilities, deaths and cause of death

3.7.1 Physically and mentally challenged scheduled tribes

During survey in 2008, there were 117 ST persons belonging to 96 families having various forms of disabilities including mental. Among the 96, 81 were physical (locomotor disabilities) 6 persons were deaf, 2 were blind, 5 were dumb. Mental disabilities were seen in 5. Majority of the disabled persons were seen in Vazhappally, ward of Kuttichal Panchayath.

Out of the 117 disabled persons, 44 have no difficulty in carrying of their routing activities. Whereas 61 (52.13%) persons have problems of multiple level in performing their daily activities. It was reported that 9 persons were bed-ridden with total physical disability.

3.7.2 Persons Suffering from Permanent Diseases/Ailments

The survey could not find any ST person suffering from leprosy and tuberculosis, which is usually seen among the ST families in major concentrations. However, 2 cases of cancer and 10 cardiac cases were identified. Other major ailments found were asthma (11), permanent cold (21), neurological problems (64), diabetic(3) skin diseases(6), urinary problem (2), STD (1), others (30).

Altogether 124 persons belonging to 100 families were suffering from permanent ailments. This is (Proportion of Ailing Persons-PAP) 10.59 percent of the ST population in Kuttichal during 2008. As the health status obtained through the survey is based on self-reported facts of the scheduled tribes, it may not be believable. The actual percentage would have been much more. As example (vide page 826 of Perspective Plan 2030, SPB) the findings of NSS(60 th round) 2004-05 data shows that the proportion of ailing ST persons in Kerala is 16 percent, while

the same for state as a whole is 24 per cent. It is quite evident that a sizable proportion of the Wayanad and Attapady scheduled tribes, especially Pania, Adiya, Kurumba, Koraga of Kasaragod are suffering from tuberculosis, sickle cell anaemia, normal anaemia, leprosy, heart diseases, hypertension, Sexually transmitted diseases, skin diseases, different kinds of fever etc. Even then, as per the ST survey 2008, the proportion of ailing ST persons in the State is only 9.62 percent. This can be an under estimate as the STs themselves may not be aware if they are ailing or not at the time of reporting the facts to the enumerators. The percentage of life style diseases among the STs, including heart diseases, being 36.83 during 2008, there exists greater chance of much higher Proportion of Ailing Persons (PAP) among the STs also. The following example will justify our hypothesis.

The ST survey 2008 could find only 6 persons having skin diseases in Kuttichal. But as per a research study carried out by the Department of Dermatology and Venereology, Medical College, Trivandrum in the two remote settlements namely Mele Amala and Ayiramkal in Kuttichal during March 2009 among the 63 persons residing therein, it was found that there were 38 persons with skin lesions and 12 among them had a rare skin disease namely CUTANEOUS LEISHMANIASIS, a disease transmitted by sandflies. The study concluded that as none of the patients travel outside the district for the last two years before the onset of the disease and nobody had newly moved to the settlement area, the case can be considered as a new focus of CUTANEOUS LEISHMANIASIS. Hence a properly designed health survey only can reveal the actual health situation of the STs in Kuttichal Panchayat as well as the State as a whole.

Out of 124 ST people having permanent diseases, 49 had no difficulty in carrying out their routine activities. But 64 had problems in doing their routine. 3 persons were depending on others for their daily activities and 8 were bed-ridden.

3.7.3 Death and Cause of Death

The number of deaths occurred during 2008 were 14 among the ST families of Kuttichal. While analyzing the cause of death, it is seen that 2 were due to the non-availability of timely medical attendance and two were suicide. One person was killed in wild attack. Others were natural deaths.

3.8 Income and Employment

3.8.1 Employment Status

Out of the 362 families 166 families (263 persons) were self employed in Agriculture - (45.86 percent during 2008). Agricultural labourers constitute only 12.71 per cent of the total families. These figures show that more than 55 per cent of the ST families in Kuttichal were engaged in agricultural and allied sectors during 2008, the major portion being cultivators. Whereas in the State level the proportion of agricultural labourers were more.

The second major source of employment was casual wage labour within forest, mainly undertaken by Forest Department for forest protection works. Thus around 17 per cent were wage labourers. Families engaged in MFP collection and MGNREGS were 22 and 23 respectively. These two together constitute 12.43 per cent of the total families. Only 8 persons belonging to 6

families were employed in Govt/quasi Govt services. Only one person was permanently employed in the forest sector.

During 2008, out of the 239 persons whose major occupation was agriculture, 131 had MFP collection as subsidiary activity. Similarly, among the 83 persons engaged in forest works as wage labourers, 25 had agriculture as their sub activity/ occupation. Of the 82 persons having agricultural labour as major activity, 16 and 9 respectively were engaged in MFP collection and agriculture as subsidiary activities.

3.8.2 Training Received in Skilled Employment

During 2008, there were 26 persons who received skill development training. The category-wise list of training programmes and the number of persons received training were as follows (table 3.5).

Table 3.5
Training Received in Skill Development

Sl No	Category of training	No of persons
1	Engineering works	4
2	Pharmacy	1
3	Nursing	4
4	Teacher	2
5	Masonry	1
6	carpentry	1
7	Driving	6
8	Industrial Training	4
9	Tailor	3
	TOTAL	26

Source : ST Survey 2008

3.8.3 Educational Status of Unemployed STs in the age group 15-59

There were 274 unemployed persons during 2008, among whom 70 were illiterates. Out of 274, 191 were in the age group 15-29. Among the 191 youths 69 had studied up to SSLC, 34 passed SSLC, 14 were plus2 and one among them is a graduate. The number of unemployed technically trained scheduled tribe youths was only 5.

3.9 Indebtedness of the ST Families

The survey revealed that 202 (55.80 per cent) families had financial commitments / liabilities with money lenders and other financial institutions. Majority of the families had indebtedness with private money lenders. 142 families had liabilities with money lenders. This was 70.29 per cent of the total families having indebtedness. Only few families availed (only 6.4% of the indebted families had liabilities with banks /co-operative institutions) loan and other financial assistance from nationalised /co-operative banks.

Majority of the customers of money lenders were ST cultivators, followed by agricultural labourers, casual wage labourers in forest areas and MFP collecting ST families. The Kudumbasree ranked second in satisfying the financial needs of the ST families, the first being private money lenders. The activities of the Kudumbasree have to be extended to all the 25 ST settlements so that the ST families can gradually be relieved from the clutches of greedy money lenders.

3.10 Food Security

3.10.1 Source of Income and Food Intake

Of the 362 ST families in Kuttichal, 2 families take food only once a day. 192 families use refreshments twice a day and 149 families take it thrice daily. Fifteen families were taking food as and when they need it without any periodicity.(As per norms fixed for poverty by the NSSO, Government of India, a family which cannot find ways and means for getting at least two square meals a day is BPL. But it is widely accepted now that food intake alone cannot be fixed as a criterion for measuring poverty, but various other factors like landless houseless condition, absence of proper sanitary facilities, absence of at least one regular salaried employee in the house, family being ST/ST Category, absence of safe drinking water facility, absence of electric connection, illiteracy of members of the family etc.have to be taken into account in the present context)

It was seen that altogether 194 families (53.59 per cent of 362) could not afford to have food security and their associated income status was not up to the mark during 2008.This rate is not significantly different from the poverty ratio of 52 percent estimated for Kerala STs during 2009-10 by Government of India (see page 829 of the perspective plan 2030, SPB). Source of Income of majority of those who take only 2 square meals was agriculture. (ie.,122 out of 192=63.54 per cent).Whereas majority of the income group comprising agriculture labour, forest protection works and NREGS were taking 3 square meals a day. (91 out of 131 – works out to 69.46 per cent). This implies that agriculture (cultivator) is a less remunerative activity in tribal areas, in spite of the availability of reasonably sufficient land for agriculture operations. In view of this, the reasons for this phenomenon have to be looked into (exploitation by money lenders, wild menace, exploitation of scheduled tribes by non-scheduled tribes through oral lease of crops, absence of proper system for marketing of agricultural products, exploitation in MFP collection and marketing etc to be analysed.)

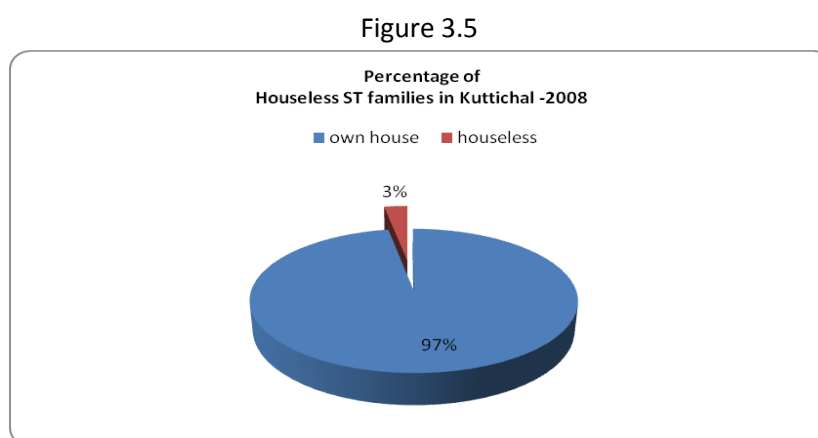
3.10.2 Malnutrition & Income

Incidence of malnutrition was seen among 42 families (11.60 per cent). Sources of income of these families were mainly from agriculture, followed by forest labour and agriculture labour in the 2nd and 3rd position respectively. 64.64 per cent families were purchasing food items from shops in the markets.

3.11 Housing Condition

3.11.1 Houseless Families

It is worthwhile noticing that during 2008, 352, out of 362 families (97.23%), owned houses. Besides these, 19 families had houses outside the settlements. The 10 houseless families were living either along with their relatives or in sheds constructed adjacent to other houses or in their own thatched sheds(Figure 3.5).



3.11.2 Quality of Tribal Houses during 2008

Even though around 97 per cent families owned houses, the quality of the houses was rather poor during 2008. Out of the 352 owned houses, 196 houses were (55.68 per cent) in dilapidated condition. 73 houses among them had no kitchen and the space area of 83 houses was not adequate for meeting the requirements of the entire family.

Further, the survey revealed that out of the 352 owned houses, the condition of 322 houses (91.47 per cent) were not fit enough for living, including the 196 dilapidated houses. As per the survey only 13 houses were fully fit for an abode. Only one family was found landless houseless.

While analyzing the source of the owned houses of the ST families, it is seen that out of the 352 owned houses 136 houses (38.63 percent) were constructed utilizing the grant- in- aid received from Government (LSGIs/ST Development/IAY etc). 216 houses were constructed by the ST families themselves. Since 322 (91.47%) houses were unsuitable for accommodation, it is quite sure that a sizable portion of the houses constructed utilizing TSP funds of Kuttichal Panchayat, ST Development Department, IAY etc. also would be incompatible including the dilapidated houses. In the circumstances a detailed study is necessary to fully justify the findings of the survey. During 2008 there were only 10 houseless and one landless houseless ST families in Kuttichal. But considering the poor quality of the existing houses, the situation becomes alarming or volatile.

When the condition of the 96 houses of the physically/mentally challenged is analysed, it is seen that only 9 houses were suitable partially or fully for their dwelling. The remaining 87 (88.54 per cent) houses were unfit for residence. Status of ST housing is shown in figures 3.6, 3.7 and 3.8.

Figure 3.6

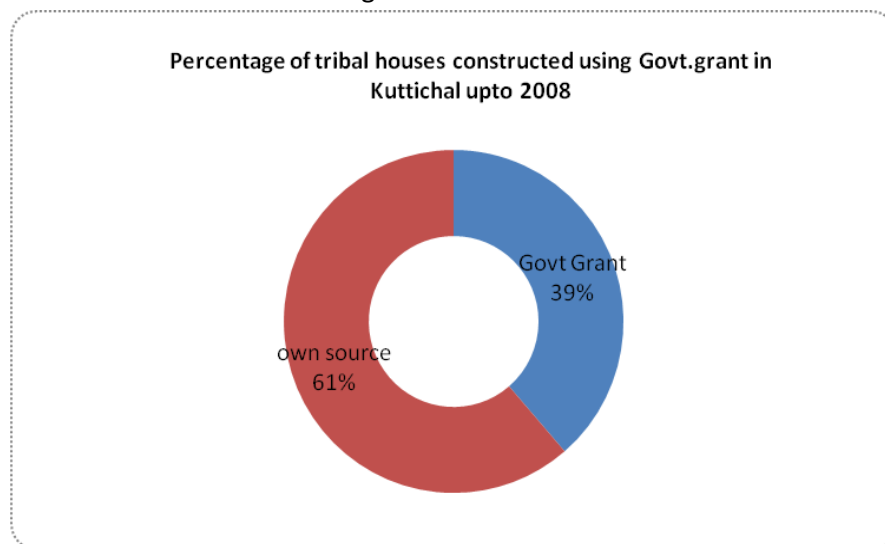
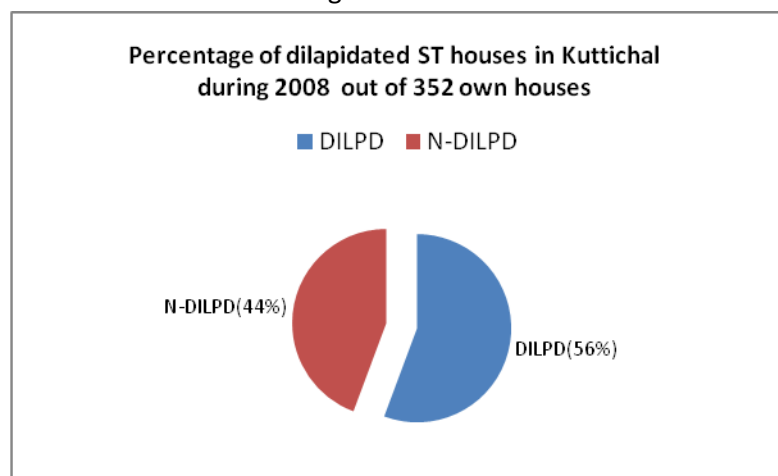
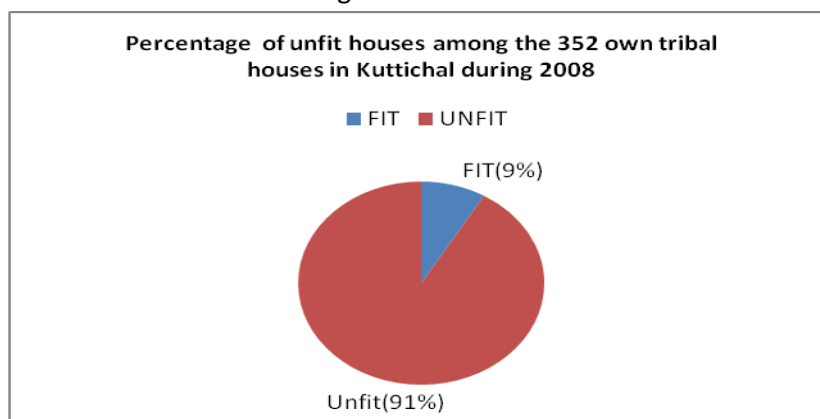


Figure 3.7



DILPD: Dilapidated, N-DILPD: Not dilapidated

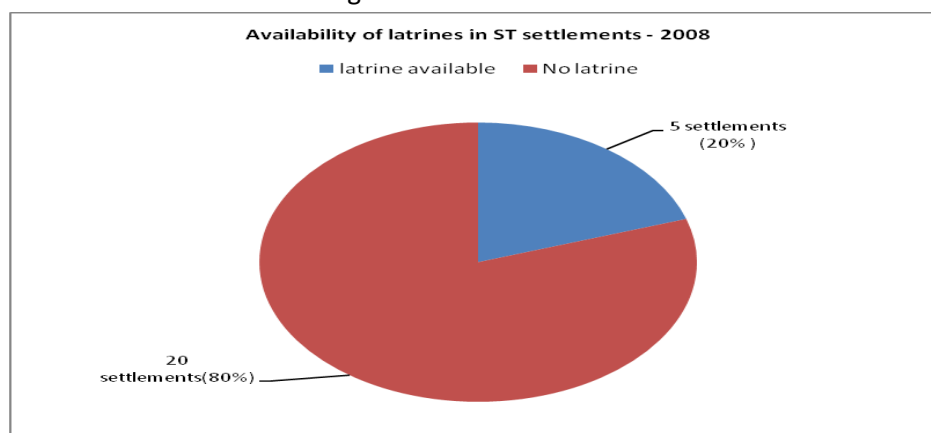
Figure 3.8



3.12 Latrine Facilities in ST Houses

During 2008, there were no household latrines or common latrines in 20 ST settlements (80 per cent). Moreover, of the 362 families, 306 (84.53 per cent) families lack the facility. Of the 56 house latrines available in settlements, 38 were hygienic. It is to be noted that ailments due to lack of sanitation, water-borne diseases etc. were rarely seen among the ST families, although majority were not in the habit of using latrines. Status of latrines is given in Figure 3.9

Figure 3.9

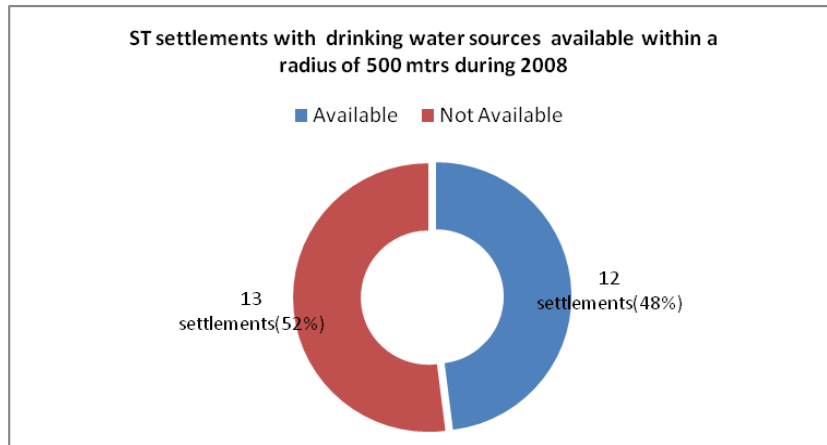


3.13 Drinking Water Facilities

3.13.1 Distance of Source of Safe Drinking Water in Settlements

According to the survey during 2008, only 12 ST settlements had drinking water sources within a radius of 500 meter. The water sources were more than 2500 metre away in the case of 4 settlements. (Figure 3.10)

Figure 3.10



3.13.2 Availability of Water Sources *in Settlements*

Public well, drainage lines, tube wells, streams, brooks, small ponds etc are the Public water sources available in ST settlements of Kuttichal. Only 5 settlements were getting adequate water from the public wells. In 19 settlements the existing public wells were not operational or defunct. In 2 settlements the wells could have been repaired. 4 settlements receive water from brooks or streams. In seven settlements such natural drainage lines like streams, brooks can be maintained properly by cleaning them. 10 settlements have no such facility.

In one settlement tube well was functioning well. In another settlement it would have been repaired and made functional. In the other two settlements the existing tube wells cannot be operated successfully.

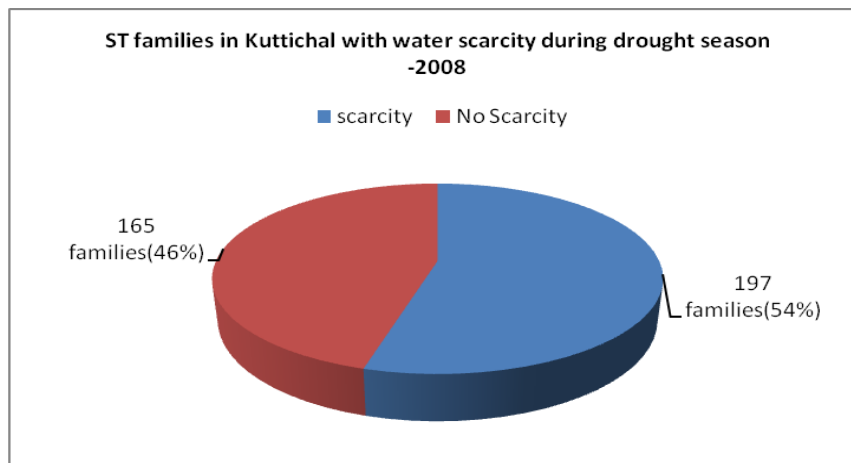
3.13.3 Distance of Sources of Drinking Water from the *ST Houses*

Out of the 362 ST families 295 families (81%) have access to drinking water sources within a radius of 100 meter. Of this, 60 families depend on well/tube well and 217 families use water from river/ponds/streams/brooks etc. 36 families have to walk 500 to 1000 metre and in some places even up to 3 km to collect drinking water. This is 9.94 percent of the total ST families in Kuttichal and this group comes under the category of ST families deprived of one of the four components of basic amenities as per UNDP norms. This situation during 2008 was very pathetic.

3.13.4 Availability of Water for ST Families in the Sources.

During 2008, out of the 362 families, only 78 (21.54 %) families could receive drinking water round the year from various sources, the major sources being ponds / brooks/ streams and the second source being own wells/ tube wells. 197 families (54.42 per cent) suffer water scarcity during drought season. Whereas 81 families (22.37%) have shortage of water for more than 6 months. This indicates the existence of acute water scarcity in majority of the water sources. Concerted effort is needed for solving the problem.

Figure 3.11

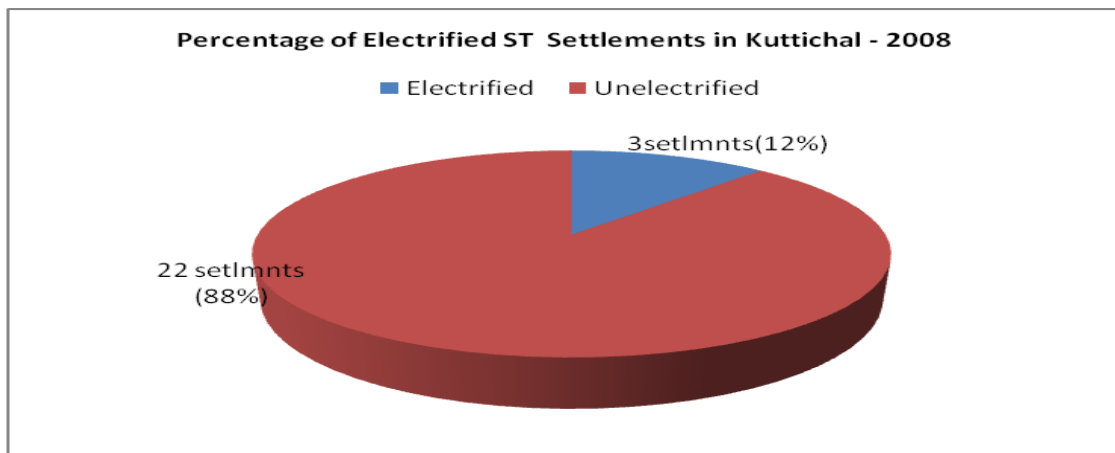


3.14 Availability of Power Connection

3.14.1 Electrification of Settlements

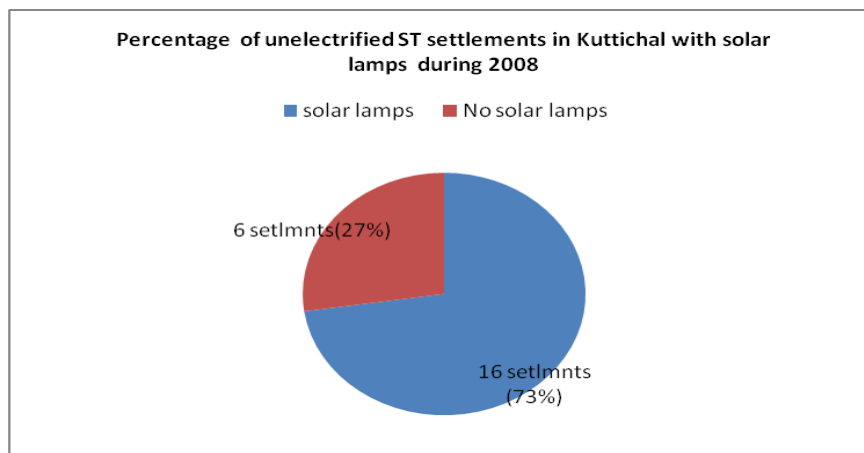
During 2008, only 3 ST settlements (12 per cent) were electrified. The remaining 22 settlements remain unelectrified due to the restrictions in stretching electric lines through forests. Figure 3.12 below clearly depicts the percentage of unelectrified ST settlements in Kuttichal.

Figure 3.12



Out of the 22 unelectrified settlements, solar lamp system was launched in 16 (73 per cent of unelectrified). In half of the settlements these lamps were not working due to the absence of proper care by the ST families and timely service by the launching agency.

Figure 3.13



Street lighting was done in 2 settlements. But the lights were functioning only in one settlement. In the other settlement there were problems in getting regular power supply and consistent voltage.

Settlements like Podiyam have ample scope of setting up a mini hydel project of at least 5 mega watt capacity.

3.14.2 Electric Connection to ST Houses in Electrified Settlements

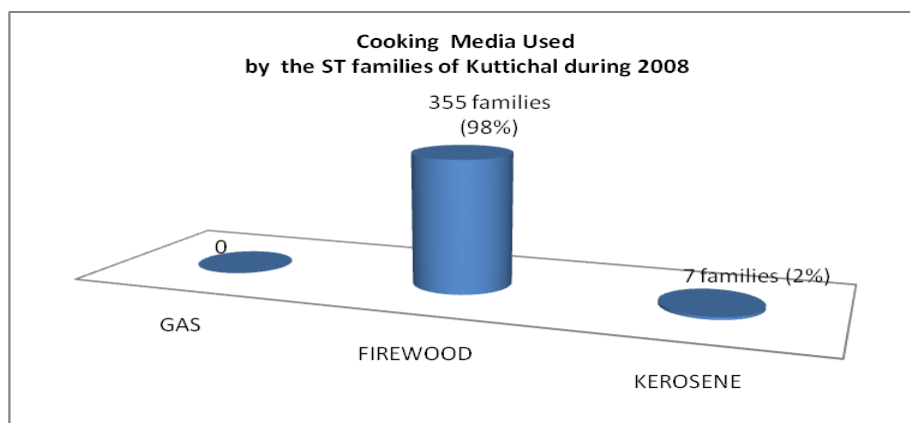
Among the 3 electrified settlements, 20 houses were electrified and 22 houses awaiting house connection. In the unelectrified settlements, wiring was done in 53 houses and they were awaiting house connection. Since the solar system was launched in 16 settlements, the number of unelectrified houses in the 22 unelectrified settlements was 65 only including ST families in isolated settlements (solar electrified houses were treated as electrified). Thus the total number of unelectrified houses altogether in the two type of settlements was 87 (out of 362),which is 24.03 per cent of the total houses.

In the electrified settlements there were 10 unelectrified houses with students. Similarly in the unelectrified category settlements there were 77 unelectrified houses, which had students in them. This implies that nearly 21 per cent of the scheduled tribe houses having students lacked power connection in 2008.

3.14.3 Availability and Utilisation of Solar Power and Cooking Gas by ST Families during 2008

Among the 362 ST families, none was using indane gas as cooking media. Majority of them (355 families - 98 percent) were using firewood for their cooking needs. Remaining 7 families were using kerosene for cooking. Details are given in Fig 3.14

Figure 3.14



Solar lights were used by 210 families (58 per cent) during 2008. This was in the 16 settlements where solar power systems were launched. But now a good number of them are not functioning.

3.15 Land Possessed by the ST Families

3.15.1 Availability of Possession Certificates for the Land Possessed by ST Families

During 2008 only one ST family was found landless in Kuttichal Grama Panchayat. Out of 362 families 321 families (88.67 percent) were possessing land ranging from 1 acre to 20 acres.

In this group, 18 families had received possession certificate from Forest Department. 156 families possessed forest land without getting possession certificates from Forest Department. 145 families in this group claimed that they received the land as a hereditary property. As the District Collector, Thiruvananthapuram has taken initiative(as patron of the District Level Committee of Forest Rights) during 2008-09 in collaboration with Forest, Scheduled Tribes Development and Revenue Departments to issue Possession Certificates to all eligible ST families living within forest areas, as follow up action to implement the provisions of STs and Other Forest Dwellers (Recognition of Forest Rights) Act 2006, almost all eligible ST families have since received possession certificates.

Figure 3.15

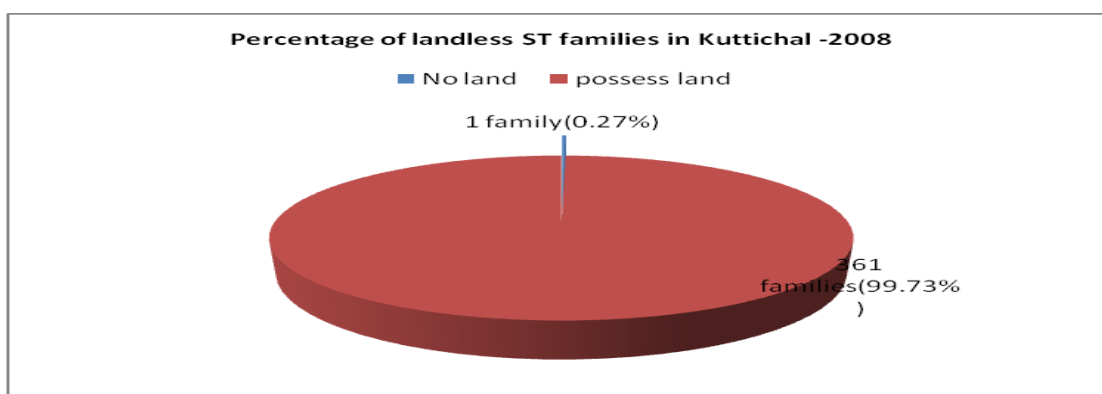
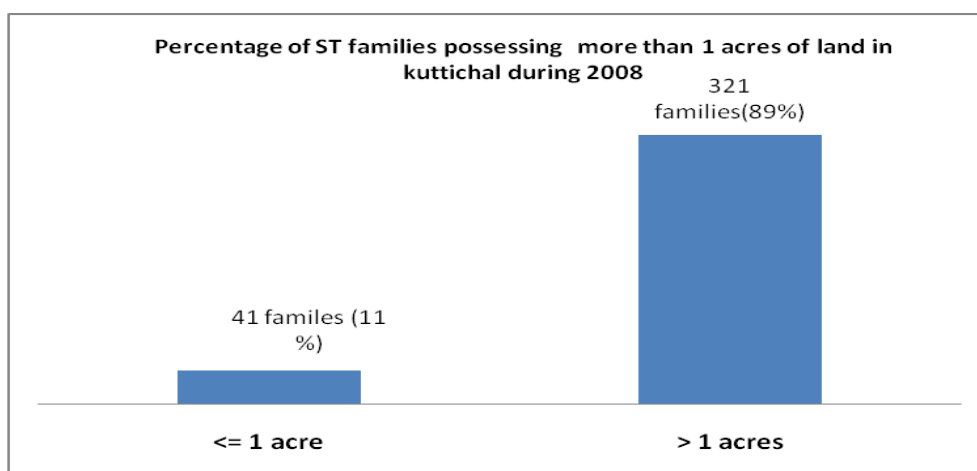


Figure 3.16



3.15.2 Availability of Title Deeds (pattayam issued by Revenue Department)

3 ST families in Vazhappally ward and 5 ST families in Elimala ward were possessing title deeds for land extending upto 7 acres. A few ST families in Kuttichal Panchayat possess land at different locations of the panchayat, within and outside forest areas.

3.15.3 Land Alienation and Kanikkars of Agasthyarvanam

The ST survey 2008 reported that no Kani families have lost their lands through land alienation in Kuttichal Panchayat. It is true that they have not alienated any part of the forest land in which their present abodes are seen now.

Past historical records show that during 1742 (AD) (Kollavarsham 918 - Marghazhi masam – 3rd day–Monday) His Highness Marthanda Varma Maharaja had given them 36,000 acres of land, tax free after registering Chempupattayam (Vattezhuthu of Maharaja) on the day. The land known as ‘Kanipattu’ was in the Ottasekharamangalam and Kunnathukal Sub Divisions of the Neyyattinkara Taluk. Besides this, 2,800 acres of land in Vilavamkode taluk (now in Tamil Nadu) also was part of the Kanipattu.

Unfortunately, due to the ignorance of the Kani people, they could not mutate (pokuvaravu) the property in their names in the records of the revenue department. Though they had undertaken cultivation of various crops in these lands, they never cared to make it their own by mutating in revenue records. Moreover, a sizable portion of the land was kept as fallow by them without proper fencing and boundaries

Till 1945 (before the outbreak of 2nd World War) the entire Kanipattu lands were in the possession of Kanikkar. As a consequence of the World War severe food shortage and resultant starvation occurred in all parts of Kerala. As a panacea to this problem, Sir C.P. Ramswami Iyer, the Divan of Travancore granted permission to the people to identify all sources of vacant lands (fallow lands) in the State and to grow more food crops. The programme was known as “Grow More Food Campaign”. Though the Divan ordered this with a positive outlook, it resulted in the encroachment of nearly 64,000 acres of land in Neyyattinkara taluk, including 36000 acres of Kanipattu land.

In the meantime, the outbreak of Malaria epidemic caused the deaths of hundreds of people in Neyyattinkara Taluk, including Kanis in the Kanippattu . Followed by this pathetic event, the number of people inhabited in these areas, including Kanipattu lands, decreased sharply. Encroachers utilized this most favorable situation in the name of ‘Grow more food Campaign’ and snatched the lands. Since these happenings occurred before independence of the country, there was no democratic system to prevent or control the events. It was alleged that officials of the Revenue, Forest and Police Departments were also in support of the encroachments. The encroachments led to a crucial point in which the very existence of the Kani people in Kanipattu land became difficult due to large scale atrocities originated against the STs by the mighty encroachers. Consequently, the remaining Kani families in the Kanipattu land retreated themselves deep into the Forest lands.

The settled encroachers initiated several planned programmes in subjugating the Kanis like blocking of their pathways from forests, ban in selling their agriculture products in

regular markets etc. The landlords also exploited the Kanis by imposing heavy tax rates on their agriculture land and products.

After independence, the Travancore – Cochin State Government (between 1947 and 1956) tried in vain to solve the problem of Kanipattu cultivators, including those encroached the Kanipattu lands. The Revenue Department was fully in favour of the Kani scheduled tribes – they argued that the Kanipattu belongs to the Kani families who deserve the special protection of Government and their land should not be given to non-scheduled tribes. Whereas the Forest Department objected this on the reason that Kanipattu land was part of the reserve forest and it could not be given to anybody without getting clearance of Government of India.

This issue was brought to the notice of the Kerala Government in 1957 followed by an agitation started by Kanipattu cultivators. The State Government decided to give title deeds to Kanipattu farmers (scheduled tribes and others who encroached Kanipattu) subject to the condition that out of the land possessed by an individual title deeds would be given up to an extent of 3 acres of land, and the balance land would be distributed to landless people.

Unfortunately, when this decision was implemented by Government as advised by the Assessment Committee empowered for this purpose, majority of the Kani families who were in the Kanipattu land were ineligible for receiving the land. Non availability of mutated documents in Revenue department in connection with the old Chempupattaya (Vattezhuthu) issued by Maharaja, land abandoned by Kanis of Kanipattu land several years ago, non-availability of Kani persons as plaintiffs vis-à-vis civil cases for land claims in the courts etc. were the reasons for this failure.

However, few ST families got hundreds of acres of land as part of the issuance of title deeds by Government in 1957-58. It is interesting to note that these Kani families could not retain these surplus lands for long. Events such as disposal of land to non-STs for meager land values, further encroachment by non-scheduled tribes, court-case related with the inheritance of land on the basis of patrilineal or matrilineal way of succession etc. occurred and as a combined result of these events these few families also lost their lands.

3.15.4 Loss of Possession Certificates/Title Deeds and the Oral Lease Problem.

As per the survey 2008, no ST family lost their possession certificates/title deeds of the lands they were possessing. After the loss of KANIPATTU land in the fifties no such events were reported. They neither leased in land of others nor leased out their land possessed to others. However, the ST families, at least a few in Thiruvananthapuram, are now in the grip of a vicious circle namely Vakkal Pattam (oral lease) in which they orally lease out land, crops in the possessed land, including yielding rubber trees to non STs at very low amounts for the purpose of meeting their immediate needs. Since there is no documentary evidence for this, a legal action against the culprits involved seems difficult. A sizable area of yielding tribal rubber plantations (nearly 300 hectares), which were raised during the decade 1990-2000 in various ST concentrations in the district, utilising SCA to Tribal Sub Plan received from Govt of India, is under the threat of oral leasing by the ST families (In Kuttichal Panchayat only few families got benefits of this scheme). But many of the young generations of Kanikkar do not know the past history – the KANIPATTU LAND LOSS by their predecessors.

3.16. Soil and Water Conservation Programmes Undertaken

The ST survey 2008 reported that soil & water conservation works were not carried out in any of the tribal settlements, though 17 settlements were in need of such works. During 2004-07 (project period was 3 years) the Kuttichal Panchayat has implemented a project under Western Ghats Development Programme (WGDP), the major component of the project was soil & water Conservation measures in the watershed area of the panchayat. The project which spent Rs. 22.5 lakhs laid high emphasis on soil and water conservation measures. However, the panchayat could not extend the programme to the tribal areas due to the resistance by the Forest Department. However, benefits of the livelihood support programmes under WGDP were given to the tribal families also.

3.17. Animal Husbandry Programmes in Scheduled Tribe Areas

The survey 2008 found that 12 settlements were engaged in animal husbandry programmes. The service of the veterinary hospital was available only to 6 settlements(50 percent of the settlements engaged with animal husbandry activities). 9 settlements had received financial assistance from Kuttichal Panchayat for the nurturing of animals like milch cows, goats etc. Number of families engaged with the activities in the 12 settlements during 2008 were 40. Out of these 40 families, 22 had received financial assistance for the construction of cattle shed. It was reported that families in one settlement had received training by the Animal Husbandry Department in rearing animals scientifically.

It was found that animal husbandry activities were feasible only in 13 settlements, as the availability of grass, special leaves, water, etc could be ensured only in these settlements. Moreover, the domestic animals being reared in the remote 12 settlements are vulnerable to wild attack.

During 2001-02 an NGO DALE VIEW had implemented a programme namely distribution of highbred variety of milk cows in the tribal areas of Kuttichal spending Rs 28 lakhs under WGDP of Government of India. The achievements under the scheme were dismal. The reason for the shortcoming was mainly due to the absence of proper marketing system for the sale of milk produced by the ST families. Moreover, the NGO had not given any prior training to the families in rearing cross-breed cows before distributing them.

Similarly the District Panchayat, Thiruvananthapuram had launched an ambitious project namely Kannukutty Pothukutty (Distribution of calf and heifer to ST families in Thiruvananthapuram District)during 2009-10 and distributed calf and heifer to all eligible ST families, including those in Kuttichal Panchyat. The objective of the scheme was to ensure substantial income to the family at the time of sale of these animals when they become mature enough. Unfortunately a sizable portion of the families sustained loss at the time of sale of the grown up animals due to the intervening and cheating of middlemen in the settlements. This

happened because the District Panchayat could not ensure proper marketing arrangements for the ST families, although it was mentioned in the approved project.

3.18 Affinity with Forests

The ST survey reported that out of the 25 settlements 22 were within reserve forests and 3 were outside the forests. But this is wrong because even if the settlements like Thottinpuram, Pankav and Valiyakunnadi are very close to non ST inhabitations, these settlements are well within the genda(forest boundaries)of Forest Department. Hence the report " 3 settlements and 46 families therein were located outside forest" is wrong.

Almost all ST communities in the State engage in Minor Forest Produce (MFP) collection. In Kuttichal Panchayat also 20 out of 25 settlements were engaged in MFP collection during 2008. Families belonging to 16 settlements even go to farther in forest areas in search of MFPs. In Kuttichal, 14 settlements were in receipt of MFPs in bulk, whereas 6 settlements were lagging behind. Yet, the number of families engaged in the collection activities during 2008 was only 22 from the 20 settlements having MFP collection. This was only 6.08 per cent of the total ST families in Kuttichal.

It is mentioned in the Survey report 2008 that 7 ST settlements were not given permission by Forest Department in collecting MFPs. This is not true as the MFP Committee under the Chairmanship of the Chief Conservator of Forests (Protection) still allots the forest ranges for collection of MFPs to ST co-operatives also as per the request made by the Managing Director,SC/ST Co-Operative Development Federation(HARIGIRIFED),Thiruvananthapuram,which is the Appex Co-Operative Institution of the MFP collecting ST Co-operatives in the State. Nevertheless, it is understood that the Forest Department is allotting ranges to the Vanasamrakshna Samithy(VSS) also for MFP collection.The VSS comprising of non STs as well as STs and even private contractors engaged with the collection and marketing of MFPs. As of today there exists no settlement-wise allocation or ban on any settlement in collection of MFPs. However, MFP collection is restricted in the core areas and sanctuaries where wild life population is comparatively high.

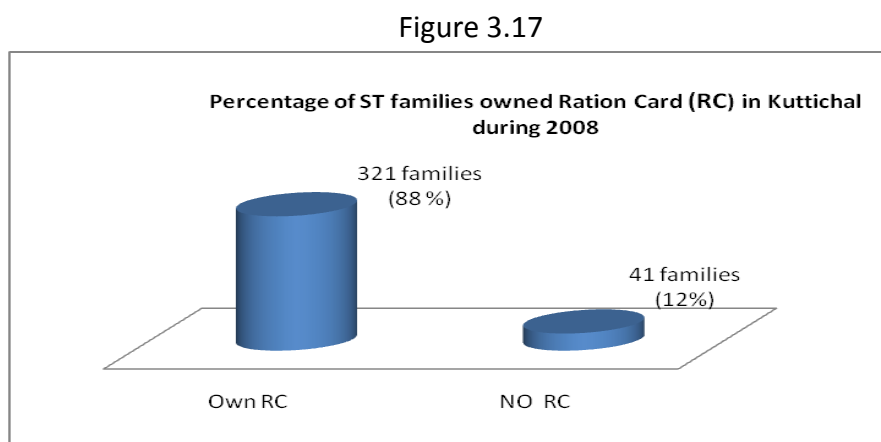
A part of the tribal area in Kuttichal Panchayat fall within the Agasthyarvanam Biological Park Project of the Forest Department. As a part of implementation of the project during 1992, the Forest Department decided to evict 56 ST families living in the core forest areas of Kuttichal panchayat and translocate them in 56 quarters constructed at Kappukad(these quarters are within the forest boundaries and easily accessible by road) within Kuttichal Panchayat. But the Forest Department could not evict these families,in spite of the facilities and other offers promised in their scheduled tribe rehabilitation package,as they unanimously decided not to leave their original settlements where they have inhabited over centuries from numerous generations in the back. This event shows the great affinity of the Kani people with the forest and their communion with the ecology and environment therein.

Now the Forest Department is using these quarters as resorts for the stay of tourists who visit the Elephant Rehabilitation Centre and Agarstarvanam Biological Park at Kappukad.

3.19 Social Security Measures available

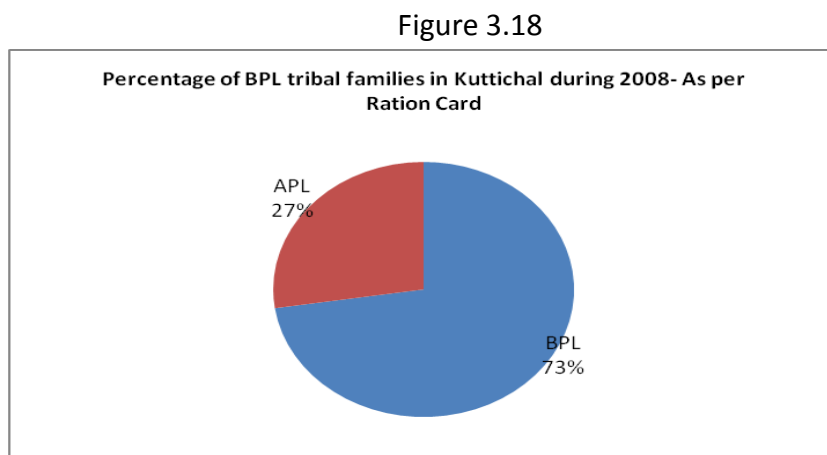
3.19.1 Availability of Ration Cards

Out of the 362 ST families 321 were possessing ration cards during 2008. This is 88.67 per cent of the total families. Among the 59 families having ration card, all family members were not included in the list given in the card. Details are shown in Fig 3.17



3.19.2 ST Families Categorised as APL/BPL as per Ration Card and Food Subsidy Benefits Received

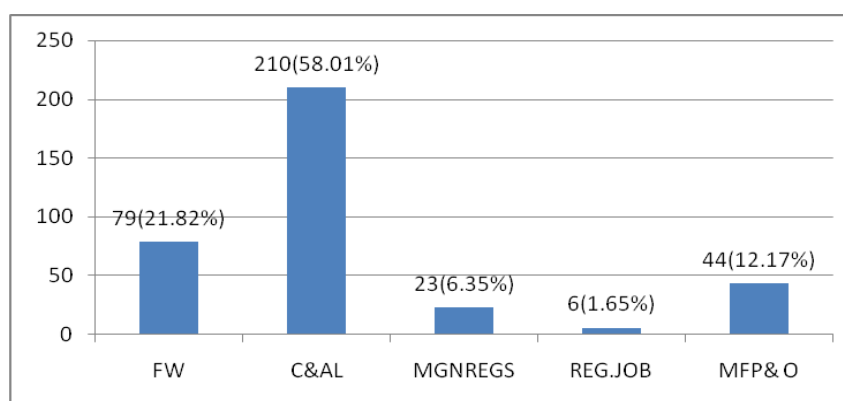
According to the data elicited from ration cards, out of the 362 ST families 263 were BPL (72.65 percent) and the balance 99 APL during 2008. It was reported that 80 ST families received the benefit of Anthyodaya Annajojana programme and 13 families that of the Annapoorna. Details are given in Fig 3.18



3.19.3 Activity Status of ST Families Living within Forest

Of the 362 families, 312 families were engaged in various activities within forest itself. Only 6 families were Government employees or regular salaried members. Out of the 312 families having activities within forests, 79 were concerned with forest based works and 210 families in agriculture and associated activities (cultivators and agricultural labourers). 23 families were found enrolled in MGNREGS. Details are shown in Fig 3.19

Figure 3.19
Activity Status of ST families of kuttichal during 2008
(X axis- Activity Status, Y axis- No. of families)

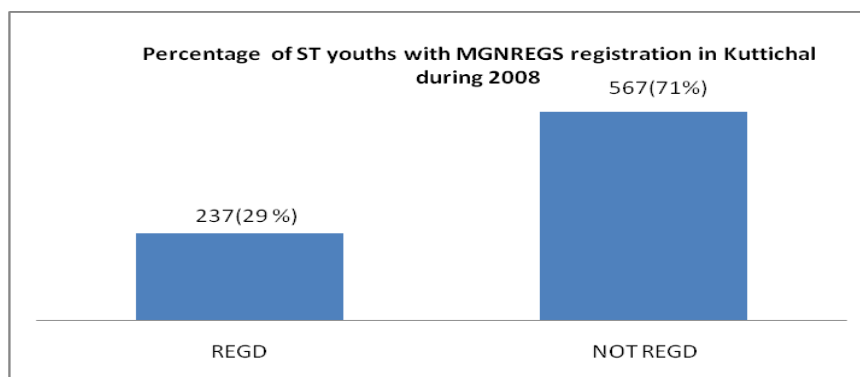


(FW: Forest Works; C&AL: cultivators & Agri Labourers; MGNREGS: Employment Guarantee scheme; REG.JOB: regular salaried Job including Govt. employment; MFP&O: Minor Forest Produce Collection & Other activities)

3.19.4 Identity Card and MGNREGS Registration

There were 804 ST persons above the age of 18 during 2008. Of them 105 persons were (13.05 %) found without identity card. Majority of the persons were found without MGNREGS registration - 70.52 per cent (567 out of 804). Details are depicted in Fig 3.20

Figure 3.20



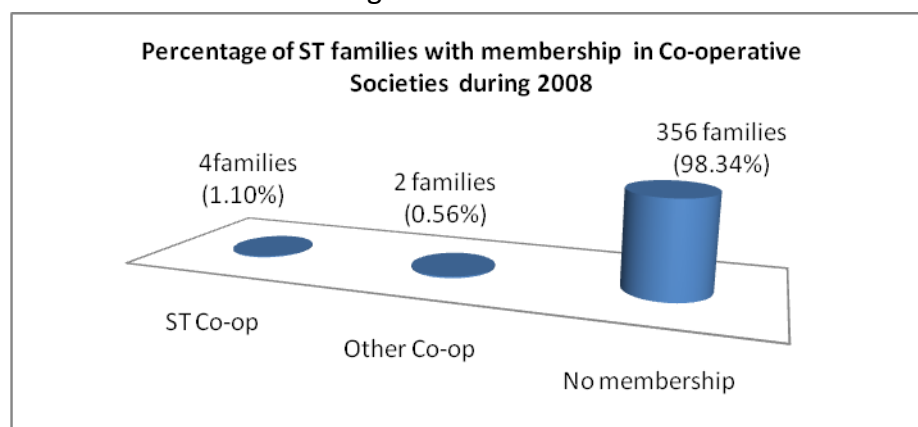
3.19.5 Receipt of Welfare Pensions

49 ST persons were getting various pensions – Old age(32), widow(6),disabled(4), agriculture labourer(2), unemployment dole(3), Others (2) .

3.19.6 Membership in Co-operatives and Insurance Protection

Only 4 ST families were found as members of ST co-operatives. Two families had membership in other Co-operatives. Details are given in Fig 3.21

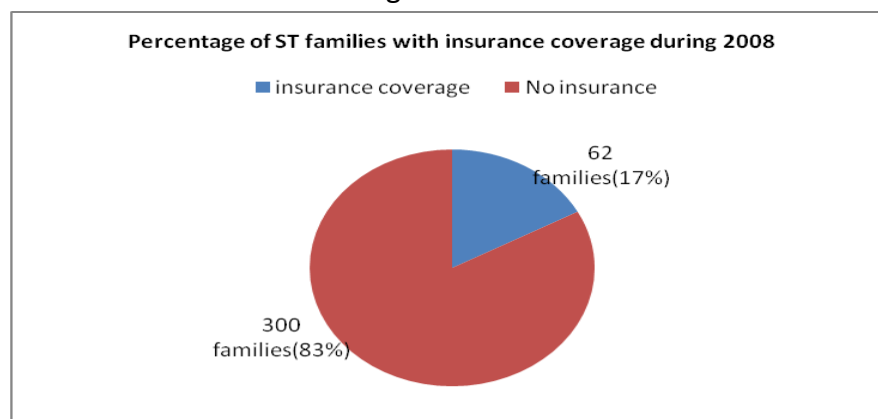
Figure 3.21



The Kerala State Federation of SC/ST Development Co-operatives, is the Apex Body of ST Co-operatives engaged with MFP collection in the State. The scheduled tribe families who are members of the ST co-operatives give their MFP collection to the ST co-operative to which they are attached. The ST families engaged in MFP collection in Kuttichal are attached to Pottamavu ST Co-operative, which is not within Kuttichal Panchayat area. During 2008 the Co-operative movement was very weak among the ST families in Kuttichal Panchayat.

84 ST persons belonging to 62 families had insurance protection during 2008. Thus only 17.12 per cent ST families had insurance protection during 2008.

Figure 3.22



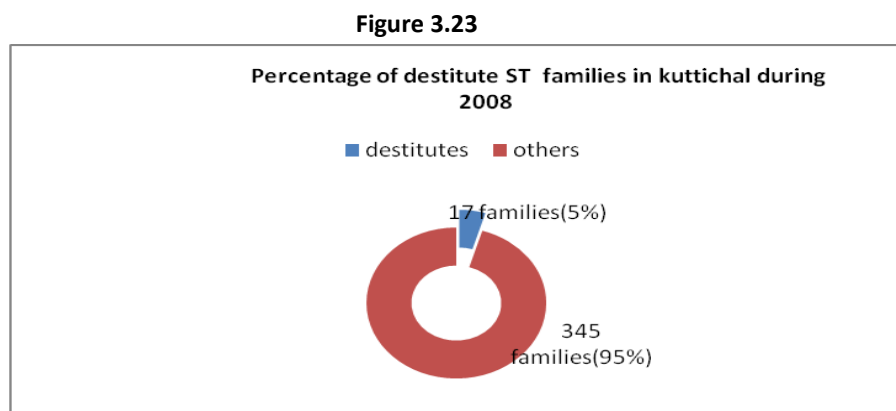
3.19.7 Atrocities against Scheduled Tribes

It is appreciable to note that no case has been reported in recent years as atrocity against scheduled tribes in Kuttichal. As stated earlier, large scale atrocities were committed

against the kani families in the district, including the ST families in Kuttichal, during the middle of the last century. Because of the absence of any system in those times to protect and safeguard them, they suffered a lot, including loss of life of many innocent kani persons.

3.19.8 Destitute Families and Beneficiaries of Asraya Programme

Of the 362 ST families, 17 (4.69 percent) were considered as destitute. Out of the 17, seven families were receiving the benefits of Asraya programme. 9 families were eligible for the package care programme for destitute. Of the 9, three families were getting benefits of the ST package care services; the content of the programme is similar to that of Asraya. Details are shown in Fig 3.23

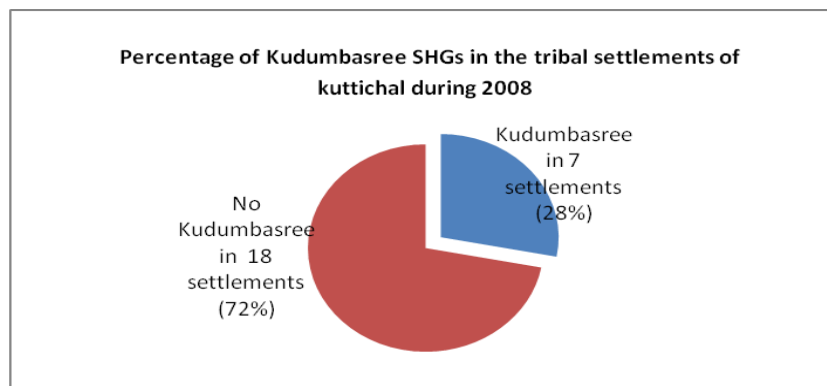


3.20 Social Development Achieved

3.20.1 Settlements with Kudumbasree network

Of the 25 ST settlements, Kudumbasree SHigure 3.24Gs were operating only in 7 settlements. The number of Kudumbasree SHGs was also 7. In one settlement non STs were also members of the SHG. Thrift and Savings scheme is in existence in all the 7 functioning SHGs. Six settlements had received loan from the SHGs concerned and the SHGs also received loans from banking institutions. In one settlement, one male SHG is also functioning. The Kudumbasree SHGs had not started any enterprise, either individual basis or as group initiative in any settlement. Details of Kudumbasree SHGs are given in figure 3.24

Figure 3.24



3.20.2 Availability of Social Organisational Structures in Settlements

From the very beginning of Panchayat Raj System, Kuttichal Grama Panchayat has taken steps in organising Oorukuttams (ST Grama Sabha) timely, systematically and regularly with participation from all ST families. All the members, were keen in organising and convening the Oorukuttams. In this connection the initiative taken by the present Vice President, ST members of the panchayat, who are residing within the settlements, are commendable. The Oorukuttams use to meet 3 to 4 times in a year with clear agenda for formulation of Annual Tribal Sub Plan and projects, monitoring aspects as also for beneficiary selection pertaining to various schemes.

Oorukuttams were organised in all the 25 settlements and their meeting also arranged as per need (*altogether 6 Oorukuttams covering all the 25 settlements*). Barring Anakal, the remote settlement, STs of all settlements participated in the meetings with utmost interest and presented their ideas and suggestions with great expectations before the Panchayat Members, Standing Committee Chairpersons and Members of the Working Group on SC/ST Development. In 21 out of 25 settlements, MuttuKanis (the Ouru Moopan or ST Chieftain) are holding the post of Chairperson of the Oorukuttam.

3.20.3 Cultural Aspects of Kani Tribes

Till the beginning of 20 the century the Kani people speak a language which was a mixture of Tamil and Malayalam. Now they speak Malayalam. They have the rich tradition of a highly organised and democratically formed clan system. They believe that their original habitats were Thirunelveli and Kalakkad in Tamil Nadu

The area of habitation of the Kanis is called 'kanipattu'. The Kani Chieftain's name is 'muttukani'. In olden days the Chieftains were very powerful. Based on their area of habitations the kanis have 10 subdivisions like 'Kayyillam', 'Pamillam' etc. The culture of the kanis are largely dependedent on the rules governing the clan system (gothra niyamam) and centuries old epics/puranas (Puravarithams).

The Kanikkaras' cultural heritage, references about their original habitations, beliefs, ethics etc. are available at large in their famous hymns and *songs*. Kanis call chanting of their hymns as 'chat'. The meaning of the word 'chat' is "Speak Loudly". They are competent for using mystic spells and clever tactics (*manthrathanthras*) with the objective of pleasing their Gods, eradication of evil spirits, treatment of diseases, elimination of enemies, for controlling of wild animals creating damage to their crops, for improvement of agriculture, salvation of the souls of the dead etc. For each purpose they use a different 'chat' like 'thudichttu' or 'vayattuchattu' (for the protection of pregnant women from evil spirits); 'pinichattu' (for eradication of diseases and strengthening of unity of families); 'karinkali chattu' (to tie up evil spirits and to ensure safeguard against harmful witchcraft and blackmagic of others); 'valakettichattu' (to capture and banish evil spirits); 'manneyichu chattu' (meant for childless couples with the objective of getting a child); 'vazhavettichattu' (intended for overcoming the impact of bad time and to have better agriculture development.); 'nayattuchatt' (to overcome the hurdles for hunting of animals and to find justification for it); 'sathrumaranachattu' (this is a kind of ancient kudothram aimed at destroying the enemies); 'koduthichattu' (aimed at pleasing of Gods) etc. While they perform 'chat' a musical instrument viz. 'kokkara' is used. It is an exclusive instrument for CHAT.

'kothikkothal' (to treat indigestion), 'vellamothal' (to treat vilidhosham and kamperu), 'thararaksha' (to ensure safeguard against evil spirits in entering houses and for the general welfare and prosperity of women and children), 'yezhiyanvilakku' (meant for pest control in agriculture), 'tholakettu' (to protect crops from thieves), 'uzhinjupidikkal' (to catch hold of evil spirits approach kanis with bad intention) are certain object oriented mystic spells and tactics ('*manthrathanthras*') performed by kanis without 'chat'

They perform various stage shows and fine arts consisting of dance and drama forms supported by traditional songs, during various occasions. 'Thoonthimuthan' is one such drama cum dance form performed by them while they engage in MFP collection, rearing of cattles, and during resting times. 'Thoonthimuthan' is a wifeless 'muttukani', seems to be desperate due to his lonely life. The A group of kani ladies dance in front of him, their hands joined together and ask him the reasons for his worry. When they ask at last if the reason is non availability of suitable ladies, he says 'yes' and slowly leaves the scene. In 'thunkimuthan' show, those who sit outside to see the show are the singers. The musical instrument 'ilathalam' is used for supporting thalam to the show.

'Vallinadakam' and 'chandramathikkali' are the two popular drama art forms of the kanikkar. The stories of these dramas contain traditional items as well as episodes taken from popular epics and puranas (for eg. Ramayana, Mahabharatha, etc.)

'Chattaeith' is an entertainment popular among the kani children. This is both an entertainment and a game which proves their individual competence in archery ('ambaeith'). For the game they use bows and arrows and the hands of plantain leaf. They fix the plantain hand at a spot and send arrows one by one after standing at a specific distance from the target. They form two groups and start the game. The group which hit the target the maximum number of times will be the winners. While they perform this game the children sing songs specifically composed for 'Chattaeith'

The Kani people's history and culture are seen in their prominent kani songs in which the new generation is not much interested. 'Kallanaporu' pattu (song containing the fight related with a dam) is a song which throws light upon their history in Tamil Nadu and the circumstances which led them for their migration to Travancore. 'vathappattu', 'thoonkipattu', 'pathadippattu', 'thuluvanpattu', 'mayilaumpattu', 'pappirayapattu', 'othalpattu', 'kattalapattu' are examples of their famous songs. While they sing these songs they use their traditional musical instruments like 'ottukinam'(brass plate), 'venkala vattaka' (brass metal), 'kaimoney' (ilathalam) etc.

**PLANNING PROCESS, DEVELOPMENT PROGRAMMES /PROJECTS FORMULATED
AND IMPLEMENTED IN THE TRIBAL AREAS OF KUTTICAL GRAMA PANCHAYAT BY
VARIOUS AGENCIES FROM ELEVENTH PLAN**

4.0 Planning Process in Kuttichal Grama Panchayat

There are 14 wards and 6 oorukuttams in Kuttichal Grama panchayat. The average grama sabha participation in the grama panchayat during 2011-12 was 10 per cent. Whereas the average participation of scheduled tribes in their oorukuttams was 29.05 per cent. During 2012-13 the grama sabha participation rate was more or less same as that of 2011-12; slightly higher than 10 per cent. As against this, the oorukuttam participation rate of tribals was 30.59 per cent during 2012-13. Hence the tribal participation rate is appreciable.

Although the participation rate was bear minimum, grama sabhas were convened five times during both 2011-12 and 2012-13 in Kuttichal. Similarly the oorukuttams were convened four times in both years. This shows the high initiative and interest of the panchayat in organising grama sabhas and oorukuttams.

Working groups were functioning well in the Panchayat during 2011-12 and 2012-13. They met five times during both years. They undertook the tasks of project formulation as well as monitoring as stipulated in the guidelines. The quorum of the working groups were always high.

More than 200 people participated in the development seminars organised during 2011-12 and 2012-13. Stakeholder consultation and meetings with banks were also arranged as stipulated in the guidelines. The plan and projects of the grama panchayat were approved by the District Planning Committee before due date. Forest Right Committees of the tribals were also convened as and when needed. The same pace of planning process was seen in the panchayat during the past years of 11th plan as well.

4.1 Tribal Sub Plan (TSP) of Kuttichal Grama Panchayat

4.1.1 TSP undertaken by Kuttichal Grama Panchayat during 11 Plan

During Eleventh Plan (2007-12) the Kuttichal Grama Panchayat allocated Rs.77.50 lakhs and spent Rs.68.91 lakhs under TSP and implemented various tribal development programmes beneficial to the ST families. The expenditure is 88.92 per cent of the allocation for the five year period. During the period the Panchayat allocated Rs.719.31 lakhs in the general sector (including SCP&TSP) and spent Rs.648.73 lakhs, registering a financial progress of 90.19 per cent. This shows that the TSP expenditure is slightly lesser than the general plan during Eleventh Plan. However, during 2007-08, 2009-10 and 2011-12 the TSP expenditure has shown higher percentage compared with the general sector expenditure of the panchayat. The year-wise allocation and expenditure under TSP and general sector during Eleventh Plan are given below (tables 4.1 & 4.2)

Table 4.1

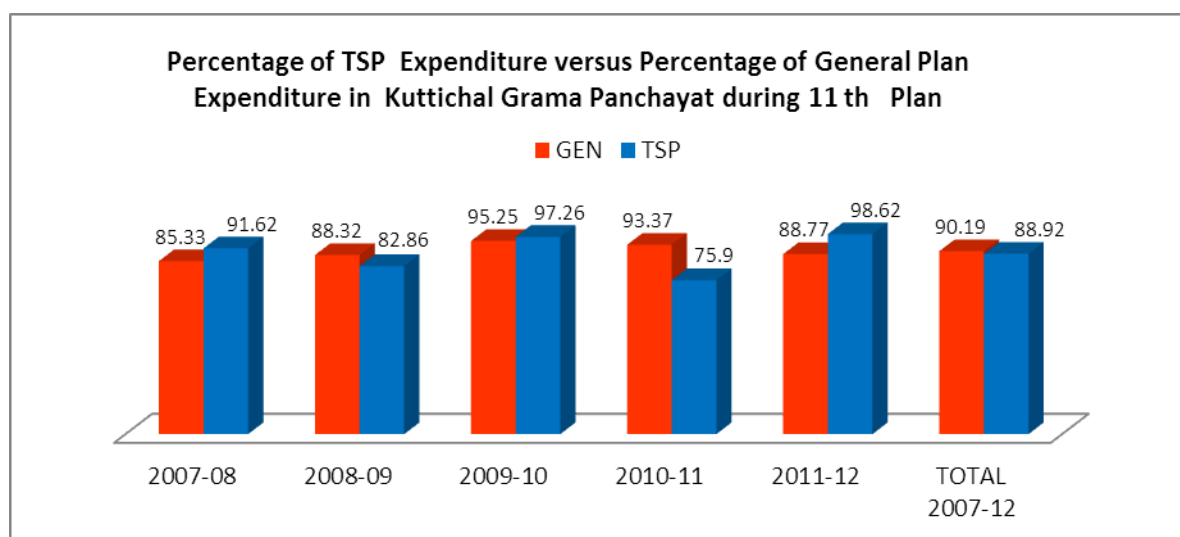
(Rs. lakhs)

Progress of Tribal Sub Plan of Kuttichal Panchayat during Eleventh Plan			
Year	Allocation (Rs. lakhs)	Expenditure (Rs. lakhs)	Percent
2007-08	13.84	12.68	91.62
2008-09	25.50	21.13	82.86
2009-10	9.5	9.25	97.26
2010-11	10.58	8.03	75.90
2011-12	18.08	17.82	98.62
TOTAL	77.50	68.91	88.92

Table 4.2

General Plan(Gen+SCP+TSP) in Kuttichal Grama Panchayat during Eleventh Plan			
Year	Allocation(Rs lakhs)	Expenditure(Rs lakhs)	Percent
2007-08	106.24	90.65	85.33
2008-09	167.03	147.52	88.32
2009-10	121.18	115.43	95.25
2010-11	146.67	136.95	93.37
2011-12	178.19	158.18	88.77
TOTAL	719.31	648.73	90.19

Figure 4.1



During 11 th Plan, the physical achievements made by the Grama Panchayat under TSP were delightful. They provided 18 new houses with priority to houseless ST families / families having dilapidated houses, repair and maintenance undertaken in the houses of 55 ST families and new OD wells constructed for 43 ST families facing acute water shortage. Besides this the panchayat supplemented TSP funds to IAY housing (25 per cent share for unifying IAY rates with the housing rate of the state)

In order to solve the problems of inaccessibility and transportation, 4 new foot bridges were constructed at critical points across 4 brooks in Amala and Valippara, concrete work done in the case of 2 existing foot bridges in Valippara and Pankav, safety wall built for one existing foot slab at Valippara.

Kottoor-Mankav-Chonampara road, which is the main motorable road (KSRTC have regular bus service upto Kaithode settlement through this road), was metalled and tarred during 2008-09.

Repair and maintenance of the Anganvadies at Chonampara and Valippara were undertaken during the reference period. Moreover, the maintenance of the 6 MGLCs (alternate schools) was also carried out, school uniforms and other study materials distributed to all the students therein.

The project-wise details under TSP of Kuttichal Grama Panchayat for the five years of Eleventh Plan including physical achievements, are given below (tables from 4.3 to 4.7).

		Table 4.3				
		TRIBAL SUB PLAN 2007-08 of Kuttichal Grama Panchayat(Amount in (Rs lakhs)				
SL. No	Project No	Project Name	Amount Allocated	Amount Spent	Physical Target	Physical Achievement
1	115/2008	Housing	0.66	0.66	House construction	Constructed
2	116/2008	Housing	0.26	0.26	House construction	Constructed
3	117/2008	Thanal Housing-Interest payment	0.75	0.75	Interest payment	Interest paid
4	118/2008	IAY Housing-supplementary assistance	0.58	0.58	House construction	Constructed
5	119/2008	Food grains kit	1.19	0.74	Supply of Food grains	Supplied
6	120/2008	Marriage Assistance for ST girls	0.20	0.10	ST girls	Given to 1 girl
7	121/2008	House Repair	1.20	1.20	Repairing Houses	Repaired
8	122/2008	House Construction (TSP)	6.00	5.40	House construction	Constructed
9	123/2008	Well Construction (TSP)	0.60	0.60	To provide drinking water	Well constructed
10	124/2008	Footbridge across Perumonkadu thodu in Valippara ST Colony	2.40	2.39	Construction of footbridge	Constructed
		TOTAL	13.84	12.68	-	-

		Table 4.4				
		TRIBAL SUB PLAN 2008-09 of Kuttichal Grama Panchayat(Amount in (Rs lakhs)				
SL. No	Project No	Project Name	Amount Allocated	Amount Spent	Physical Target	Physical Achievement
1	82	E.M.S House Construction	6.00	5.40	Liveable house	constructed
2	83	Thanal Housing- Interest payment	0.75	0.75	Interest payment	Interest paid
3	84	Well construction	1.20	0.90	Availability of Drinking	Assured
4	86	House Repair (TSP)	1.20	0.50	Repairing Houses	Repaired
5	87	wiring of Pankav ST Cultural Centre	0.20	0.19	Wiring	Wiring done
6	130	IAY House- Supplementary Assistance	0.15	0.15	Liveable house	constructed
7	147	Kottoor-Mankodu- Chonampara road construction(TSP Corpus Fund)**	16.00	13.24	Construction of road in tribal area	road constructed
		TOTAL	25.50	21.13	-	-

** Amount of Rs 16 lakhs received as TSP Corpus Fund from ST Dev.Dept through ITDP during 2008-09

		Table 4.5				
		TRIBAL SUB PLAN 2009-10 of Kuttichal Grama Panchayat(Amount in Rs lakhs)				
SL. No	Project No	Project Name	Amount Allocated (in RS)	Amount Spent	Physical Target	Physical Achievement
1	114	Well construction (women) for 12	1.20	1.20	To make available	Well constructed
2	116	Awareness campaign and seminar in tribal areas (package care services)	0.50	0.49	Awareness creation	conducted awareness class
3	116	Furniture and kitchen utensils for Podiyam cultural centre(package	0.50	0.50	Purchase of furniture and kitchen utensils	purchased
4	118	Kitchen construction for Valippara Aganwadi(package care services)	0.44	0.43	construction of kitchen	kitchen constructed
5	119	solar lamp for three Cultural Centres	1.00	0.97	solving energy problem	solar lamp installed
6	120	Thanal Housing- Interest payment	0.75	0.75	Interest payment	Interest paid
7	121	Safety wall for footbridge at Perumankadu in Valippara settlement	1.35	1.32	solving transport problem	safety wall constructed
8	155	IAY House- Supplementary assistance	2.16	2.16	liveable house	constructed
9	3	Uniform dresses and study materials for students in M.G.L.C school	1.00	0.92	To create positive environment for	supplied uniforms and study materials
10	18	Annual maintenance of 6 M.G.L.C schools in scheduled tribe areas	0.60	0.50	Betterment of infrastructure facilities of schools	maintenance done
		TOTAL	9.50	9.24	-	-

		Table 4. 6				
		TRIBAL SUB PLAN 2010-11 of Kuttichal Grama Panchayat (Amount in Rs lakhs)				
SL. No	Project No	Project Name	Amount Allocated	Amount Spent	Physical Target	Physical Achievement
1	69	Uniform dresses and study material for students in M.G.L.C school	1.00	0.99	Intensive educational development	supplied uniforms and study materials
2	70	wheel chair and furniture for handicapped tribes	0.15	0.15	welfare of handicapped	Supplied
3	71	Rest house in Kaithodu settlement	2.50	0.28	construction of rest house/inn	Constructed
4	74	completion of house of handicapped person	0.60	0.60	welfare of handicapped	Constructed
5	75	construction of foot bridge at panarkav valathottil in Valippara	1.10	1.08	construction of footbridge	Constructed
6	77	concrete of footbridge from kalletam to	1.03	1.03	concrete of footbridge	concrete of footbridge
7	118	ST survey	0.10	0.10	ST survey	Surveyed
8		House Repair (TSP)	2.10	1.80	livable house	constructed
9	76	Pankav Valiyakunnadi pathway-concreting.	2.00	2.00	Concreting of pathway	Pathway concrete done
		TOTAL	10.58	8.03		

		Table 4. 7				
		TRIBAL SUB PLAN 2011-12 of Kuttichal Grama Panchayat (Amount in (Rs lakhs))				
SL. No	Project No	Project Name	Amount Allocate	Amount Spent	Physical Target	Physical Achievement
1	74	IAY house construction	0.49	0.49	House construction	constructed
2	75	House Repair	2.00	2.00	Repairing Houses	Repaired
3	76	Well construction	1.30	1.30	To solve the drinking Water problem	well constructed
4	77	Supply of uniform dress and study material to ST	1.50	1.47	Encourage ST students	supplied
5	79	ST Asrya Project	4.00	4.00	To ensure the social security of STs	implemented
6	80	Chonampara Aganwadi maintenance	1.50	1.38	Aganwadi maintenance	Maintenance undertaken
7	82	Study tour for members of Oorukootam –to see the agricultural practices in other areas	0.80	0.75	To improve knowledge in Agricultural practices	study tour conducted
8	85	Pathway concrete in Valippara ST colony	1.00	1.00	solving transport problem	Pathway concreted
9	86	Construction of Amala footbridge	1.00	1.00	solving transport problem	footbridge constructed
10	87	footbridge concrete in Pankav Thottumpuram ST colony	1.54	1.49	solving transport problem	concrete of footbridge has done
11	156	IAY house construction	2.95	2.95	To construct liveable houses	constructed
		TOTAL	18.08	17.83		
		GRAND TOTAL (2007-12)	77.50	68.91	88.92 %	

4.1.2 TSP undertaken by Kuttichal Grama Panchayat during 2012-13, the first year of 12 th Plan

During 2012-13 the Kuttichal GramaPanchayat got approval for TSP projects worth Rs. 23.20 lakhs. As against this, expenditure was only Rs.16.08 lakhs (69.31 per cent). As per the Panchayat Committee the shortfall in expenditure was due to the change in subsidy rates during 2012. The projects revised as per new rates were approved late and this caused delayed implementation. Accordingly, the Tribal Asraya Project with approved cost of Rs. 3.5 lakhs could not be implemented. Similar fate occurred to the projects for road maintenance near Valippara settlement and side wall construction envisaged for Kaithode nadappalam (footbridge). The project wise allocation and expenditure of the approved TSP projects during 2012-13 are given in table 4.8.

Table 4.8						
TRIBAL SUB PLAN 2012-13 of Kuttichal Grama Panchayat (Amount in Rs lakhs) (1st year of 12 th Plan)						
SL. No	Project No	Project Name	Amount Allocated (in RS)	Amount Spent	Physical Target	Physical Achievement
1		Maintenance of podiyam cultural centre	1.45	1.45	One centre	Maintenance done
2		OD well construction	1.75	1.40	OD wells	7 wells
3		Housing (IAY-Addl.grant)	2.21	2.21	Supplement IAY Houses	Supplemented
4		House maintenance	3.00	2.25	House repair	9 houses
5		Tribal Asraya project	3.50	0.00	Destitute rehabilitation	Not implemented
6		Construction of sidewall for Kaithode foot slab	1.25	0.00	Side wall for foot slab	Not implemented
7		Construction of Mankodu Mulamoodu Nadappalam	4.25	4.25	Nadappalam	Constructed

8		Construction of foot slab in Pankav Pongumkuzhi settlement	1.25	1.25	Foot slab	Constructed
9		Valippara Ennakunnu road maintenance	1.27	0.00	Road maintenance	Not implemented
10		Valippara road concrete	1.50	1.50	Road concrete	Concrete done
11		Construction of foot slab at Kaithode thode	0.77	0.77	Foot slab construction	Constructed
12		Cutting of trees in tribal area under sanction of Forest Right Committee	1.00	1.00	Cutting of trees in forest for	Trees cut down
		TOTAL	23.20	16.08		

Compared to the TSP progress of the other 8 Grama Panchayats in Thiruvananthapuram with ST population more than or equal to that of Kuttichal, it is seen that the progress achieved by Kuttichal grama panchayat is definitely above the average level of TSP Expenditure in the District during 2012-13. The comparative picture is as follows (table 4.9).

Table 4.9: Progress of leading TSP implementing Grama panchayats in Thiruvananthapuram District during 2012-13				
Sl No	Name of Grama Panchayat	TSP Allocation(Rs . lakhs)	TSP Expenditure (Rs.lakhs)	Percentage of expenditure
1	Peringamala(Vamanapuram Bl.)	81.63	47.12	57.72
2	Vithura(Vellanad Bl.)	79.23	71.53	90.28
3	Nandiyode(Vamanapuram Bl.)	55.64	33.55	60.29
4	Tholicode(Vellanad Bl.)	41.42	28.91	69.80
5	Pangodu(VamanapuramBl.)	24.41	10.77	44.12
6	Aryanad(Vellanad Bl)	23.69	17.08	72.09
7	Amboori(Perumkadavila Bl.)	23.39	16.96	72.50
8	Kuttichal(Vellanad Bl.)	23.20	16.08	69.31
9	Kallikadu(PerumkadavilaBl.)	11.17	6.92	61.95

4.1.3 TSP undertaken by Kuttichal Grama Panchayat during 2013-14, the second year of 12 th Plan

The Kuttichal Grama Panchayat has a TSP provision of Rs. 23.95 lakhs during 2013-14(vide Appendix IV of Budget). As against this, the DPC has approved Rs.31.07 lakhs, including carry over from 2012-13, for 16 projects. Details of these 16 projects are given below in table 4.10.

Table 4.10			
TRIBAL SUB PLAN 2013-14 of Kuttichal Grama Panchayat (Amount in Rs lakhs) (2nd year of 12 th Plan)##			
SL. No	Project No	Project Name	Amount Allocated (in RS)
1	35	House maintenance	1.50
2	36	Construction of drinking water well	1.75
3	70	Construction of latrine for 5 community centres	3.00
4	71	Podiyam-Kombidi bridge construction	2.75
5	72	Mankodu –mulamoodu side wall construction and soil filling	2.00
6	73	Valippara- ennakunnu –Podiyam road expansion	2.00
7	74	Construction of Valippara library building	3.00
8	75	Klaruruttithery road maintenance	1.10
9	76	Valiyakunnadi –Thittumpuram road concrete	1.19
10	127	IAY additional assistance	3.16
11	134	Asraya Project	2.50
12	167	Construction of side wall for kaithode nadappalam	1.25

13	168	Valippara Ennakunnu road maintenance	1.27
14	185	House maintenance	0.75
15	186	Drinking water well construction	0.35
16	188	Tribal Asraya Project	3.50
		TOTAL	31.07

TSP Projects of Kuttichal panchayat during 2013-14 are being implemented now.

4.2 Tribal Sub Plan (TSP) undertaken by ITDP from 11 th Plan in Kuttichal Grama Panchayat

From 2002-03 the ST Development Department has been operating more than 50 per cent of the TSP funds (now nearly 68 per cent is with the ST Dev.Dept). The Project Officer, ITDP, Nedumangad has furnished the programmes implemented in Kuttichal Panchayat from 2008-09 onwards as given below. *It is found that an amount of Rs. 79.81 lakhs has been spent for a period of five years from 2008-09 to 2012-13, the average annual flow to the Panchayat area from ITDP being Rs.15.962 lakhs.* The flow of funds from ITDP would have been much higher if the amount of Rs. 102.66 lakhs sanctioned to KSEB on 23-3-2013 for the electrification of 6 ST settlements in Kuttichal was spent during 2012-13. Since the KSEB has initiated action for the electrification programme in the 6 settlements, the flow of funds will be substantial during 2013-14. It is specifically highlighted that the ITDP constructed 34 houses for the STs at a cost of Rs.33.23 lakhs during the period from 2008-09 to 2012-13 including few spill over of previous years.

As economic development programme, the ST.Department. (ITDP) encouraged rubber cultivation in the tribal areas of Kuttichal from 11 th Plan in collaboration with Rubber Board. During 11 th Plan it was launched in Pankav and Thottinpuram settlements. ST families of 7 settlements started the cultivation themselves. The Department supplied rubber roller to these settlements at a cost of Rs.9.39 lakhs(between 2008-09 and 2012-13). They have started a new scheme in collaboration with Rubber Board in Kuttichal during 2012-13 at a cost of Rs.14.57 lakhs benefiting Chonampara and Kaithode settlements. Another scheme benefiting Mulamood, Mankode and Valippara settlements is being implemented in 2013-14 with project cost Rs.14.98 lakhs.

Even when routine Animal Husbandry programmes shown little progress in the tribal habitations of Kuttichal, the ITDP distributed goat units to 49 ST families from 2010-11.

Table 4.11					
TSP of ITDP 2008-09#					
Sl.No	Name of Programme	Amount Sanctioned (Rs lakhs)	Amount Spent(Rs lakhs)	Phy.Achievements	Remarks
1	Food Support Programme	2.00	2.00	130 families	In monsoon
2	Housing (TSP corpus fund)	4.40	4.40	8 families	Instalments-2,3,&
3	Distribution of Rubber Roller(SCA to Tribal Sub Plan)	0.46	0.46	Families of Pothode ST Settlement	
	Total- 2008-09	6.86	6.86		

Table 4.12					
TSP of ITDP 2009-10					
Sl.No	Name of Programme	Amount Sanctioned (Rs lakhs)	Amount Spent(Rs lakhs)	Phy.Achievements	Remarks
1	Housing(TSP Pooled fund)	2.81	2.81	5 families	Instalments -1&2
2	Housing (TSP Pooled fund)- Spill over of 2006-07	0.15	0.15	1 familiy	4th instalment
3	Food Support Programme	2.00	2.00	130 families	
	Total - 2009-10	4.96	4.96		

Table 4.13					
TSP of ITDP 2010-11					
Sl.No	Name of Programme	Amount Sanctioned (Rs lakhs)	Amount Spent((Rs lakhs)	Phy.Achievements	Remarks
1	Housing(TSP General Fund)	6.25	6.25	5 families	Instalments- 1,2,3,& 4
2	Food Support Programme	2.00	2.00	120 families	
3	Marriage Assistance to ST girls	0.20	0.20	1 ST girl of Pankav Settlement	
4	Housing(Pooled Fund) – spill over of 2009-10	2.69	2.69	5 families	Instalments-3,& 4
5	Distribution of Rubber Roller(SCA to Tribal Sub Plan)	2.04	2.04	Families of Pankav, Pattam para, Mukkothi vaval &	
6	Assistance for Cultivation of Kasthuri Manjal(aromatic turmeric)-- SCA to Tribal Sub	2.52	2.52	50 ST families	
7	Assistance for purchase of goat units (SCA to Tribal	3.00	3.00	20 ST families	
8	Distribution of sewing machine(SCA to Tribal Sub Plan)	1.09	1.09	11 ST families	
	Total 2010-11	19.79	19.79		

Table 4.14:					
TSP of ITDP 2011-12					
<i>Sl.No</i>	<i>Name of Programme</i>	<i>Amount Sanctioned (Rs lakhs)</i>	<i>Amount Spent (Rs lakhs)</i>	<i>Phy.Achievements</i>	<i>Remarks</i>
1	Food Support Programme	1.22	1.22	105 families	
2	Distribution of Rubber Roller(under art275(1))	2.56	2.56	Chonampara,mankod,Ayiramkal,Amod settlements	
3	SCA to TSP- Assistance for Cultivation of Kasthuri Manjal(aromatic turmeric)--	1.03	1.03	20 families	
4	SCA to TSP- Distribution of Rubber Roller	0.50	0.50	Pankav-Ponginkuzhi settlements	
5	Housing	5.19	5.19	5 families	Instalments-1,2,3,&4
	Total 2011-12	10.50	10.50		

Table 4.15					
TSP of ITDP 2012-13					
<i>Sl.No</i>	<i>Name of Programme</i>	<i>Amount Sanctioned (Rs lakhs)</i>	<i>Amount Spent(Rs lakhs)</i>	<i>Phy.Achievements</i>	<i>Remarks</i>
1	Food Support Programme	2.51	2.51	150 families	
2	SCA to TSP- Rubber Cultivation in Kuttichal- funds to Rubber Board	14.57	14.57	43 families of Chonampara, Kaithode	first instalment
3	Assistance for purchase of goat units (SCA to Tribal Sub	2.62	2.62	15 families	
4	Housing	11.75	11.75	5 families	Instalments- 1,2,3,& 4
5	Assistance for marriage of ST girls	0.20	0.20	1 family	
6	Electrification of settlements – Mankode,Valippara,Chonampara,Ariyavila,Mulamoodu,	102.66	***	6 ST settlements	Sanctioned to KSEB on 23-3-2013.
7	Assistance for goat units under art 275(1)	2.21	2.21	14 families	
8	Supply of Rubber Roller under art 275(1)to the six ST settlements Chonampara, Mankode, Amode, Aayiramkal,Pattanippara, Yerumpiyad	3.84	3.84	74 families of 6 settlements	
	Total 2012-13	140.36	37.70		

Table 4.16					
TSP of ITDP 2013-14					
Sl.No	Name of Programme	Amount Sanctioned (Rslakhs)	Amount Spent (Rslakhs)	Phy.Achievements	Remarks
1	SCA to TSP- Rubber Cultivation in Kuttichal-funds to Rubber Board	14.98	***	Mulamood, Mankode and Valippara settlements	
2	Corpus Fund :- Mankode – Valippara road metalling	15.00	***		Execution by District panchayat
3	Assistance for Banana cultivation	1.11	***	20 families	
4	Assistance for well construction	0.50	***	5 families	
5	Assistance for training and manufacture of grass broom. @@beneficial to Pattampara, Aamodu, Kunnatheri, Plavila and Pothodu settlements.	1.38	***	2 Kudumbasree Units@@	
6	Assistance for marriage of ST girls	0.50	***	1 family	
	Total 2013-14	33.47	***		
A	Total TSP(ITDP) 11th Plan(2008-11)#	42.11	42.11		
B	Total TSP(ITDP)12 Plan Plan(2012-14)	173.84	37.70		
A+B	TOTAL TSP (ITDP) -(2008-14)	215.95	79.81		

*** Expenditure not yet reported

Data pertaining to 2007-08 could not be received from ITDP, Nedumangad

Apart from the TSP schemes, the STDD has a huge non-plan provision of Rs.6554.24 lakhs during 2013-14. Of this, the routine salary costs and other items account for only Rs.712.98 lakhs. The balance amount of Rs 5841.27 lakhs is meant for implementing the ST development schemes like distribution of educational concessions to all the ST students(lump sum grant and stipend), cost of running of tribal hostels of STDD, incentives to parents of scheduled tribe students, running of medical units and Training Centres under STDD, boarding grant, supply of cloth etc. Since these schemes recur every year, an estimated amount of at least Rs 20 lakhs (on the basis of population of STs) would naturally flow to the Kuttichal Area also during the current year from non-plan budget provision.

The ITDP has distributed Rs. 0.48 lakh in Kuttichal from 2008-09 to 2011-12 through Kuttichal Grama Panchayat as *thatching grant*, which is a State Sponsored Non-plan Scheme(Scheme of STDD transferred to Grama Panchayat), to 48 eligible ST families. During the period from 2012-13 to 2013-14 also Rs.0.31 lakh has been sanctioned for disbursing thatching grant to 62 families.

During 2012-13, the ITDP sanctioned Boarding grant (non-plan scheme of STDD) at the rate of Rs.500 per month per student to the NGO viz. NAMASTHE, Vellanad for the boarding of 30 ST students from Kottoor forest of Kuttichal Panchayat.

4.3 Tribal Sub Plan (TSP) undertaken by Thiruvananthapuram District Panchayat in Kuttichal (11 th plan)

4.3.1 TSP during 11 th Plan (2007-12)

As per the development document of the District Panchayat for the 12 th plan period 2012-17, the district panchayat had formulated and implemented housing programmes for ST families living in remote areas, conducted ayurveda medical camps, given assistance for the cultivation of ginger and kasthuri manjal(turmeric), electrification of ST settlements, launched water supply schemes, provided better educational facilities to brilliant ST students etc. during 11 th Plan (2007-12)

The Kuttichal Grama Panchayat also has been benefitted by the housing programmes (including the supplementary assistance given to IAY), ayurveda medical camp, cultivation of ginger and Kasthuri manjal etc. during 11 th Plan. The project “Distribution of kalakutty-Pothukutty in all ST settlements “implemented from 2009-10 to 2011 -12 was only partially successful due to the absence of proper marketing arrangements for the grown up bulls and buffaloes. However, the benefit of the programme accrued to the ST families in Kuttichal also. the Housing programme of District Panchayat was phenomenal during 11 th Plan – they completed the construction of 47 houses for the ST families of Kuttichal through PO,ITDP. During the period from 2008-09 to 2010-11 the District Panchayat constructed these 47 houses in the tribal areas of Kuttichal spending an amount of Rs.31.50 lakhs, including spill over from 2006-07 onwards. This is a real achievement for both District Panchayat as well as Kuttichal Panchayat

The projects of the District Panchayat implemented by the Project Officer,ITDP, Nedumangad during 11 th Plan are furnished below(table 4.17)

Table 4.17:					
TSP of District Panchayat Thiruvananthapuram during 11 th plan from 2008-09 and upto 2012-13 in Kuttichal Grama Panchayat implemented through PO,ITDP, Nedumangad					
Sl.No	Year	Name of Programme	Amount Spent(Rs lakh)	Physical Achievement	Remarks
1	2008-09	Housing(spill over)	3.10	8 families	Instalments 3 & 4
2	2008-09	Housing	3.75	13 families	Instalments -1&2
3	2009-10	Housing(spill over)	7.80	13 families	Instalments -3 &4
4	2009-10	Housing	11.69	11 families	Instalments -1.2 & 3
5	2010-11	Housing(spill over-2009-10)	1.88	11 families	4th Instalment
6	2010-11	Housing (spill over-2008-09)	1.45	7 families 1 family	4 th instalment
7	2010-11	Housing (spill over-2006-07)	1.24	11 families	4 th instalment
8	2010-11	Housing (spill over-2007-08)	0.60	4 families	4 th instalment
9	2012-13	Assistance for cultivation of ginger and Kasthuri Manjal	1.40	20 families	
10	2012-13	Medical Camp in tribal areas – Chonampara,Podiyam,Mankodu, and Pothodu settlements	0.40	4 camps	

4.3.2 TSP of District Panchayat during 2012-13

During 2012-13 as against a TSP budget provision of Rs.115.22 lakhs the District Panchayat got approval for projects worth Rs.182.805 lakhs under TSP and spent only Rs. 72.233 lakhs (39.51 percent). Among the projects implemented, IAY-supplementary assistance costing Rs. 32.26 lakhs was beneficial to ST families of Kuttichal also. The schemes Ayurveda Medical Camp(Rs.2.50 lakhs), Cultivation of ginger and kasthuri manjai(Rs 7 lakhs) were also beneficial to kuttichal alongwith other Grama Panchayats .As stated above the Ginger and Kasthuri manjal cultivation and conduct of medical camps were implemented by the PO, ITDP, Nedumangad.

4.3.3 TSP of District Panchayat during 2013-14

The District panchayat now receives around 22 per cent of the total TSP allocation to the district. During the year 2013-14 the TSP provision of the District Panchayat (as per Appendix IV of State Budget) was Rs. 129.05 lakhs. As against this the district panchayat got approval for projects worth Rs. 239.62 lakhs, including carry over funds from 2012-13. Utilising this provision, the panchayat formulated projects which are critical gap fillers as also large and integrated, with the financial participation of grama and block panchayats.

The major projects of the District Panchayat which are beneficial to STs of Kuttichal Panchayat also during 2013-14 are given below (table 4.18)

Table 4.18:
TSP of District Panchayat during 2013-14

Sl.No	Year	Name of Programme	Amount Spent(Rs lakhs)	Remarks
1	2013-14	Housing	85.00	
2	2013-14	Housing (IAY)	13.95	Supplementary fund to IAY
3	2013-14	Better Education facilities to brilliant ST students	15.00	

4.4 Tribal Sub Plan (TSP) undertaken by Block Panchayat Vellanad in Kuttichal Panchayat from 2007-08 to 2013-14

4.4.1 TSP programmes of Vellanad Block Panchayat during 11 th Plan (2007-12)

The Vellanad Block Panchayat allocated Rs 21.03 lakhs under TSP during 11 th plan for undertaking programmes in Kuttichal Grama Panchayat and spent Rs. 17.53 lakhs (83.55 per cent) in the period. During the period the panchayat targeted 39 ST families under IAY –housing and constructed houses for 23 families.(As the unit cost of the IAY houses is less than that of the State, the Grama- Block-district Panchayats would share the additional commitment in the ratio 25:50:25 so as to equalise the rate with that of the State)

Tribal literacy programme was also launched by mobilising the illiterate youths living in interior forest areas. The programme was collectively organised for the 8 Grama Panchayts in the jurisdiction of Vellanad Block Panchayat. The candidates could write and qualify the primary

school level equivalent examination conducted by the State Literacy Mission during the period. The Block Panchayat organised Scheduled tribe arts festival at podiyam Settlement of Kuttichal Grama Panchayat during 2011-12.

The Block Panchayat constructed a new building for the Cultural Centre at Podiyam settlement in Kuttichal by spending Rs 6.73 lakhs under TSP. Preliminary works relating to the Pankavu- Ponginkuzhi Water Supply scheme was started during 2011-12, but it could be completed in 2012-13 only.

4.4.2 TSP programmes of Vellanad Block Panchayat in Kuttichal Grama Panchayat during 12th Plan (from 2012-13)

During 2012-13 the Vellanad Block Panchayat had an approved allocation of Rs. 57.49 lakhs under TSP. Of this, Rs. 50.33 lakhs (87.54 per cent) was spent. Among the 10 approved projects, 4 projects were in the tribal areas of Kuttichal Grama Panchayat.

Thus out of the approved TSP provision of 2012-13 , they earmarked Rs. 8.92 lakhs for Kuttichal and spent Rs. 8.91 lakhs. The works of Pankav- Ponginkuzhi water supply scheme spilled over to 2012-13 was completed in 2012-13 by spending the balance amount of Rs.2.02 lakhs. Repair and maintenace done for the Valippara anganwadi at a cost of Rs 0.92 lakhs. The Valiyakunnadi Thottinpuram Water supply scheme was completed by spending Rs. 3.47 lakhs.

The Block Panchayat has an approved TSP allocation of Rs. 72.10 lakhs during the current year 2013-14. Out of the 10 projects, 2 projects are in the Kuttichal Grama Panchayat. The first project IAY has targeted 16 ST families in Kuttichal with a finanacial target of Rs.10.40 lakhs. For the second project namely Valippara side wall construction and road concreting, an amount of Rs.1.12 lakhs has been earmarked. Both projects are being implemented.

Detailed progress report of the TSP projects implemented by The Block Panchatat in Kuttichal Grama Panchayat from 11 th Plan is given below

Table 4.19:						
TSP of Vellanad Block Panchayat in Kuttichal Grama Panchayat during 2007-08						
Sl.No	Name of Programme	Amount allocated (Rs lakhs)	Amount Spent (Rs lakhs)	Physical target	Physical Achievements	Remarks
1	Tribal Literacy Programme	1.08	1.08		Illiterates of Kuttichal and 7 other Grama Panchayats in	The programme was meant for Tribal

					Vellanad Bl.area	illiterates of 8 Grama Panchayats
2	Indira Awas Yojana (IAY)	1.00	1.00	5 families	3 families	
	TOTAL 2007-08	2.08	2.08			

Table 4.20:						
TSP of Vellanadu Block Panchayat in Kuttichal Grama Panchayat during 2008-09						
Sl.No	Name of Programme	Amount allocated(Rs lakhs)	Amount Spent(Rs lakhs)	Physical target	Physical Achievements	Remarks
1	Tribal Literacy Programme	0.30	0.30		Illiterates of Kuttichal and 7 other Grama Panchayats in Vellanad Bl.area	The programme was meant for scheduled tribe illiterates of 8 Grama Panchayats
2	Building construction for Cultural Centre at Podiyam settlement	6.73	5.25	1 cultural centre	1 cultural centre	Mainly beneficial to 24 families in Podiyam settlement (major work completed)
3	Indira Awas Yojana (IAY)	1.00	1.00	2 families	2 families	
	TOTAL 2008-09	8.03	6.55			

Table 4.21:						
TSP of Vellanad Block Panchayat in Kuttichal Grama Panchayat during 2009-10						
Sl.No	Name of Programme	Amount allocated(Rs lakhs)	Amount Spent(Rs lakhs)	Physical target	Physical Achievements	Remarks
1	Building construction for Cultural Centre at Podiyam settlement(spill over)	1.48	1.48	1 cultural centre	1 cultural centre	Completed
2	Indira Awas Yojana (IAY)	1.25	1.25	11 families	6 families	
	TOTAL 2009-10	2.73	2.73			

Table 4.22:						
TSP of Vellanad Block Panchayat in Kuttichal Grama Panchayat during 2010-11						
Sl.No	Name of Programme	Amount allocated(Rs lakhs)	Amount Spent(Rs lakhs)	Physical target	Physical Achievements	Remarks
1	Saksharatha Thulyatha Pareeksha(Exam equivalent to primary level to ST students)	0.22	0.22	Students from 8 grama Panchayats in Vellanadu Area	Students from 8 grama Panchayats in Vellanadu Area	
2	Indira Awas Yojana (IAY)	1.25	1.25	10 families	6 families	
	TOTAL 2010-11	1.47	1.47			

Table 4.23:

TSP of Vellanad Block Panchayat in Kuttichal Grama Panchayat during 2011-12						
Sl.No	Name of Programme	Amount allocated(Rs lakhs)	Amount Spent(Rs lakhs)	Physical target	Physical Achievements	Remarks
1	Adivasi Kalamela at podiyam settlement(Tribal Arts Festival)	1.00	1.00	All the 25 settlements in Kuttichal	All the 25 settlements in Kuttichal	
2	Saksharatha Thulyatha Pareeksha(Exam equivalent to primary level to ST students)	0.22	0.22	Students from 8 grama Panchayats in Vellanadu Area	Students from 8 grama Panchayats in Vellanadu Area	
3	Pankav Ponginkuzhi WaterSupply Scheme	3.00	0.98	2 settlements	2 settlements	
4	Indira Awas Yojana (IAY)	2.50	2.50	11 families	6 families	
	TOTAL 2011-12	6.72	4.70			
	TOTAL 2007-12(11th Plan)	21.03	17.53			

Table 4.24:						
TSP of Vellanad Block Panchayat in Kuttichal Grama Panchayat during 2012-13						
Sl.No	Name of Programme	Amount allocated(Rs lakhs)	Amount Spent(Rs lakhs)	Physical target	Physical Achievements	Remarks
1	Pankav Ponginkuzhi Water Supply Scheme	2.02	2.02	2 settlements	2 settlements	Spill over
2	Maintenance of building - Valippara Anganwadi	0.92	0.92	Families of Valippara & adjoining settlements	Families of Valippara & adjoining settlements	
3	Drinking water supply in Valiyakunnadi-Thottinpuram settlement	3.47	3.46	38 Families in the 2 settlements	38 Families in the 2 settlements	
4	Indira Awas Yojana (IAY)	2.50	2.50	7 families	4 families	
	TOTAL 2012-13	8.91	8.90			

Table 4.25:						
TSP of Vellanad Block Panchayat in Kuttichal Grama Panchayat during 2013-14						
Sl.No	Name of Programme	Amount allocated(Rs lakhs)	Amount Spent(Rs lakhs)	Physical target	Physical Achievements	Remarks
1	Housing _IAY	10.40		16 families		Being implemented
2	Valippara sidewall construction and road concreting.	1.12		Families in the Valippara settlement		Being implemented
	TOTAL 2013-14	11.52				

4.5 Flow of Funds from MPLADS for ST Development

The Government of India, Ministry of Statistics and Programme Implementation sanction and release funds to the Lok Sabha as well as Rajya Sabha MPs under the MP's Local Area Development Scheme to formulate and implement projects based on locally felt infrastructure and development needs in the area of jurisdiction of the MPs, with emphasis on creation of durable assets. Projects or works permissible under MPLADS are proposed by the MPs based on the feedback on critical gaps in development received from his area of jurisdiction.

From November 2005 the SC/ST component was introduced in MPLADS. Out of the total entitlement of an MP in a year, 15 percent and 7.5 per cent respectively have to be earmarked for SC and ST Development in the jurisdiction of the MP. From 2011-12 the MPs' entitlement in a year has been raised to Rs. 500 lakhs from Rs. 200 lakhs. Accordingly, each MP should earmark Rs.37.5 lakhs for scheduled tribe development in a Year out of his entitlement of Rs 500 lakhs. The revised guidelines issued in August 2012 on MPLADS also stipulate that registered trusts/societies functioning for the exclusive benefit of scheduled tribes can be sanctioned Rs. 37.50 lakhs for the creation building assets.

From 11 th plan period the following MPLADS projects were launched in Kuttichal Panchayat benefiting the scheduled tribes.

Table 4.26:						
Flow of funds from MPLADS						
Sl No	Name of MP	Name of project	Amount sanctioned (Rs lakhs)	Year	Amount spent(Rs lakhs)	Physical achievements
1	Sri Thennala Balakrishna Pillai*	Chonampara Kaithode road tarring	10.00	2009-10	10.00	Work completed
2	Sri AK Antony**	Construction of school building of Chonampara LP School	25.00	2011-12	25.00	Work completed

*Former MP(RS); **Hon'ble Minister of Defence, India & MP(RS)

4.6 Flow of Western Ghat Development Programme (WGDP) funds for ST Development

4.6.1 Watershed Development Programmes under WGDP

The Western Ghat Development Programme launched during V plan by Govt of India has been benefitted by Kuttichal Panchayat to a great extent. The programme is primarily intended to preserve the ecology and environment by formulating suitable projects for the sustainable

management of natural resources in the Western Ghat region, management of production systems by encouraging indigenous practices prevailing in each region and to ensure livelihood support programmes for the families inhabiting in the region. The WGDP assures high priority to the ST families fall within or adjacent to the region.

During the period from 2004-05 to 2007-08 The District Collector, Thiruvananthapuram (the District Nodal Officer of WGDP in the District) had sanctioned Rs. 25 lakhs under WGDP to Kuttichal Panchayat for undertaking soil conservation works, agriculture and other production system management programmes, need based and location specific livelihood support programmes. The Panchayat's contribution of Rs.2.50 lakhs and an equal amount as beneficiary contribution were also available.

Although the project namely. "Kottoor Kumbilimood Watershed Project" was not meant for the exclusive benefit of STs, they have been given livelihood support like distribution of goat units, poultry units, beehives, assistance for coconut cultivation etc. under the programme. Because of the absence of permission from the Forest Department, the major components of the project were not implemented in the tribal areas of Kuttichal.

4.6.2 Construction of Foot Bridges In Inaccessible Areas Under WGDP

During 11 th Plan period the following 5 foot bridges were sanctioned and constructed utilising WGDP funds. Of these 3 were in inaccessible locations of ST settlements and 2 in SC habitations of Kuttichal.

Table 4.27 : Foot Bridges Constructed Under WGDP

Sl No	Name of foot bridge	Year of sanction	Amount sanctioned	Amount spent so far	Remarks
1	Pankav - Thottumpuram	2009-10	Rs.0.30 lakh	Rs.0.30 lakh	
2	Kaithode thode	2009-10	Rs.1.13 lakhs	Rs.1.13 lakhs	
3	Naranamthode	2009-10	Rs.1.65 lakhs	Rs 1.65 lakhs	Beneficial to SC families
4	Mulamood	2009-10	Rs 0.47 lakh		Work will be completed
5	Bhagavathithode	2009-10	Rs 0.53 lakh	Rs 0.53 lakh	Beneficial to SC families

4.7 Special Development Programme of MLAs(MLASDF)

Similar to the MPLADS, a Special Development Fund is earmarked to each MLA in Kerala from 2001 onwards for undertaking critical, need-based and gap filling development programmes in the constituency of the MLA. The guidelines of the scheme namely Special Development fund

for MLAs (MLASDF) is similar to the MPLADS. Now the Annual entitlement of each MLA has been raised to Rs 100 lakhs from Rs.75 lakhs.

Though the guidelines permit to undertake works relating to civic amenities like electrification, water supply, pathways; buildings for residential schools in tribal areas, no project has been implemented hitherto in the tribal areas of Kuttichal Grama Panchayat utilising MLA SDF.

4.8 Programmes of NGOs

There are three prominent NGOs namely Mithranikethan Dale View and Vinobanikethan functioning within a radius of 10 kms from Kuttichal Grama Panchayat. All are located in the ST dominated area of Vellanad Block Panchayat.

4.8.1 Mithranikethan

The Mithranikethan has ongoing programmes like Women Empowerment, Education Extension, Farm Science(Krishi Vinjana Kendra),Rural Technology,Fruit and Vegetable Processing, Nursery and Kindergarten, Primary and Secondary Schools, Mithranikethan Peoples College, Rural Technology Centre-Appropriate technology etc. Mithranikethan campus is situated in Vellanad Grama Panchayat.

In the primary and secondary schools of Mithranikethan, 250-300 children in the age group 5->15 are studying in the classes 1->10. Among them 150 students are scheduled tribes. Of them 50 ST students are from Kottoor forest area of Kuttichal Panchayat, 50 from Amboori and other tribal dominated Panchayats of Thiruvananthapuram and the remaining 50 from the tribal areas of Attapady, Wayanad and Idukky. The ST survey 2008 also found that 53 ST students (primary and secondary) of Kuttichal panchayat were staying in the hostels run by the educational institutions, justifying the claim of Mithranikethan. These students are given free accommodation, food and other facilities conducive to their educational advancement.

4.8.2 Dale View

The Dale View, located in Poovachal Panchayat within the area of jurisdiction of Vellanad Block Panchayat, has been undertaking programmes in the areas of Education, Health ,Women Development and Environment. Presently, it is running the institutes – De Addiction Centre, College of Pharmacy and Research Centre, English Medium school at Kattakada and the Dale View school at Poonalal. As stated early, the Dale View had implemented a livelihood support programme for ST families in Kuttichal Grama Panchayat during 2002, utilising the WGDP fund of Govt.of india - the programme of distribution of cross breed milk cows among the ST families of Kuttichal Grama Panchayat. It was not impressive due to the reasons stated above. Since then, the Dale View has not been showing interest in ST development programmes.

4.8.3 VinobaNikethan

The Vinobanikethan Ashram was set up in 1976 in the name of Vinobaji, the founder of Bhoodan Movement. This is a charitable Institution functioning based on the principles of our

Rashtra Pitha - Mahatmaji and his close disciple- Vinobaji. The organisation undertakes women development programmes, skill development training programmes to selected youths, agriculture development programmes and scheduled tribe development programmes as well. This institution, located in Velland Block Panchayat area, is nearly 12 kms away from Kuttichal Grama Panchayat.

The Vinobanikethan received Rs.10.83 lakhs during 2012 from the Ministry of Tribal Affairs, Govt.of India for the functioning of the existing Tribal Mobile dispensary and Tribal Hostel under the institution. 150 ST students are now residing in the tribal hostel. Among them only 2 are from Thiruvananthapuram district. The remaining students are mainly from Wayanad, Idukki,Attapady and other districts.

4.9 MGNREGS

The Mahatma Gandhi National Rural Employment Guarantee Scheme has been implementing in the Kuttichal Grama Panchayat fairly well. Under the scheme the Panchayat has created assets like check dams, rainwater harvesting pits and structures, soil conservation works etc. in the non-tribal areas of the panchayat. In the tribal areas, the Panchayat could do only land development works for agricultural operations, that too only within the relatively accessible settlements up to Podiyam. Owing to inaccessibility, threat from wild animals, forest restrictions etc. the scheme could not be implemented in the remote settlements. As stated early the MGNREGS registration could be given only to 237 ST beneficiaries (29.48 per cent) out of the 804 ST persons above the age of 18.

4.10 Progress of Implementation of Provisions under the STs and other Forest Dwellers (Recognition of Forest Rights) Act 2006

4.10.1 A Gist of the Act

The STs and other Forest Dwellers (Recognition of Forest Rights) Act 2006 was passed by the Lok Sabha on 15-12-2006, passed by the Rajya Sabha on 18-12-2006 and signed by the President of India on 29-12-2006. The Act was brought into force from 31-12-06 and the Rules to the Act which provide for some operational details were noticed into force on 1-1-2008(Act and Rules).

The Act recognises the right of the scheduled tribes and other forest dwellers (individual or community tenure or both) with respect to the following.

- a) Right to hold and live in the forest land under individual or common occupation for habitation or self cultivation for livelihood by the members of the ST families and other forest dwellers
- b) Community rights such as nistar including those used in princely States, Zemindhari for such intermediary regime.

- c) Right of ownership, access to collect, use and dispose Minor Forest Produce(MFP) which has been traditionally collected within or outside village boundaries
- d) Right of use of entitlements such as fish and other products of water bodies, grazing and traditional seasonal resource access
- e) Rights of Primitive tribes on the above items
- f) Rights in or over disputed lands
- g) Rights for conversion of pattas or leases or grants issued by any Local Authority or any State Governments on forest lands to titles
- h) Right of settlement and conversion of Forest Villages, old habitations, unsurveyed villages in Forest(if notified or not) into revenue villages
- i) Right to protect, regenerate, conserve or manage any community forest resources which they have been traditionally protecting and conserving for sustainable use
- j) Rights which are recognised under any State law or Laws of any autonomous District Councils.
- k) Right to access to bio diversity and community right to intellectual property and traditional knowledge related to Bio Diversity and Cultural diversity .
- l) Any other traditional right customarily enjoyed by the STs and other forest dwellers, which are not mentioned in the above clauses.
- m) Right to in situ rehabilitation including alternative land in cases where the STs and other forest dwellers have been illegally evicted or displaced from forest land prior to 13-12-2005
- n) Notwithstanding the provisions contained in the Forest (Conservation)Act1980 , the Central Government shall provide diversion of forest lands for the following facilities managed by government which involve felling of trees not exceeding 75 trees per hectare.

- Schools, dispensaries or hospitals
- Anganwadies,fair price shops,
- Electricity and communication lines
- Tanks and other minor water bodies
- Drinking water supply and water pipe lines
- Water or rain water harvesting structures
- Minor irrigation canals
- Non Conventional Source of Energy
- Skill upgradation for vocational training centres
- Roads and community centres

Such diversion of forest lands shall be allowed only if

- 1) The forest land to be diverted for the purpose is less than one hectare
- 2) The clearance of such development projects shall be subject to the condition that the same is recommended by the Grama Sabha(OOorukuttam)

The Forest Right Act ensures protection for the scheduled tribe families facing the threat of eviction from critical wild life habitats of National parks and sanctuaries in exercise of the provisions under the Wild Life (Protection)Act 1972 and the Forest Conservation Act 1980

Only those ST and other families who had occupied the forest land before 13-12-2005 shall only be eligible for making claim under the Act. The rights shall be conferred free of all encumbrances including compensation under the Forest Conservation Act 1980

The Grama Sabha of the scheduled tribes (Oourukootam) has been vested with the powers for initiating the process for determining the nature and extent of individual or community forest rights or both that may be given to the Forest Dwelling STs , by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim, then pass a resolution to that effect and forward a copy of the same to the Sub Divisional Committee(SDC) which has been constituted by State government to examine the resolutions passed by the Grama Sabha.

The Sub Divisional Committee shall examine the resolution passed by the Grama Sabha(after clearance of grievances if any),prepare a record of forest rights and forward it through the Sub Divisional Officer to the District Level Committee(DLC) for final decision. The person who has grievances with the decision of the GramaSabha and the SDC can prefer a petition to the DLC for final decision. The decision of the District Level Committee shall be final and binding

The State Level Committee, which has been constituted under the Act shall monitor the progress of Recognition and Vesting of forest Rights and submit to the State Level Nodal Agency for transmission to Government of India, Ministry of Scheduled tribe Affairs

4.10.2 Progress of Implementation of the Forest Right Act in Thiruvananthapuram District and Kuttichal Grama Panchayat

In Kerala, the STDD is the nodal agency concerned with the implementation of provision of the Act. As soon as direction was received in 2008 from Government of India, the STDD initiated action in collaboration with local governments in organising Forest Grama Sabhas (Oorukuttams), Forest Right Committees(FRCs) to assist the Grama Sabhas; and Sub Divisional, District Level and State Level Committees consisting of officers of Revenue, Forest, ST Development and Panchayat Raj institutions and started functioning. The STDD has given extensive training to the FRCs and Oorukuttams regarding the provisions of the Act and the follow up actions needed for achieving various targets being set under these provisions.

When the officers of the Ministry of Tribal Affairs visited the state in 2010, they had expressed high satisfaction over Kerala's achievements in implementing the provisions of the Act. Kerala was ranked third among the States in the progress of implementation.

In Thiruvananthapuram there are 36 Forest Right Committees (FRCs). Under the category of claims for individual rights, the Oorukuttams received 5241 claims upto 31-7-13 and passed all of them. Land survey was completed in respect of all the claims, where the extent of land involved was 8243 acres. So far 4731 claims (90.26 percent) were passed by the District Level Committees and titles issued in respect of 4644 (88.61 percent) claims. Land area involved in the titles issued in Thiruvananthapuram was 6478.37 acres.

The percentage of titles issued in the State as a whole under individual right was 67.67 only. While Kannur and Kollam districts rank first and second in settling the claims for individual rights, the position of Thiruvananthapuram is third. Among the districts the performance of Palakkad is most distressing (32.32 percent). When the performance of Idukki was average, the same for Wayanad was below average.

In Kuttichal Grama Panchayat there are 6 Oorukuttams and 6 FRCs. It is appreciable to note that 90 percent ST families of Kuttichal have received their titles under the claims for individual rights.

Under the category of Community Rights, the 36 FRCs in Thiruvananthapuram had received 19 claims. All the claims were passed by the Oorukuttams, but the District Level Committee passed only 2 claims and titles yet to be issued. The progress of implementation of this category of rights in the State level is also tardy (only 6 titles issued as against 506 claims received up to 31-7-13.) In Kozhikkode and Kottayam districts all the claims were passed and titles issued. Whereas the leading tribal districts Wayanad, Idukky and Palakkad have not issued any titles under community rights so far.

As far as Development Rights are concerned, the 36 FRCs in Thiruvananthapuram had received 72 claims and the Oorukuttams passed all the claims. But all the claims are now pending with the Forest Department. In the State level as against 667 claims received for development rights, only 8 (involving 3.82 ha land) were passed by the Forest Department hitherto (only in Thrissur district). No claims were admitted in any other districts.

The Forest Right Act has since been amended in 2012 with a view to make the provisions more clear and to give more powers to the Gramasabhas (Oorukuttams). The full text of the Forest Right Act 2006 and the gist of the Amendments in 2012 are given in Annexure 1 and 2

CHAPTER 5

**ACHIEVEMENTS AND SHORT FALLS IN THE
IMPLEMENTATION OF ST DEVELOPMENT PROGRAMMES IN KUTTICAL
GRAMA PANCHAYAT BY VARIOUS AGENCIES**

5.1 Kuttichal Grama Panchayat

Even though the ST development programmes were started in the panchayat area right from the beginning of Integrated Tribal Development Projects(ITDPs) in 1974-75, the benefits could not be fully delivered to the intended beneficiaries due to the factors such as remoteness of the settlements in Kottoor forest area, where majority of the ST settlements are located; restrictions imposed by the Forest Department vide provisions under the Wild Life Protection Act 1972 and the Forest Conservation Act 1980; absence of roads and other communication facilities through Kottoor forest which is a sanctuary of wild elephants; threat of possible wild attack by elephants, bear, bison ,wild boar etc. Till the launching of Panchayati Raj System in 1996-97, the Kuttichal Grama Panchayat was a mere spectator of the problems being encountered by the ST families in Kottoor and other forest areas of the panchayat.

Ever since the panchayat received power, finance and institutions under their control (from 1997-98), it confined greater attention to ST development activities. Remoteness or inaccessibility being the primary problem to reckon with, the Panchayat initiated action to develop the existing pathways and footpaths to motorable roads and to construct foot slabs, foot bridges culverts and bridges in all strategic points in the settlement areas. The panchayat succeeded to a great extent in getting the financial collaboration of ST Development Department, permission of Forest Department and in mobilising resources from sources like MPLADS, WGDP etc. for achieving the objectives.

As part of the process, road constructed from Kottoor Forest Range Office Junction to Valippara, later extended to Mankode, then to Chonampara and now (May 2013) upto Kaithode. The road was developed in two reaches initially during the last year of 9 th Plan by spending Rs 25 lakhs from the TSP corpus fund sanctioned by STDD to Kuttichal Panchayat. Later during 2008-09 also the STDD sanctioned Rs. 16 lakhs to the Kuttichal Panchayat for the widening, metalling and tarring of the road upto Kaithode. The MPLADS fund of Rs 10 lakhs received from Sri Thennala Balakrishnan Pillai MP(RS) also was used. The road has now sufficient width for the operation of KSRTC buses and the buses now conduct regular trips upto Kaithode. This is an amazing achievement of the panchayat.

The road networks, footpaths, foot slabs, footbridges, pathways, culverts, mini bridges etc. constructed by the panchayat paved way for the convergence of various social and economic development programmes like housing , house repair, food support programme, construction of wells, launching of piped water supply scheme, solar lighting programme, setting up of cultural centres and anganvadies, education and health care facilities, initiation of preliminary steps needed for the electrification of the settlements of Valippara, Chonampara, Kaithode, Mulamood, Ariyavila, mankode etc.

However, the above facilities could not be given to major portion of the settlements, especially those situated from Podiyam to Pattampara /Analkal (settlements lying close to Agasthyar Peak). Even in the relatively better developed settlements, the problems like absence of qualitative houses, drinking water scarcity, illiteracy and absence of educational and health care facilities, absence of electrification / power shortage etc still persist. In this juncture the panchayat may initiate action for extending the road facility from Kaithodu to Anakal so that all other development programmes will follow as a natural course of action. It is appreciable to note that this project has been proposed in the 12 th Plan document of the panchayat.

Another milestone in the ST development activities of the panchayat is with regard to its initiative and interest in implementing the programmes needed as follow up action under the provision of Forest Right Act 2006. When the major initiative originated from the ST Development Department (STDD), the Kuttichal panchayat also joined hand in hand with them in constituting Forest Right Committees as stipulated by the Tribal Affairs Ministry of Govt. of India. The co-operation of the Forest Department also could be ensured for materialising the objectives.

The panchayat was successful to a certain extent in getting land for the development activities from the Forest Department for road construction, school building construction, electrification etc. Since the Act permits to divert forest land up to an extent of less than one hectare with a tree cover of less than 75 numbers,(not withstanding anything contained in the Forest Conservation Act 1980)for establishing the facilities “ dispensary and hospital, fair price shops, anganvadies , tanks and other minor water bodies, water supply schemes, rain water harvesting pipe lines, MI canals, non conventional energy sources, skill upgradation / VTC ,community Centres etc”. managed by Government, the panchayat may initiate action to prepare projects, get the approval of Grama Sabha(Oorukuttam) and move Forest Department for earmarking and allotting lands in the area for the launching of these items also.

5.2. Scheduled Tribes Development Department and Other Line Departments

The ST development programmes in the State gathered momentum, soon after the formation of Tribal Block in Attapady, Palakkad District in 1962. The ITDPs were established in Kerala during 1974-75, the first year of V th Five Year Plan. Till 1980, the Scheduled Tribes development programmes were formulated and implemented as a part of the Scheduled Castes Development Department. During 1980, the Scheduled Tribes Development Department started independent functioning under a Director.

In the initial years of functioning a major activity of the Scheduled Tribe Development Department was distribution of educational concessions to the Scheduled Tribe Students. The formation of ITDPs resulted in vesting other socio-economic development programmes also with the Scheduled Tribes Development Department. The ITDPs were reconstituted in 1989 with a view to include larger portion of ST population in their jurisdiction.

Kuttichal Grama Panchayat area falls within the jurisdiction of ITDP, Nedumangad, which is one of the 7 ITDPs in Kerala under the Scheduled Tribe Development Department. Prior to 1989, Kuttichal Panchayat area was in the jurisdiction of ITDP, Punaloor. This is one of the

reasons which retarded the progress of Scheduled Tribes development programmes of Scheduled Tribes Development Department in Kuttichal from 1974-75 to 1989. As already stated, in the case of Kuttichal Grama Panchayat the field level activities (Tribal Extension Programmes) of the ITDP could not yield tangible results due to the cut off nature of the tribal settlements in the Forest Areas of Kuttichal (Neyyar Wild Life Sanctuary, Agasthyarvanam Biological Park and Peppara Wild Life Sanctuary), till recently.

Since the ITDPs were primarily concerned with the educational, health care, housing, drinking water and sanitation, livelihood support and employment generation programmes, the isolated natural inaccessibility of the settlements stood as a hurdle for implementation of the programmes and still it is problematic for more than 50% of the settlements.

During the period 1983-84 to 1996-97 the State had been following the Tribal Sub Plan strategy which ceased to exist in 1997-98, wherein the District Level Working Group, chaired by the District Collector and the District Level Officers of the line departments, who were members of the committee was responsible for the formation and implementation of Tribal Sub Plan in the District. In this system, the ITDP was only one of the District Level Office of the line departments.

During this period (1983-84 – 1996-97) the programmes of several departments including Agriculture, Animal Husbandry, Soil Conservation, Social Welfare, Health, Kerala Water Authority and electrification were tried in the tribal areas of Kuttichal Panchayat. But the Programmes yielded very little results because of the problems of inaccessibility, restrictions imposed by the Forest Department, threat from wild animals, lack of participation of the beneficiary scheduled tribes etc.

However, the Scheduled Tribes Development Department (through ITDP, Nedumangad) tried their level best to improve the literacy and education status of the (all kani families) scheduled tribes by involving in the tribal literacy programme for 1991-1993, by setting up a single teacher school in Chonampara, by accommodating as many students in the two tribal hostels run by the Scheduled Tribe Development Department as also other agencies like Mithraniketan, Vinobaniketan etc. In spite of the hazardous field realities, the ITDP tried to implement housing schemes even in remote areas. Moreover, income generating Programmmes and back up training programmes which enable ST beneficiaries to get employment or self employment were also taken up

The shortfalls occurred on the part of the Scheduled Development Department and other line departments, were mainly in the sectors, like education and housing during the period from 1974-75 to 1996-97.

Housing programmes of the Scheduled Tribe Development Department was started during 1974-75, the year in which ITDPs were established. Thereafter the housing programme of the Rural Development Department also started implementation. Kuttichal Grama Panchayat, Velland Block Panchayat and District Panchayat started their housing programmes from 1997-98 onwards. In spite of all these initiatives, out of the 352 ST families having own houses, only 136 (38.63 per cent) houses were constructed utilizing Government grant from the above sources (as per tribal survey 2008)

Another distressing feature is with respect to the quality of the owned houses seen during the survey 2008. Out of the 352 owned houses, 322 houses (91.47 per cent) lack adequate space, kitchen etc. Among the owned, 196 (55.68%) were dilapidated. In the initial years of housing (ie., from 1974-75) and even today, it would be difficult to transport construction materials to the tribal settlements in Kottoor forest area of Kuttichal. Consequently, the transportation cost becomes exorbitant and the implementing agencies sacrifice the quality of materials being used for housing for the purpose of completion of the houses within the time limit. Moreover, the possibility of getting beneficiary contribution from the scheduled tribe families (in the form of money, skilled or unskilled labour) in the tribal areas is only minimal.

As explained earlier, the cause of the present illiteracy of ST youths in the age group 22-44 in Kuttichal dates back to the years from 1998 to 1975, during the period the STDD could not enrol all the ST children who completed 6 years to the primary schools. The absence of proper follow up programmes for consolidating the literacy status achieved through the Total Tribal Literacy Campaign 1991-93 is a shortcoming to be jointly shared by the STDD and the Education Department. The performance of the six Multi Grade Learning Centres (MGLCs) launched by the Education Department is depressing. The Single Teacher School at Chonampara was closed during 1993-94.

The health extension work of the Health Department was poor before the emergence of Kuttichal Grama panchayat in the new form during 1997-98. Even now it could not confine much attention to the remote ST settlements. The Agriculture department functions well in Kuttichal Panchayat area. But its activities could not be extended fruitfully to the ST settlements due to the problems of inaccessibility, wild life presence, forest restrictions, damage created to crops by wild elephants and boars etc. While we see the availability of reasonably good areas of cultivable forest land possessed by these families, modernising their agriculture practices without any harm to the bio diversity / eco system can definitely lead the families to self sufficiency in the production of food crops.

Now a days the STDD is encouraging the ST families to engage in rubber cultivation in collaboration with Rubber Board based on the success of it launched from 1990-91 in the tribal areas of Thiruvananthapuram district. Since this is not possible in the core areas of the forest and areas with thick tree cover and it may create problems to flora and fauna in the long run, the programme may not be feasibly implemented in all the tribal areas, including Kuttichal.

In spite of these hurdles, the ST.Development Department has successfully initiated the rubber cultivation programme from 2007-08 in collaboration with Rubber Board in 7 settlements as stated in para 4.2 and also encouraged 7 other settlements, which started the cultivation, by supplying rubber roller. The programme is beneficial to 172 families of 14 settlements (47.51 per cent families)

The activities of the Kudumbasree and ICDS have to be strengthened by opening Kudumbasree units and Anganwadies in all strategic points of the tribal areas in Kuttichal. The performance of the KSEB and KWA was not attractive during 11 th Plan in Kuttichal.

5.3 District Panchayat and Vellanad Block Panchayat

The District Panchayat performed well during 11 th Plan in implementing tribal housing programmes in Kuttichal Grama Panchayat. They have also launched a few economic development programmes like cultivation of medicinal plants, distribution of heifers and calves to ST families. They provided better education facilities to brilliant ST students, conducted medical camps in needy tribal areas and arranged coaching classes to ST students to appear the PSC examinations.

The Vellanad Block Panchayat also implemented IAY housing programme in the areas of Kuttichal Grama panchayat during 11 th Plan, with the financial support of Kuttichal Grama Panchayat and Thiruvananthapuram District Panchayat in the form of supplementary assistance to IAY. As against a target of 39 houses, they gave 23 houses during 11 th Plan and another 4 houses during 2012-13 against a target of 7. They have targetted 16 IAY houses during 2013-14. The Block Panchayat undertook the maintenance of Valippara anganvadi , launched piped water supply schemes in Valiyakunnadi –Thottumpuram settlement and Pankav -Ponginkuzhi ST settlements of Kuttichal Panchayat during 2012-13. Though they could not achieve the entire target under IAY housing, the performance of the Block Panchayat is quite moderate, considering the achievements under tribal IAY housing in remote forest areas.

One of the main drawback encountered during the study is the difficulty in tracing out the programmes implemented by the Block Panchayat and District Panchayat in Kuttichal Panchayat area during 11 th Plan. The details of the TSP schemes implemented during 11 th Plan are given in the Sulekha Web of IKM only partially. The District Panchayat and the Block Panchayat have not furnished properly the details of the TSP schemes implemented during 11 th Plan in their Development Document prepared for 12 th Plan, in spite of clear Government direction. The Kuttichal Grama Panchayat has complied this direction while they prepared their development document for 12 th Plan and it is much better compared to the documents of the other two local governments

CHAPTER 6

PROBLEMS, ISSUES AND SUGGESTIONS.

6.1 Reliability of Statistics Relating to the Socio Economic Conditions of ST Families in Kuttichal Grama Panchayat.

The statistics published by different agencies and the Kuttichal Grama Panchayat (mainly demographic particulars of Kuttichal Panchayat) shows wide variation as given below.

Table 6.1: Reliability of Statistics				
Year	Name of agency	ST Population in Kuttichal Panchayat		
		Male	Female	Total
2006	Department of Economics & Statistics	551	609	1,160
2008	Departments of LSGD & ST.Dev.	597	608	1,205
2011	Kuttichal Panchayat *	867	943	1,810
2011	Vellanad Block Panchayt*	717	767	1,484
2011	Census of India	705	772	1477

*As per Statistics given in the Development Reports of the Local Governments for 12th Five Year Plan.

Government have issued specific direction to all local governments, vide guidelines issued, to follow the statistics published by the Departments of Local Self Government and ST Development, as the reports on ST were prepared based on the comprehensive survey undertaken jointly by these departments through a highly organized participatory process in 2008. But the above table shows that the Kuttichal Panchayat and Vellanad Block Panchayat followed different population statistics, while they formulated their 12th Five Year Plan and Annual Plan 2012-13.

While the number of ST settlements in Kuttichal during the ST survey 2008 was 25, as per the development document of the Panchayat, it was 28. The number of ST households or families given by these agencies also vary from 362 (survey 2008) to 510 (as per Kuttichal panchayat). However, as per Census 2011, the ST population in Kuttichal is 1477, which has very little difference with the Block Panchayat figure of 1484 ST persons in Kuttichal. The growth of ST population in Kuttichal from 2008(ST Survey) to 2011(Census) is 22.57 per cent in the three year span, which is never realistic. While the population of STS in Kuttichal as per Census 2011 is 1477, the Kuttichal Panchayat estimated it as 1810 in the same year 2011.

At State level also significant variation is seen between the ST survey 2008 and the Census 2011. As per the ST survey 2008, the ST population in the State was 426208, while the same during Census 2011 was 484839. This shows that the ST population in the State has increased by 13.76 per cent in a period of three years, which is unrealistic as no new community was included in the ST list in the three year period, as done in 2002.

As there exists significant difference among the data provided by various agencies, it is suggested that the State Planning Board may arrange a fresh socio-economic survey of STs in Kuttichal Panchayat soon after monsoon (preferably after Oct.-2013) utilising the same survey schedule used in 2008. This survey would also bring out the actual impact of the ST development programmes after five years from 2008.

6.2. Housing Problem to be solved by the end of 12 th Plan

During the beginning of 11th Plan (2007-08), it was found through the ST survey 2008 that even though 97.23 per cent ST families had own houses, the condition of 91.47 per cent of the own houses were not suitable for dwelling (322 families). Among the owned houses 196 houses (55.68 percent) were dilapidated. Out of the own houses, only 136 houses were built by Government agencies.

It is worthwhile noticing that after launching 11th plan, the Kuttichal Grama Panchayath provided 18 new houses, the ST Development Department (through ITDP) gave 34 houses, the Block Panchayat Vellanad gave 27 houses and the District Panchayat (through ITDP) constructed 47 houses (altogether 126 new houses) up to the end of 2012-13. Moreover, 55 ST houses were repaired during the period. If we subtract the 181 houses (new and repaired) from the dilapidated, the balance number of dilapidated is 15 houses (4.14 percent of the total houses). Due to the simultaneous intervention of the LSGs and ST Dev Dept, the suitability of the houses to live in also have improved substantially (The poor quality houses has decreased to 38.95 percent in 2012-13 from 91.47 percent in 2008). This is a remarkable achievement. The credit for co-ordinating the various agencies in converging tribal housing programmes in Kuttichal definitely goes to Kuttichal Panchayat.

However, as more than one third of the tribal houses still remain unsuitable to inhabit, at the end of first year of 12 th Plan, Kuttichal Grama Panchayat may confine their attention during the remaining period of 12 th plan in co-ordinating the existing agencies of ITDP, District Panchayat and Vellanad Block Panchayat in providing new houses to ST families having fully dilapidated houses and to carry out repair of houses in all possible cases. A joint effort of these agencies would solve the problem easily by the end of 12 th Plan.

During the year 2013-14, the STDD has budgeted Rs 500 lakhs under TSP for undertaking the repair of dilapidated and unsuitable ST houses. The Kuttichal Grama Panchayat may avail a portion of the fund for the repair of these houses by convincing the status of scheduled tribe housing in Kuttichal.

6.3. Drinking Water

The survey 2008 revealed that nearly 54.42 per cent ST families, mostly from remote settlements were facing acute scarcity of drinking water during drought season. It was also seen that 81 families had water shortage for six months in a year. Around 16 per cent families use only wells / tube well as their source of drinking water.

During May 2013 it was found that OD wells provided to ST Families in the settlements Kaithode, Mankod, Chonampara had adequate water in spite of the drought in the month. The ST families agree that well water is quite feasible than piped water supply or tube well in their

settlements, on account of the restrictions in forest areas. In settlements like Mankod, Mulamood, Pankav natural springs (Keni or natural pond) are seen. This water source can be cleaned and protected. Moreover, the brooks seen in the remote settlements such as Plath, Pattampara, Anakal, Podiyam, Amode, Kamalakam, Kompidi can be protected by conserving the existing forest cover.

During 11th plan, the Kuttichal Grama Panchayat provided OD wells to 43 ST families and 7 such wells during 2012-13. During the year 2013-14, they have targeted OD wells to 10 families. The Block Panchayat Velland launched Water Supply schemes in Pankav-Ponginkuzhi and Valiyakunnadi-Thottinpuram settlements during 11th plan benefitting 54 families. This shows that the ST families having water scarcity during drought season has been reduced to 25.69 per cent at the end of 2012-13 from 54.42 per cent in 2008. This is appreciable.

In the light of these facts, it is suggested to go ahead with the program of constructing OD wells during the remaining years of 12th plan. However, pipe water supply/ tube wells may be encouraged in the settlements lying in accessible areas. (The WSS launched by the Block Panchayat in Valiyakunnadi-Thottumpuram and Pankav-Ponginkuzhi ST settlements, are in relatively accessible areas). In order to solve the drinking water problem, the STDD may be approached for sanction of a portion of the funds from their HAMLET DEVELOPMENT SCHEME in during 2013-14, under which Rs.2000 lakhs has been budgeted for Hamlet Development.

The drinking water problem has increased during the last 4 years, as many drainage lines which would not dry up during summer season, started drying up now-a-days. This may be due to the lowering of water table in forest areas consequent on the depletion of forests. In view of this, awareness programmes may be conducted in tribal areas, through Oorukootams / Eco Development Committee / Forest Right Committee etc., emphasizing the need for the future conservation of the existing sparse forest areas, by preserving flora and fauna therein. The ST families should be given greater awareness in conserving the forests as the existence of the forests only can provide them with perennial water sources. They may also be trained in rainwater harvesting in forest settlements by making rain pits/ditches in strategic points.

The Kuttichal Grama Panchayat also has been selected by ST Development Department for raising rubber plantation in tribal areas, like the adjoining panchayaths of Tholicode, Kallikadu, Vithura, Nandiyode, Peringamala, in collaboration with Rubber Board, utilizing SCA to TSP fund. Unless proper care is taken in harvesting rainwater through rainwater pits within the plantations, there exists a likelihood of developing water scarcity in the plantation area, in the long run. Hence the ST families interested in rubber plantation may be advised to resort to rainwater harvesting also while they start planting rubber trees.

The ST families may also be given training in the conservation of existing water bodies, ponds, brooks, other drainage lines within forests in collaboration with Forest Department, Eco Development Committee (EDCs), Vana Samrakshana Samithi (VSS) and the Forest Right Committee. Soil and Water conservation, which is the main objective of Watershed Development Programmes like WGD/NWDPA; MGNREGS should be undertaken in scheduled tribe habitations lying within forest areas to preserve the soil fertility and water availability there, in collaboration with Forest Department. (One of the main objective of MGNREGS is generation of regular employment in tribal habitations within forest areas by suitably augmenting various measures which preserve the natural resources, soil, water, ecology and environment. Soil and

water conservation measures have to be undertaken in the ST settlements located within the Forest Areas of Kuttichal utilising the provisions of MGNREGS.

6.4 Sanitation

During 2008, latrine Facilities were absent in 80 per cent settlements (20 settlements) and 84 per cent (306 houses). While 94 new houses were constructed during 11th plan period, latrines also were constructed along with them. Thus, 94 house latrines were given jointly by Kuttichal Panchayat, District Panchayat, Thiruvananthapuram and ITDP during 11th plan. Even after this, around 58 percent (212 houses) ST households remain without sanitary latrines.

In the context of these facts, the Total Sanitation Programme of the Rural Development Department / Nirmal Bharat Abhiyan may be implemented vigorously in the tribal areas of Kuttichal during 12th plan.

6.5 Power Connection/ Electrification of Settlements and Households.

During 2008, electrification was done in 3 ST settlements namely Pankav, Thottupuram and Valiyakunnadi, the settlements located in accessible areas. As a part of the Government of India scheme under the Ministry of Non-Conventional Energy Sources, 16 remote settlements were given solar lamp and solar panels during 2008-09. By the end of 2009, all the 25 settlements were given solar panel and solar lamp under the scheme of Government of India.

During 2009-10 the KSEB had sanctioned (TSP corpus fund) Rs.90 lakhs for launching settlement electrification in Kuttichal Grama Panchayat. But the KSEB later cancelled the sanction without assigning proper reason. This amount would have been utilised for the electrification of the 6 settlements Viz. Mankod, Chonampara, Valippara, Mulamoodu, Ariyavila and Kaithode.

Now the ST. Development Department has sanctioned Rs.102.66 lakhs during march 2013 for the electrification of these 6 settlements in collaboration with KSEB and the amount has been deposited with KSEB. The Kuttichal Grama Panchayat has taken initiative to utilise this amount during 2013-14 itself and the works are progressing fast so that its completion is expected before January 2014. Thereafter the panchayat is hopeful of electrifying the 4 settlements Amala, Meleamala, Ayiramkal and Pathayamvatchathu, which are located near the boundary of Amboori Grama Panchayat, depending on the availability of funds. The case of the settlements Podiyam, Kumbidi and Kamalakam will also be considered later.

Under the provisions of the STs and Other Forest Dwellers (Recognition of Forest Rights) Act 2006, a number of exemptions to the rules have been made in favour of the STs in stretching electric lines through forest. In the light of the favourable circumstances, the Kuttichal Grama Panchayat, ST Dev Dept and the KSEB may work in unity and move the forest authorities in granting permission for stretching lines through the existing forest roads, without any harm to the flora and fauna.

It is also suggested that the Panchayat may move ST. Dev. Dept. for further sanction and release of ST. Corpus fund for the electrification of the remaining settlements, which are all in remote forest areas. The STDD may also be approached for sanction of a portion of the funds from their 'Hamlet Development Scheme' for the purpose of electrification. An amount of

Rs.2000 lakhs has been budgeted for Hamlet Development activities during 2013-14, in which settlement electrification is a component.

It is also suggested to ensure regular service for the upkeep and maintenance of the solar systems launched during 11th plan. Nearly 50 per cent of the systems are not working now properly due to the absence of timely maintenance by the implementing agency and lack of expertise on the part of ST families in maintaining the system. As a prelude to the immediate service arrangement, the Panchayat may arrange training programme for selected ST youths (preferably + 2 level) in the maintenance of solar systems in collaboration with the implementing agency / ANERT.

6.6. Wiring of Houses for Electrification

Since 9 out of 25 ST settlements(including the 3 settlements electrified early) will have electric connection by KSEB soon, wiring has to be done in all the ST houses in these settlements for facilitating house connection.(during 2008, only 20 houses were electrified).

In this connection, it is suggested to give priority to ST houses with students. (During 2008 around 21 per cent households having students were lacking power connection in their houses). The panchayat as well as ITDP can undertake the wiring task in a phased manner with priority to students, disabled persons, households with widow as head of household, single mothers etc.

6.7 Problem of Inaccessibility of Settlements – high priority needed for link roads,pathways,footbridges,culverts etc

During 2008, only 13 settlements had motorable roads near their settlements. 12 were having only pathways or footpaths. 39 families belonging to the remote settlements (Anakal, Pattampara, Vlavila, Plath, Kunnatheri, Pattanipara, Amode, Mukkothivayal, Pothudu, Yerumpiyad, Amala and Ayiramkal) were facing the problem of trekking through the pathways during monsoon. The families in these settlements were also facing the difficulty of walking 10-20 km to reach their nearest bus point. As the KSRTC buses now reach up to Kaithode, the distance has now been reduced by 5 km.

Although 7 new footbridges were constructed, including 3 under WGDP, during 11th plan, 3 were in relatively accessible areas, except the one at Amala. The road works taken up during 11th plan were also in relatively accessible settlements. During 2012-13 also the footbridges constructed were in comparatively accessible settlements. (It is true that road access to a remote settlement is possible only from the settlements already having road access). However, priority may be given to the remote settlements while constructing pathways, foot slabs, foot bridges etc.

If we analyse the 12th Plan Development document of the Kuttichal Panchayat, it is seen that out of the 69 project proposals under TSP during 12th plan, 45 are for solving the remoteness problem of the settlements (5 foot bridges, 2 pathways, 22 roads, 14 bridges, 2 foot paths). This clearly depicts the gravity of the problem.

Considering the above facts the following suggestions are made.

- 1) Out of the 45 proposals mentioned above, 6 road projects and 4 bridge projects are in highly remote settlements. Hence high priority may be given to these proposals during the ensuing Annual Plans, subject to feasibility.
- 2) Road projects cater to the need of running mini KSRTC buses up to Podiyam from Kaithode may be formulated in consultation with Forest Department (vide provisions under Forest Right Act 2006) and implemented, availing TSP Corpus fund/ TSP Pooled fund / TSP funds of the Dist.Panchayat or Block Panchayat/ MPLADS/ funds from the new HAMLET DEVELOPMENT scheme of the STDD.
- 3) Funds under MPLADS, MLASDF, TSP Corpus Fund, TSP Pooled Fund, funds from the new HAMLET DEVELOPMENT scheme of the STDD may be tapped for undertaking road/bridge projects involving high project cost.
- 4) For constructing footbridges in remote areas, the provisions under WGDP (Western Ghats Development Programme of Government of India) may be utilized.
- 5) During the year 2013-14 the STDD has a TSP scheme viz. HAMLET DEVELOPMENT SCHEME for undertaking the unattended issues of ST settlements. An amount of Rs.2000 lakhs has been budgeted for undertaking various activities viz. drinking water, power, solar lighting, link roads, foot paths community Centres, anganwadies etc. Hence the Panchayat may move the STDD for the sanction of Rs 100 lakhs each for the activities as stated in the budget. This scheme can really solve the unattended issues in the remote ST settlements.

6.8 Tribal Health

6.8.1 Health Care under Allopathy, Homoeo & Ayurveda Systems to be Strengthened

PHC at Paruthippally, Ayurveda Hospital, Kottoor and Homoeo Hospital Pezhumood are the 3 health service institutions, where ST families of Kuttichal approach for treatment. Now, as an interim arrangement of health extension from the PHC, one JPHN and a supporting staff are visiting Podiyam settlement for conducting health check up of ST persons. Considering the fact that remote - residing ST families have to travel 10 – 15 km to reach even the temporary sub centre at Podiyam, cause of two out of the fourteen deaths of ST persons occurred during 2008 was due to the absence of timely medical care, the following suggestions are made

- 1) Action may be initiated to set up a permanent Health Sub Centre at Podiyam under the control of PHC, Paruthippally. It is worthwhile noticing that Development Document for 12th plan of Kuttichal Grama Panchayat contains this proposal (construction of a building for this purpose). In this case it is possible to get funds under art.275 (1) of the Constitution – upgradation of standards of administration in tribal areas- by submitting project proposals to the Director of ST Development Department. It is understood that the National Rural Health Mission (NRHM) has also initiated action in setting up the Sub centre at podiyam utilising their funds. The Panchayat may follow up the possibilities at the earliest.

- 2) The Public Health Utility Services (like the Mobile Medical Unit) are now available only in the relatively accessible 17 settlements. It may be made available in all the 25 settlements. The Director of Health Services may be moved to sanction one more Mobile Medical Unit to cover the entire remote ST settlements in Thiruvananthapuram District including Kuttichal Panchayat. The Service of the Tribal Mobile Dispensary of Vinobanikethan, functioning utilising the grant-in-aid of Govt of India, may be made available to Kuttichal tribal areas also
- 3) As the Research Team of the Dermatology and Venereology Department of Medical College Thiruvananthapuram has confirmed during march 2009 that 38 ST persons in the Mele Amala and Ayiramkal settlements have various skin diseases and 12 among them have the rare new endemic skin disease namely CUTANEOUS LEISHMANIASIS, the Kuttichal Grama Panchayat may contact the MCH Thiruvananthapuram through the doctors of the PHC at Paruthippally in solving the problem.
- 4) As stated in para 3.7.2 the proportion of Aling persons-PAP- was only 10.59 percent of the ST population in Kuttichal during 2008, while the PAP for the general population in the State was more than double of this rate. As the health status obtained through the survey 2008 is based on self-reported facts of the scheduled tribes, the real health status may be much different. In the circumstances a health survey may be carried out utilising the service of the health service personnel in Kuttichal. Since this problem is highly relevant to the entire ST communities in the state the proposed health survey of ST families may be carried out in the state as a whole
- 5) During 2008 no ST family was found affected by bacteria based diseases like leprosy, tuberculosis, cholera etc. However, ailments which need comparatively higher expenses for regular treatment such as cardiac cases, cancer, neurological problems, diabetic cases etc were seen among 124 persons. In such cases the Grama Panchayat may approach the ITDP/ Director of ST Dev Department / the Government for getting the needy treatment assistance from the funds kept for this purpose.

The Kuttichal Grama Panchayat has organised Medical camps(allopathy) during October-November 2013 in six strategic locations of the tribal areas of Kuttichal Panchayat, covering all the 25 ST settlements. Medical consultation, awareness programme against the health hazards of liquor and drug addictivity, future problems arising out of child marriage, need for observance of morals, ethics and other human values etc. were the topics covered in the camp.

6.8.2 Traditional Medical Practices of STs to be preserved

The survey 2008 found that around 67 percent ST families were not incurring any expenditure on health care. It was also found that in 7 ST settlements Gothra Vaidyans were residing and 8 settlements strictly followed traditional healing practices. This implies that majority of the families are still following the traditional medicinal practices with belief in their Gothra vaidyans namely "Plathis". As per the KIRTADS, there are 35 prominent tribal healers (Plathis) in Thiruvananthapuram District. Among them Sasikumar (Kottoor), Seethankan kani (Kamalakam), Mallankani (Chonampara) are the famous plathis of Kuttichal panchayat.

This knowledge being invaluable and is facing the threat of extinction, as also usurpation by modern researchers (as in the case of AROGYAPATCHA) , primarily from ethno biology, the Panchayat may formulate projects with the objective of encouraging traditional medicine practices among the Kanikars and to preserve the knowledge as Kani's own intellectual property . In case it is shared with the consent of the Plathis, care should be taken to ensure that the property right must vest with the Kanis and the benefit sharing must be justifiable or reasonable.

The Kuttichal Grama Panchayat may also formulate suitable project proposals in collaboration with KIRTADS, as done by them from 1995 to 2002 by setting up Tribal Medicine Centres in Wayanad during nineties for imparting training to selected ST youths in tribal medicine/healing practices and to preserve the healing practices. The project would attract financing under the TSP pooled fund or TSP corpus fund or from a higher tier LSG like Dist. Panchayat. The Regional Research Lab (RRL) in Thiruvananthapuram had also taken up research in the field of single rooted herbal based treatment in diabetes by tribal healers. The KIRTADS and RRL have helped Sri Eswaran kani, prominent tribal healer of Peringamala Grama Panchayat in obtaining patent in his own name for the treatment of diabetes.

In the circumstances it is meaningful to see that the STDD has budgeted an amount of Rs 50 lakhs to start a State Centre for tribal healers in Vithura, Thiruvananthapuram for the preservation and development of traditional healing practices of the tribal healers. The Panchayat may motivate the existing tribal healers (Plathis) of Kuttichal so that they can also involve in the proposed activities : R&D, education and training, common facilitation, medicinal plant cultivation etc being set up there shortly. In future the Plathis of Kuttichal Grama Panchayat can open medicinal centres at Kuttichal as Sub Centres of the State Centre at Vithura

6.8.3 The Arogyapatcha (*Trichopus Zelanicus Travancoricus*) issue to be Amicably Settled

It was in Kuttichal Grama Panchayat that the Arogyapatcha issue originated for the first time. Arogyapatcha with botanical name *Trichopus Zeylanicus Travancoricus* is one rare medicinal plant endemic in the agastyiar region of sahayadri hills, covering the forest areas of Kuttichal as well. The fruits of this plant are used by the Kanikkar as a health booster. During 1987 the Tropical Botanical Garden and Research Institute (TBGRI), Palode with great persuasion obtained the name of the plant from the Kanis of Thiruvananthapuram and they isolated from the leaves of the Plant a few components which showed anti fatigue, anti toxic and immunodulatory properties. After performing confirmatory tests, they prepared a compound namely "jeevani" along with 3 other ayurvedic ingredients. The Institute, with the approval of their competent authority, then transferred the technology to the Arya Vaidya Sala Pharmacy (AVP) Coimbatore, a popular ayurveda medical service pharmacy group for its mass production at a license fee of Rs 10 lakhs and at a royalty of 2 per cent for future sales. The Institute decided to give 50 per cent of the license fee as well as royalty to the STs, as they derived the knowhow from the Kanis, who kept it as secret till then. Even if the action of TBGRI could generate income and perennial employment to the ST families in the form of benefit sharing from the jeevani drug, cultivation and sale of the Arogyapatcha leaves, their deeds were criticised from several corners including major faction of Kanikkar community in Thiruvananthapuram district.

The company started production and marketing and the Jeevani could generate goodwill among the customers within a short span. Unfortunately, the Forest Department captured two

trucks of smuggled Arogyapatcha Plants on their way to a private nursery. This event led to paralyse the production from 1996. Thereafter, as directed by Government; TBGRI, KIRTADS, Forest Department and AVP tried in vain to solve the problem through negotiations. The Forest Department was unwilling to relax the ban on cultivation and harvesting of the plant which is said to be under threat of extinction. Due to non-availability of the leaves of arogyapatcha, the AVP discontinued the programme and they later developed a similar drug namely; *punarjeevani* utilising a popular indigenous medicinal plant known as *nilapanakizhangu*.

The drug jeevani invented by the TBGRI utilising the traditional knowledge of the STs being highly beneficial to the mankind irrespective of caste or creed, making hurdles in the manufacture of this product by banning the cultivation and harvest of the leaves of this endemic medicinal herb by Forest Department is injustice. The sustainability and protection of the plant (including prevention of smuggling of plants from its natural habitats in forest areas) can be ensured by Forest Dept with the participation of STs through ECO Dev Committees, Forest Right Committees and Vana Samrakshana Samities.

However, after the enactment of Forest Right (FRA) Act 2006 and Bio Diversity Act 2002 (Copy of the FRA 2006 and a gist of the Bio-Diversity Act 2002 are given as Annexures), the Forest Department has not been preventing the cultivation of Arogyapatcha in the ST settlements. The Forest Right Act 2006 ensures several rights to the STs including the management and utilisation of rare components of the bio diversity sustainably. The Bio Diversity Act 2002 clearly mentions the ways and means to protect the intellectual property rights of STs in relation to their traditional knowhow, the manner in which benefit sharing to be done, whenever their knowledge and practices arising out of indigenous and traditional systems are transferred to others for the manufacture of value added products.

Now the Forest Department is informally allowing the ST families to do the arogyapatcha cultivation in forest locations found ideal for it. Thus the useful drug Jeevani invented/developed by scientists of TBGRI utilising the traditional knowledge of Kanikkar remain unutilised consequent on the issues mentioned above. Moreover, the ST families are also losing a large amount which would have otherwise been received by them in the form of share of license fee and royalty of sales, and the income being received from the cultivation and sale of arogyapatcha leaves.

The issue being perhaps the first of its kind, attracted the attention of scientists, anthropologists, lawyers etc from various corners, it is suggested that the newly formed Kerala State Bio Diversity Board (vide provisions contained in the Bio-Diversity Act 2002) under the S&T. Dept of Govt of Kerala, may take the leading role for a further round of negotiations with all the major Stakeholders (including tribal leaders and Panchayat Members from Kani community) namely TBGRI, AVP, KIRTADS, Kuttichal Panchayat, Forest Department, Kerala Forest Research Institute, ST Development Department, SC/ST Co-operative Development Federation etc., with a view to arrive at an amicable solution.

In the context of the Forest Right Act 2006, which was not enacted while the arogyapatcha issue arose in 1996-97, the problem can be solved easily. As per the Act the ST families can claim community right over the knowhow of arogyapatcha and the right can be established. The cultivation, processing, sales etc can be undertaken by the STs themselves vide provisions in the amended Act 2012. The TBGRI may transfer the technology of the Jeevani

drug to the Kani Trust for mass production and sale after imparting intensive training to selected ST youths. As soon as the proposed State Level Centre of Tribal Healers is started, the jeevani preparation and sale can be done with the involvement of the healers.

6.8.4 Insurance Coverage, Including Health Insurance, to be given to all ST families.

The ST survey 2008 found that only 17.12 per cent ST families had coverage under various insurance schemes.

Presently a few ST families within forest areas are getting the insurance coverage of one of the 4 nationalised insurance companies sponsored by the Forest Department. Accidental deaths, deaths caused by wild attack, injuries due to accidents and wild attack etc are covered under the scheme. This benefit may be extended to all eligible ST families. Kuttichal Grama Panchayat may move the Forest Department for facilitating this.

Besides the treatment assistance, now being given by STDD, health insurance coverage also may be given to all eligible ST families. Out of the 362 ST families in Kuttichal, 119 (32 %) families have so far registered for getting Health Insurance coverage under the Comprehensive Health Insurance Agency of Kerala (CHIAK). Among the registered, 82 families have already received health cards. This is 22 per cent of the total ST families in Kuttichal.

Under CHIAK, the base premium to be paid per family per year is Rs 735. As this amount is paid to the Insurance Company by the State, there is no financial commitment on the part of the ST families. Alongwith the diseases generally seen among the ST families, the six major health problems namely; cardiac problems, kidney problems including dialysis, cancer cases, trauma cases, liver diseases, neuro problems, which always involve huge financial liability are also covered under the scheme. The sum assured at subsidised rates per family per year is Rs 30000 for general diseases and Rs 70000 for the six special diseases mentioned above. Since the participating hospitals are charging only subsidised rates from the ST families, the insurance company will pay the sum assured to the hospitals, even when the actual cost involved would be higher amount. Out of the 38 participating hospitals in Thiruvananthapuram district, 22 are Government institutions, including MCH, Thiruvananthapuram, SCTIMST, RCC etc.

In order to get uninterrupted coverage, the scheme has to be revived every year. Unless the ST families are motivated they may not do this in time. Hence the grama panchayat may initiate action in facilitating this with the help of the ST promoters in Kuttichal. Besides this, action may also be taken to extend the benefits to all eligible ST families in Kuttichal. For this purpose also the grama panchayat may utilise the service of the ST promoters. Usually the CDS/Kudumbasree network in Panchayat plays an intermediary role in inviting people to enrolment stations, organising awareness camps and in initiating beneficiaries to seek treatment assistance from empanelled hospitals. Since Kudumbasree set up is absent in around 72 per cent of the scheduled tribe areas in Kuttichal, the grama panchayat may arrange a co-ordinated effort through the existing available Kudumbasree networks, tribal promoters, anganvadi teachers, teachers of MGLCs and ward members in mobilising the ST families

As the two Akshaya Centres in Kuttichal Grama Panchayat have been given the nodal role for registering the families for the CHIAK coverage, the grama panchayat may do the needful in motivating the families as suggested above so that they can do the registration in the Akshaya centres in due course.

6.8.5. Awareness Campaign needed to Prevent Liquor Addiction

Even if the liquor user's proportion among ST families here was only 14.36 per cent, it is seen that two interior ST settlements namely Pattampara and Ariyavila are facing the problem of severe drug addictvity and liquor catastrophe can happen at any time. In the circumstances the Panchayat may formulate projects for creating consciousness among the ST youths about the health hazards of addiction to liquor and its power in tarnishing the financial stability of the family structure.(It is appreciable to note that the Panchayat has arranged awareness and liquor addict detection camps in Oct-Nov2013 covering all the ST settlements) The addicted ST persons including women may be admitted in the nearby deaddiction and counselling centres. The facilities of the NGO, DALE VIEW may be utilised for this purpose.

6.9 Tribal Education and Culture

6.9.1 Tribal Education

In view of the high drop-out of 117 students as against 277 regular students in 2008(42.23 percent), high illiteracy among economically active population (35.96 percent), a package of remedial programmes are needed to improve the educational level of ST children in Kuttichal as also to continue tribal literacy programme. The root cause of the present situation being remoteness of the settlements, the focal point should be in solving the basic problem. As a good number of ongoing educational programmes are already in existence we need only guide the ST families in availing these facilities under the guidance of Panchayat/ITDP/TEO/ ST promoters. The following suggestions are made.

- 1) During 2008 only 11 ST students of Kuttichal were given admission in pre matric hostels.Utilising the service of the ST promoters, all eligible idling ST students should be enrolled in the schools near the pre-matric hostels at Vithura (boys) Gnaraneeli (Girls) and the boys hostel at Pattom (boys) and admit them in the concerned hostels. ST students may also be enrolled in schools near Vinobaniketan Mithraniketan, and admit them in the hostels for ST boys and girls run by these NGOs so that the admitted students can stay in hostels and continue their studies (priority should be to students from remote settlements).
- 2) Revive the functioning of the alternate schools (MGLCs) by inducting teachers, preferably from the settlements itself or from nearby settlements. Irregular attendance of the teachers can be solved only by this way. MGLCs being under the control of SSA Programme, the grama panchayat may take initiative to utilize SSA funds also for the upkeep and maintenance of these schools.Quarters may be provided near the schools for the accommodation of teachers.

- 3) The on-going literacy programmes may also aim at developing their entrepreneurial skills, which can help them start self-employment ventures or get salaried employment in private establishments or Government Departments /Public sector undertaking. Training in computer data entry, tailoring and embroidery, medicinal plant cultivation including arogyapatcha, rubber tapping and rubber sheet making, bee keeping etc. are examples. The social awareness and leadership capabilities created among the ST youths through literacy programmes can definitely relieve them from the clutches of greedy money lenders, local lease agents and other non-STs approaching them with false motivation. The State Literacy Mission may chalk out programmes for teaching the illiterate ST youths in the age group 22-44 to overcome their illiterate status and to consolidate and improve the literacy status achieved.
- 4) It is understood that the Forest Department has agreed (under the provisions of Forest Rights Act 2006) to hand over 2.5 acres of land for starting a Tribal Residential School (Model Residential School) at Valipara. The ST Development Department (STDD) has budgeted Rs 50 lakhs during 2013-14 for the construction of a Model Residential School(MRS) under 50% centrally sponsored scheme in Kuttichal. The grama Panchayat and Forest Right Committee in the location may move for more forest lands for the generation of needy other facilities like drinking water, power connection, road development, sanitation, playground, hostel facilities etc. for the school, as the ST families are eligible for getting one hectare land each for these purposes also under the provisions of the Forest Right Act 2006 and the Amended Act 2012. In the School being set up , at least 25 % of the seats may be reserved for the Kuttichal ST students, on account of the remoteness of the settlements as done in the case of the schools for primitive tribes, adiya and paniya.
- 5) It is understood that the school building constructed at Chonampara utilising MPLADS funds was for a school, which is not in existence. In the circumstances, the former Single Teacher School (now it is not functioning) which was functioning in a thatched shed may be restarted in the new building already constructed. The Panchayat may move STDD for meeting the running cost of the school. After reopening the Single Teacher School in the new building at Chonampara, the STDD may start a tribal hostel also near the school,
- 6) Motivation should be given to ST children so that all eligible students from Kuttichal also can get admission in the nearby MRSs and continue their studies with all facilities.
- 7) In order to facilitate the education of remote dwelling ST students, who face the threat of wild animals and lack of transportation facilities, the STDD has budgeted Rs 300 lakhs during 2013-14 to arrange transportation facilities to the ST students in collaboration with the Local Governments, under the TSP scheme GOTHRA SARATHI. As this scheme is ideally suited to Kuttichal, the grama Panchayat may move the STDD in sanctioning a portion of the funds to the ST students of Kuttichal. This scheme would help to improve the ST enrolment rate and arrest drop outs occurring at intermediary levels.

It is worthwhile to note that during 11th plan the distribution of educational concession and scholarships to ST students has been made online and now they are given in the form of e-grant. This system has improved the speedy delivery of the grants in schools and other educational institutions so that the students get the benefits at the right time and the system has given a boost up to the enrolment rates in schools. This is a welcome step of the STDD in streamlining and improving the back up support programmes which encourage tribal education.

6.9.2 Scheduled Tribe Culture- Traditional Art Forms like Drama and Dances and Popular Songs to be Preserved

As stated in para 3.20.3 above, the Kani people have a distinct and centuries old cultural heritage unlike their counterparts all over Kerala. Unfortunately the younger generation shows little interest in acquiring this knowledge from their predecessors. In fact KIRTADS has taken some initiatives in preserving their knowledge and practices in various art forms, especially chat songs, dance and drama forms etc. It is worthwhile to note that a few writers in Kerala have tried to document their culture and practices. The International School of Dravidian Linguistics, Thumpal, Thiruvananthapuram is capable of undertaking further Research Studies in the area and to prepare valuable documents. But, this Institution has scarcity of funds to start research and studies in this field.

If the State offer special incentives / prizes to KIRTADS/rare writers/authors/NGOs/popular institutions like International School of Dravidian Linguistics who publish such works after tedious field work among the ST groups/communities, this knowledge will not get extinct after the death of a few resource persons still alive among the STs. A small portion of the TSP fund of STDD may be earmarked for financing such initiatives of these institutions. KIRTADS may further involve in this field including the tribal healing practices popular among the tribal communities.

The State may also include tribal art forms as an inevitable item in the festivals directly or indirectly organised by the State. In the District Level as well as State level youth festivals tribal dramas, dance forms and songs may be included as an item. These recommendations are not only applicable to the Kani people, but to all scheduled tribe communities in the State as well.

6.10 Programmes for the differently abled, aged persons and Women who need special attention

6.10.1 Programmes for the differently abled, aged persons

According to the ST Survey 2008, 117 persons (9.71 per cent of the ST population in Kuttichal) had various disabilities (of them 5 were mental). Among the disabled 9 persons were bed-ridden and 61 persons (52.13%) had difficulty in performing their routine activities. While 6 per cent of the population is generally seen disabled, the proportion of disabled ST population found here is slightly higher than this percentage. In the circumstances, due weightage has to be given to the ST families with disabled people, especially to those having higher grade of disabilities, when beneficiary selection is made for various schemes.

During 2008 there were 21 ST persons in the age group 66-74 and 27 above the age of 75. This is 3.97 per cent of the ST population in Kuttichal.

On analysis of the minutes of the Oorukootams held in Kuttichal Grama Panchayat for the beneficiary selection of ST families for the projects like housing, drinking water, sanitation, house repair, health care packages, Asraya etc. it is seen that due weightage has been given to these category of people. All the 6 Oorukuttams in Kuttichal have given due emphasis to them in beneficiary selection.

The existing guidelines for the formulation and implementation of TSP by local government stipulate that 50 per cent of the TSP allocation must be in the form of a package of care services including housing, drinking water, sanitation, power connection, health care, destitute care etc., with emphasis on differently abled (similar to Asraya Project), destitute persons and aged persons (both ST men and women). Hence the above category of people may be given first priority in the future years, while Asraya model package care services are formulated and implemented under TSP.

6.10.2 Programmes for ST women who need special attention.

As per the survey 2008, there were 73 ST women (12 per cent of ST women) in Kuttichal with special problems. Of them 55 were widows, 13 divorced or separated and 5 unwed mothers. Among the widows 48 were head of households. It is seen that the grama Panchayat is giving high priority to these women also while the beneficiary list for various development programmes are prepared in the Oorukuttams. During the course of the Medical Camps conducted in the tribal areas of Kuttichal during Sept-Oct 2013, the Panchayat has taken special care to study the problems being faced by these women, especially unwed and separated women, with a view to formulate suitable projects. The Panchayat may claim TSP Corpus fund for implementing the special projects being formulated for the welfare and rehabilitation of these women with special problem.

6.11. Anganwadies to be Constructed in all Needy Settlements.

Since there are only 5 Anganwadies benefitting 11 ST settlements now, they have to be set up in all needy areas of the settlements for the benefit of the 14 remote settlements. Funds for this purpose can be mobilised from the TSP scheme of STDD namely; "HAMLET DEVELOPMENT SCHEME for undertaking the unattended issues of ST settlements". Setting up of Anganwadies is one of the items envisaged in the nomenclature of the scheme. Hence the Panchayat may move the STDD for the sanction of Rs 100 lakhs for the programme.

6.12 Community Halls and Cultural Centres

Of the 9 cultural / community centres available within the tribal areas of Kuttichal, 3 belong to the Forest Department. These centres would help the ST families in arranging their social gathering for the purposes of marriages and other religious get together. Official meetings of Oorukuttams, Forest Right Committees, medical camps, other need based official meetings, training programmes etc can be arranged easily in tribal areas if such centres are available.

These 9 Halls/Centres are situated in the 7 *relatively accessible* settlements. After constructing link roads to the inaccessible settlements such halls or centres can be built easily in those settlements also.

Apart from the TSP funds of Kuttichal, funds of STDD under the scheme HAMLET DEVELOPMENT may also be made available for this purpose so that funds for road access, community hall etc can be claimed as a package from STDD.

6.13 Suggestions for Better Implementation of Provisions of Forest Right Act 2006

The provisions of the Forest Right Act 2006 and its Amendment (Rules) in 2012 are very clear in protecting the rights and positive interests of the scheduled tribes. The Tribal Grama Sabhas (Oorukuttams) have been vested with more powers (not in violation of the Forest Acts & Bio Diversity Acts enacted to conserve the Forest and Bio Diversity) to recognise the rights of the STs in possessing the forest lands for habitation and self agriculture and to use and conserve the biological and other resources within the forest sustainably. In the changed highly favourable circumstances, the Kuttichal grama panchayat can organise and converge all the pending development needs of the ST families before the close of 12 th Plan. Care should be taken to see that no ST family is involved in misusing the provisions under the influence of non STs (like smuggling of forest resources like valuable trees, rare endemic medicinal plants, rare species of other valuable plants, oral leasing of crops and land etc). The Panchayat may work in unison with the STDD and Forest Department in achieving the objectives under the provisions of the Act.

As stated in para 4.10.2 (progress of FRA 2006), among the three types of rights, individual rights are recognised without any delay and follow up actions done. But development rights and community rights are pending with higher authorities. Since these two categories of rights comprise of demand for forest land for electrification, water supply, road formation, school building construction; future strategy to be adopted in MFP collection and marketing etc; the provisions in the Forest Conservation Act 1980 and the Bio Diversity Act 2002 have to be judiciously referred to before giving recognition to the rights ultimately by the Forest Department. In the circumstances the SPB may take initiative in identifying the bottlenecks in implementing the provisions of FRA 2006, by convening a meeting of the stakeholders like STDD, Forest department, HARIGIRIFED, State Level Committee for recognising the rights etc.

6.14 Income, Employment and Training

The survey 2008 shown that out of the 362 families only 6 families earned their income from employment in government organisations, although there were 39 matriculates, 14 PDC/+2 holders and 2 graduates among them. There are a good number of opportunities for them to get employment at least as last grade servant / Sub staff in Government Departments or organisations, Public Sector Undertakings (PSUs) / IT Parks / Banks. In many Government departments and PSUs, where certain posts, particularly in the lower cadres have been reserved for the STs; but these posts are left unfilled because of the lapse of the Heads of Departments / MDs of PSUs in reporting these vacancies to the Kerala Public Service Commission (KPSC). Even if the PSC or other organisations advertise, the ST youths inhabit inaccessible pockets may not realise this. To solve this problem the following suggestions are made.

- a) The KPSC may forward a copy of the PSC bulletin containing advertisement of ST posts to the Director of STDD for immediate follow up through their field level officers.

- b) The Director of STDD may constantly watch the progress of filling up the posts in the Departments, reserved for STs as and when they fall vacant. The Director may be empowered by Government for receiving half yearly progress reports from Government Departments and PSUs on this.
- c) During the 11 th Plan the District Panchayat and STDD arranged coaching classes for ST youths through competent agencies to enable them in appearing PSC / Bank Tests. This scheme may be continued every year.
- d) The Kuttichal Grama Panchayat and tribal promoters also do the needful in motivating the educated ST youths for their career development.

6.15 Preservation and Utilisation of Land Possessed by the ST Families

Through the ST survey 2008 it was found that though 87.72 per cent of the ST families of Kuttichal possess land in the range 1-> 5 acres , only 58.01 percent were engaged in agriculture operations(cultivators and agricultural labourers), 21.82 per cent were engaged in forest protection and the balance 20.17 percent in other casual wages including MFP collection. It was also seen that nearly two third of those who take only 2 square meals were from the group of families with occupation in agriculture. Casual wage labour in other sectors, works in forest protection and MGNREGS were found to be more remunerative to them. The agriculture development programmes implemented by various agencies during 11 th Plan, including Kuttichal grama Panchayat had little impact in changing the scenario. Although rubber cultivation is seen in 14 settlements, scientifically planted cultivation now exists only in 3 settlements. In the circumstances the following suggestions are made for the optimum use of land possessed by the ST families and to make the agriculture sector more remunerative and sustainable.

- a) The MGNREGS, WGDP and other Watershed Development Programmes have been successfully implemented in Kuttichal grama Panchayat, they could not be implemented fully in tribal areas due to the constraints stated early. Now the Forest Right Act 2006 have made it clear that the Forest Right Committees(FRC) can prepare their Forest Management Plan after recognition of their rights on the Forest resources including the crops being raised by the tribal families by the Grama Sabhas(Oorukuttams) except in the forest areas which have been declared as core areas or sanctuaries. Hence the grama Panchayat may guide the FRCs to prepare the watershed development plans for the ST settlements and implement utilising the TSP funds of the Panchayat or funds from the WGDP of MGNREGS etc. This would improve the productivity of the soil, conserve the soil and water table, prevent soil erosion and make the forest land possessed more fertile for various crops being raised without any harm to the existing flora and fauna.
- b) As rightly mentioned in the Development Report (12 th Plan) of the Kuttichal grama Panchayat, the arrival of plantation crops like rubber within the forest areas may lead to or result in the destruction of natural habitats of wild life along with the disappearance of natural forests. Consequently the wild animals naturally begin attacking the domestic animals of the ST families for their food, elephants and pigs destroy the crops being raised by them in the forests because of the food scarcity sustained by them in the changed habitations. In view these facts the ST families may

be advised to engage in food crops production at large in their lands possessed, rather than planting rubber in every nook and corner of their settlements. The Rubber Plantations may lead to depletion of water table (lowering) unless proper water harvesting pits are dug within the plantations suitably. Rubber cultivation may be encouraged only in the settlements with depleted forest lands having very little tree cover.

- c) All ST families of Kuttichal grama Panchayat are living within forest areas and accordingly they always face the problem of crop damage caused by wild elephants, boars etc. As stated early if they make least intervention in the natural habitation of wild animals and try to replenish the areas of these animals by planting bamboo, reeds and other plant items which the elephants and other vegetarian wild animals usually use as food as part of forest protection works and evolve projects to protect the natural water bodies in the habitation of the animals, the wild animals like elephants may not reach the settlement areas in search of food. Similarly if we identify certain roots and tubers which are not edible to human beings, but animals like wild boars use as food, and plant them in the areas adjacent to the natural habitation of wild boars, their arrival for food from the crops raised by the ST families can be eluded to a certain extent. ST families themselves may be aware of such rare species within the forest areas. There are certain types of wild yam and wild colocasia, which generate itching sensation in human mouth even after cooking. Wild colocasia is available in plenty even in non forest areas. Similar tubers, which the wild boars use as food item may be identified utilising the services of the Scientists of Tropical Botanical Garden and Research Institute/Kerala Forest Research Institute and plant them extensively in the vicinity of the habitations of the wild boars.

The above programme can be easily undertaken as a part of the Joint Forest Management(JFM) Plan of the Eco Development Committee or as a programme of the Forest Right Act committee/ MGNREGS with the participation of the ST families. The above strategy is one form of “Bio-Fencing “, which has been mentioned vaguely in the 12 th Plan document of the Kuttichal Panchayat. The barbed wire fencing and other electric fencing being practiced currently for protecting the crops from wild damage are not very effective and they can even cause the death of the wild animals as well as human beings, very rarely.

- d) The Forest Right Committee (FRC) must be vigilant to see that non-STs and even other affluent ST persons are not cheating the ST families by indulging in oral lease of land as well as the crops being raised by them. The Kudumbasree SHG system may be started in all ST settlements so that the immediate financial requirements of the ST families engaged in agriculture can be met easily by mutual help. The FRCs may also see that notorious money lenders are not approaching the ST families for meeting their short term credit requirements.
- e) The Kuttichal Grama Panchayat may encourage the ST families to do cultivation of medicinal plants widely, on account of the *State Centre for Tribal Healers* being set up at Vithura. Since the Forest Department relaxed its restriction on *Arogyapatcha* now,

this endemic plant also may be cultivated in natural habitats as far as possible, as the plants seen in natural habitats only possess the anti fatigue and anti toxic properties.

- f) The Forest Right Committee may evolve a suitable marketing mechanism for the direct sale of agricultural products of the families without the intervention of middlemen.

6.16. The Performance of the ST Co-operatives to be Revived

It was seen that only 6 ST families (1.65 per cent) in Kuttichal had membership in Co-operatives. In the circumstances the ST families of Kuttichal have to be motivated to take membership in the nearest ST Co-operative Societies. It would enable them to satisfy their immediate credit requirements, ensure remunerative prices for the MFPs being collected by them, empower them to start agriculture based/MFP based small enterprises etc. At present the ST families of Kuttichal who engage in MFP collection are associated with the Pottamavu ST co-operative Society located in Vamanapuram Block Panchayat. Since this Co-operative is far away from the Kuttichal Panchayat, they have started a MFP collection centre at Paruthipally in Kuttichal. A portion of the ST families still sell their MFPs in this centre. The other portion of the ST families approach a private dealer located at Kottoor for the disposal of their MFP items, where there is no system to ensure that the families are getting the minimum price fixed by the MFP Committee. In the circumstances the Kuttichal Panchayat or the STDD may move the Kerala State Federation of SC/ST Development Co-operatives (HARIGIRIFED) and request them to strengthen the collection centre at Paruthipally in Kuttichal by mobilising and organising the MFP Collecting ST families in Kuttichal.

6.17. Minor Forest Produce Collection and Marketing- New Strategy Needed in the light of FRA 2006

As stated early the Minor Forest Produce collection and marketing are done in two ways in the State now. The first one being the system through ST co-operatives, wherein the ST families who are members of the ST co-operative societies collect the MFPs from the forest ranges allotted to the Societies by the State Level Minor Forest Produce Committee, headed by a Chief Conservator of Forests, Forest HQrs Thiruvananthapuram. The minimum sale prices of nearly 130 MFP items (honey, wax, roots, leaves, skin and tubers of various medicinal plants and herbs etc.) by the Co-operatives also are determined by the MFP Committee. The State Federation of SC/ST Development Co-operatives (HARIGIRIFED), which is the apex body of the ST co-operatives, arrange the sale of the MFPs received by the societies, mainly through auction.

Out of the sale proceeds, 5 per cent is retained by the HARIGIRIFED as their overhead charges and the balance 95 per cent is given to the ST societies. The Societies retain 15 per cent as their overhead charges and pass 80 per cent to the collecting scheduled tribes. This system ensures to a great extent remunerative prices to the ST families for the MFPs collected by them.

Till 2002 the HARIGIRIFED enjoyed the monopoly of collection and marketing of MFPs in the State. But now the Forest Department deploys the Vana Samrakshana Samithy (VSS)/Eco Development Committees (EDC) also for this purpose. This is the second system, which is in

vogue from 2002. In this system the members of the VSS/EDC deployed by the Forest Department collect the MFPs and arrange sale under the control of Forest Department. As per the Forest Department, the scheduled tribes can also collect MFPs from the areas approved by the EDCs under the approved micro plan of VSS (The VSS was formed by the Forest Department in 1999 for the purpose of protecting the forest and wild life through participatory forest management or joint forest management (JFM). The Eco Development Committee is functioning under the VSS)

Since MFP collection was the major occupation of 17 ST persons and it was a subsidiary occupation of 151 ST persons (in the age group 15-59), 22.11 percent of the scheduled tribe population in the age group 15-59 were engaged in MFP collection fully or partially during 2008 in Kuttichal Panchayat. Thus MFP collection is still one of the prominent livelihood support systems of ST families in Kuttichal Panchayat. Kasthurimanjal, Vazhanapoovu, Nellikka (gooseberry), Thean (honey), Shathavery, Orila, Moovila, Garudakkodi, Pathiripoovu, Chitthratah, Kolinchi (large ginger) etc. are certain MFP items available in plenty in the forest areas of Kuttichal. In the circumstances, we have to ensure that the ST families are getting reasonable price for the MFPs collected by them and see that no middlemen are cheating them. The ST families have a longstanding demand for the establishment of a MFP Primary Processing Centre at Kottoor. The Kuttichal Panchayat may look into this proposal in consultation with the Forest Right Committees in the Panchayat.

The FRA 2006 and the amended Act 2012 have made it clear that ST families can transport MFP by any means of transport and transit passes can be issued by a Committee (Forest Right Committee) constituted under the Grama Sabha (Oorukuttam) after approval of the decision of the Committee by the Oorukuttam. The District Level Committee on Forest Rights must recognise the right for using any mode of transport and the right to issue transit passes by the FRC. Since MFP comes under the Community Right category, the progress of recognition by the District Committee is comparatively slow unlike the case of individual rights. In the State as a whole itself 56 per cent claims are pending with the Sub Divisional Level Committees and 17 per cent are pending with the District Committees. In the State level the actual number of titles issued so far for community claims is only 6, as titles are yet to be issued for the 104 cases passed by the District Committees.

In Thiruvananthapuram district also as against 17 claims for community rights only 2 have been passed by the District Committee. But the titles are still pending with the Committee.

In this juncture, the State Planning Board may convene a meeting of the Forest Department, STDD, the State Federation of SC/ST Development co-operatives, KIRTADS, Kerala Forest Research Institute and the State Level Committee for monitoring FRA, to look into the practical problems in recognising the Community Rights of ST families with emphasis on "collection and marketing of MFPs" utilising their own mode of transport, issuance of transit passes by the FRCs etc. The proposed meeting may also examine whether the existing two systems of MFP collection and marketing need any structural changes in the light of the FRA 2006 and its amendment in 2012. This is relevant while we consider the decrease in ST families engaged in MFP collection in the State over the last three decades. (It was estimated through a bench mark survey conducted in the ITDPs of Kerala during 1982 by STDD that around 15 per

cent ST families in the State were engaged with MFP collection fully or partially). It has decreased to 2.12 per cent at State level in 2008 (vide ST survey 2008) from 15 per cent in 1982

6.18 Food Security of ST families in the Future

6.18.1 Self help in making adequate command over their food needs

More than 50 percent of the ST families in Kuttichal were striving to have 3 meals a day. During monsoon season due to seasonal unemployment among them, especially those residing in the remote settlements, have starvation. This is clear as the STDD is distributing rice, grains etc. during monsoon season as part of the scheme “ food support programme” every year. It is interesting to see that the number of families claiming the food grains under the scheme is not decreasing for the last 19 years, since its inception in 1993-94 by STDD.

As Prof: Amartya Sen said “starvation results from insufficient command over food and not usually from inadequate food availability” is true in the case of ST families of Kuttichal. The Right to Food Security Act being enacted can also ensure food to these families. In the circumstances it is suggested that rather than freely supplying them with food articles every year, the Panchayat and STDD may help them evolve back up programmes which would empower them in making adequate command over their food needs by themselves, even during lean seasons, in the long run so that these families will come up to the APL level, leaving the present vicious circle in which they are trapped over years. In the case of the ST families in Kuttichal, there exists no scarcity of resources(for eg: very fertile forest land possessed, MFPs, presence of rare medicinal herbs etc., likely returns from benefit sharing out of their intellectual properties etc.); what they lack is ways and means for the fruitful management of these resources to meet their minimum objectives. The favourable atmosphere under the Forest Right Act will enable the ST families to tide over the situation by themselves.

6.18.2 Ration Cards to be Ensured to all ST Families

During 2008, 41 ST families (11.33 per cent) were found without ration card in Kuttichal Grama Panchayat. Since then a few among them have received ration cards. The Panchayat may follow up with the Civil Supplies Department through PO, ITDP, Nedumangad in issuing ration card to all the remaining ST Families. The services of the 3 ST promoters may be utilised for preparing the exact list of ST families without rationcard.

6.19 MGNREGS and Kudumbasree to be launched in all the ST Settlements

The ST registration under MGNREGS in Kuttichal grama panchayat was only 29.48 per cent of those *above the age of 18 during 2008*. Kudumbasree programmes were also available only in 7 settlements (28 per cent). Because of the ideal situation generated in tribal areas by the Forest Right Act, the grama Panchayat may initiate action in collaboration with Forest Department to

implement MGNREGS so that it would achieve the twin objectives of watershed development and employment generation in tribal areas. The Kudumbasree may also launch programmes like cultivation of medicinal plants, including arogyapatcha, collection of MFPs and its marketing, starting of primary processing units for medicinal plants and MFP, starting of embroidery and tailoring units. Hence the grama Panchayat may start Kudumbasree units in the remaining settlements also with the objective of empowering the ST women. These two schemes will reduce the incidence of poverty and unemployment and relieve the ST families from the grip of local leasers and money lenders substantially.

The Kuttichal grama panchayat, while conducting medical camps in 6 tribal locations during September –October 2013, has taken necessary action in registering as many able bodied ST men and women to undertake works under the MGNREGS. It is anticipated that the MGNREGS registration now will be at least 60 per cent of the ST persons above the age of 18. During the course of the camps, the Panchayat has taken action in mobilising ST women to form Kudumbasree SHGs in all possible settlements. It is interesting to see that the Panchayat functionaries stayed in the Camps in forest settlements during night time also to achieve the multiple objectives of medical camps, MGNREGS registration, awareness against liquor and drug additivity and mobilisation of Kudumbasree SHGs after covering the entire settlements.

6.20 Deprivation Index for ST Families of Kuttichal Panchayat.

The deprivation index is prepared based on the deprivation in housing quality, access to safe drinking water, good sanitation and electricity for lighting(Human Development Report 2005, SPB, Thiruvananthapuram). Accordingly, the deprivation index of STs in the State was worked out as 57.9 in 2001, while the same for the State as a whole was 29.5. Among the districts, Wayanad, Idukky, Palakkad, Kasaragod and Thiruvananthapuram shown highest tribal deprivation rates. The deprivation index of STs in Thiruvananthapuram was 60.1 during 2001.

If we workout the deprivation index for the STs of Kuttichal Panchayat, utilising the ST Survey data available during 2008, it is 79.19 during 2008, which is much higher than the deprivation index of STs in Wayanad(66)during 2001 . In view of this Kuttichal is entitled to claim more TSP funds for meeting their needs in housing, drinking water, sanitation and electrification in par with the backward tribal districts of Wayanad,Palakkad,Idukky and Kasaragod. As per the findings of the ST Survey 2008, it is possible to select at least 45 Grama Panchayats in Kerala with similar problems as that of Kuttichal panchayat. In all such Grama Panchayats a sizable portion of the ST population is seen within forest areas, without basic amenities and needy infrastructure. Considering this, these Grama panchayats also may be sanctioned additional TSP funds to tide over the situation.

6.21 Long Term Strategy for the Development of Scheduled Tribes

As mentioned in the Perspective Plan 2030 of the State Planning Board (Chapter 22), while the SCs should be brought to the mainstream, the cultural needs of the STs should be celebrated. In Kuttichal also targeted intervention is needed in education and health care to

lessen their historic inequalities (preservation and consolidation of healing practices and knowledge of the Kanikkar is the best example of their cultural celebration). Policies that address caste based inequalities among the STs must take into account the cultural differences, geographical effects, and other reasons (like the plight of adiya and paniya of Wayanad who were all slaves till 1976-77) which lead to the inequalities.

However, we cannot forgo the fact that the new generation of STs in Kuttichal(and all the ST youths in the State in general) are not strictly following their traditional ways in which the Muttukani and Plathy had an unchallenged position. Eventhough the Muttukanis are the Presidents of the Oorukuttams, their powers are very limited as compared to the olden days. Due to their interaction with the mainstream, a kind of deterioration in morality has occurred in the new generation, especially in the remote ST settlements. Above all, a portion of the new generation is addicted to liquor and drugs. The medical camps conducted during Sept-Oct 2013 by Kuttichal Panchayat in 6 locations, covering all the 25 settlements, could clearly ascertain the degradation of culture occurred recently among the ST families of Kuttichal on the lines stated above. In the circumstances a longterm strategy is needed to bring back the ST youths to normalcy by adopting the positive aspects of old culture as also by sacrificing the negative aspects of the new culture.

It is true that the income generating models of the mainsream are not suitable for the STs in the light of the traditional way of life of the STs and their geographical isolation. As far as ST families of Kuttichal are concerned, their deprivation effect and isolation are as equal as that of the PTGs of Kasaragod and Nilambur. For these reasons, a model which takes into account the cultural differences and geographysical isolation(root cause of deprivation), ensure them the basic amenities of quality housing, safe drinking water, sanitary care, electrification and lighting, education and health care, sustainable income generating programmes in MFP and agriculture (preferably self employment), assure regular employment for educated youths, which would also preserve their centuries old morals and ethics, may be the long term strategy for the development of STs in Kuttichal.

For achieving these objectives no new institutional set up is needed. The existing 6 Oorukuttams (ST Grama Sabha) and 6 Forest Right Committes are capable of generating need based ideas at settlement level under the three tier Panchayat Raj system. The ST Working Group functioning in the Grama Panchayat can provide all technical support for the functioning of this model with the involvement of field level officers of the STDD and other line departments. The Kuttichal Grama Panchayt may be the co-ordinating agency of this model by ensuring the convergence of TSP funds of the other two tiers of LSGs and the STDD, funds from MPLADS,MLASDF etc .

Anybody who attends the meetings of these two ST Bodies (Oorukuttam and Forest Right Committee) would amaze while seeing the active performance of these Committees in presenting their needs and making suggestions for achieving them. It is worthwhile to see that out of the 13 elected ward members of the Panchayat, 2 are from the scheduled tribes. Their active role in leading these Committees in solving the problems of the ST families is appreciable. Hence our future perspectives of STs lie to a great extent in strengthening these Oourkuttams and FRCs rather than contemplating for a different model. As per existing TSP guidelines no ST project can be implemented without the consent of the Oorukuttams. This sytem should continue.

6.22. Responsibility of STs in Conserving the Forest and Bio Diversity

Both FRA 2006 and Bio Diversity Act 2002 mandate the STs for the utilisation of biological resources in the forest for their livelihood in a sustainable manner so that the basic resources land, water and bio-mass including flora and fauna in the forest are conserved for the existence of mankind. Being eco system people, they voluntarily practice this from time immemorial. However, as a few among them may work against this, supported by mainstream, greater awareness to be given to them about the importance of Eco-preservation. For example, peppara dam, the main source of water supply in Thiruvananthapuram City, situates close to Podiyam ST Settlement in Kuttichal Grama Panchyat, within forest. The ST families therein have to be vigil in preserving the eco system generating perennial water sources which replenish the dam.

6.23. Involvement of ST Youths in Joint Forest Management (JFM)

As a part of introducing participatory forest management in the country as a whole, Government of India, Ministry of Environment and Forest introduced Joint Forest Management Committees-Vana Samrakshana Samitis(VSS)- in all states from 1999-2000. The sole objective of the system is conservation of forest and its attached biological resources through people's participation, including that of tribal families living within forest. The Eco Development Committees (EDCs) help the VSS in formulating and implementing micro plans for the conservation of forests and also for the sustainable utilisation of forest resources.

Since conservation of forest and ecology are the concern of all and the tribal families have great affinity or attachment with forest, their responsibility is high in protecting the forest and its resources for the sustainable use of forest products by everybody and for the existence of environment. The microplan of VSS contains tribal welfare also as a marginal programme without violating the provisions of the existing Forest and Wildlife Protection Acts. The microplan ensures income and employment to ST youths in the form of forest protection works, fire watching etc. within forests.

As per the ST survey 2008, there were 4 VSS and 30 EDCs in the tribal areas of Kuttichal, wherein all the members are ST youths. But active participation in the VSS/EDC was seen from members of 20 ST families only. Now-a-days the situation has slightly improved. The functionaries of Kuttichal panchayat say that non-tribals are not interested in seeing the presence of STs in the VSS/EDCs, especially in the non-tribal dominated VSS/EDCs. Non-tribals(including profit motivated contractors, middlemen, money lenders etc.) always intimidate the ST youths and try to usurp the benefits being received by the STs for forest protection and development works, fire watching, guiding of tourists, guarding of forest resources etc.

In the circumstances the tribal youths may be motivated to join the VSS also along with their active participation in Oorukoottams and Forest Right Committees. Otherwise the VSS associated development benefits eligible for them will be reaped by others. Moreover, their experience and interface with the VSS will enable them to act better in the Oorukoottams and

Forest Right Committees. Apart from this the tribal youths can also represent many tribal issues and development problems related to them within forest before the joint meetings of VSS, being convened by the Senior Forest Officers, for which solution is possible only through Forest Department at appropriate levels. They can also represent the claims pending with Forest Department for recognition of various rights under FRA 2006.

It is seen that there exists lack of co-ordination between the VSS activities and the regular TSP programmes within forests. The forest officers are not under the control of the Panchayats. The micro plans of the VSS are not approved by the Panchayats. Utilising the provision of FRA 2006, better co-operation of Forest Department may be ensured in TSP implementation within forest without creating harm to the forest and wildlife. It is important to note that implementation of provision of FRA is possible only with the positive co-operation of the Forest Department.

6.24 An Online Monitoring Mechanism at Panchayat Level, District Level, ITDP and STDD level with HQrs at State Planning Board to monitor the convergence of TSP and other funds for ST Development in the Grama Panchayat

As per Census 2011, the ST population in Kuttichal grama Panchayat is 1477. This is 0.30 per cent of the State's ST population of 484839 in Census 2011. Hence the Kuttichal tribal area is eligible to receive 0.30 per cent of the TSP and other Plan funds, likely to converge through the sources viz. Kuttichal Grama Panchayat, Vellanad Block Panchayat, District Panchayat; PO, ITDP and STDD.

The total TSP provision of the State during 2013-14 is Rs. 38985 lakhs. Tribal Area in Kuttichal Panchayat is eligible for the convergence of 0.30 per cent of this amount (ie . Rs 118.90 lakhs). Besides the TSP fund of Rs. 38985 lakhs, Rs. 5378.25 lakhs comprising of Central Share of 50 per cent Centrally Sponsored Schemes(CSS), 100 per cent CSS, and Special Central Assistance to TSP (SCA to TSP) are also available and the Panchayat is eligible for getting 0.30 per cent (ie Rs 16.40 lakhs) of this from the amount of Rs. 5378.25 lakhs. Hence the Tribal Area in Kuttichal is eligible to get an amount of Rs.135.30 lakhs during 2013-14 on the basis of ST population as convergence of TSP and CSS including SCA to TSP .

If we analyse the budget of TSP during 2013-14, it is seen that the TSP allocation (vide Appendix IV of budget 2013-14) to Kuttichal Grama Panchayat is only Rs. 23.95 lakhs. The TSP allocation 2013-14 to District Panchayat, Thiruvananthapuram and Vellanad Block panchayat are Rs.129.05 lakhs and Rs.56.53 lakhs respectively. However, as a result of carry over of previous years' unspent TSP funds, these three LSGs got DPC approval for the following amounts under TSP 2013-14 (Table 6.2)

Table No 6.2

<i>Name of LSG</i>	<i>TSP amount finally approved by DPC during 2013-14 . (Rs lakhs)</i>
Kuttichal Grama Panchayat	31.07
Vellanadu Block Panchayat	72.10
Thiruvananthapuram District Panchayat	239.62

While we look into the approved projects of the Vellanadu Block Panchayat and District Panchayat, Thiruvananthapuram it is seen that the likelihood of flow of TSP funds to Kuttichal from these two LSGs together during 2013-14 is nearly Rs 10 lakhs only. During 2013-14 the ITDP has sanctioned Rs.33.478 laks for various TSP programmes in Kuttichal. Apart from this, Rs 102.66 lakhs allotted to KSEB by ITDP during march 2013 for the electrification of 6 ST settlements also is available during 2013-14. Hence an amount of Rs. 177. 20 lakhs is anticipated as convergence of TSP funds to Kuttichal during 2013-14 from the above sources. The estimated TSP flow to Kuttichal (estimated expenditure) during 2012-13 was around Rs 70 lakhs only. However, the average anticipated yearly TSP flow to Kuttichal so far during 12 th Plan is Rs. 123. 60 lakhs, which is quite justifiable. This rate of yearly TSP convergence may continue till the Panchayat overcome the problems of deprivation, inaccessibility, educational backwardness and illiteracy, seasonal unemployment and poverty, hurdles in optimum utilisation of land and other resources, lack of health care facilities near their settlements etc.

At present there is no proper mechanism at any level to ensure that a Panchayat with ST population is getting the deserved amount from the State TSP through the various eligible sources stated above. There exist competent Bodies at District and State Level to approve the schemes/projects of ITDPs and STDD and the line departments respectively. The District Level Committee for ST, headed by the District Panchayat President gives approval to the TSP schemes of ITDP including SCA to TSP; the State Level Working Group on ST with Principal Secretary ST Development clears the project proposals for claiming ST corpus fund under TSP; and the Vice Chairman State Planning Board approves the proposals of line departments for ST pooled fund under TSP. Unless the Grama Panchayat or the ITDP or the line department formulates convincing project proposals with the approval of Oorukuttams and submit before the above Bodies in time, they may lose the chance of getting the funds highly inevitable for a critical gap filling TSP project / scheme.

As per the existing guidelines of formulation and implementation of TSP, all the TSP project proposals including that proposed to the higher tier Panchayats and ITDP/ STDD originate in the Oorukuttams and they are submitted to higher levels with the approval of the Oorukuttams. But when these projects are prioritised at the State level, it is to be ensured that the pressing and most deserving proposals of a Panchayat/ tribal area get adequate weightage. ST Population, its relative backwardness, poor health care facilities, absence of educational institutions, landless houseless condition, absence of infrastructure and minimum needs,

remoteness, forest settlements, BPL status of living conditions, presence of particularly vulnerable ST groups, etc. are certain criteria for getting high priority in the project proposals. We have to ensure that a deserving panchayat/ its tribal area is properly considered vis-a-vis the particular problem existing therein and the project proposals to tackle the problem

In the light of these facts, it is suggested to establish a mechanism to oversee and monitor the formulation and implementation of TSP programmes with the State Planning Board as HQrs. This may be an online monitoring system connecting the three tiers of Panchyats, ITDPs, District Planning Offices, STDD etc. concerned with the formulation and implementation of TSP in the State. This system would see the critical gaps to be filled in each grama Panchayat in tribal concentrations or dispersed tribal areas and ensure forward and backward linkages while formulate the TSP projects in a grama Panchayat area. The proposed system can send regular feed backs to appropriate levels for filling up the critical gaps occurred in ST development in all sectors. Further, it can easily assess the shortfall of Block Panchayat, District Panchayat, ITDP and other agencies in channelizing their TSP funds to a Grama Panchayat area.

As per existing TSP guidelines the ST Working Group functioning in each Grama Panchayat is supposed to formulate and monitor the implementation of TSP schemes in the Grama Panchayat with the participation of the ST families. The raw material for this exercise is reliable data pertaining to the socio economic condition of STs as also the physical achievements made in each sector every year. The ST survey Report 2008 can be used as the base line data for this purpose and this data may be updated every year on the basis of the physical achievements made in each sector. (for eg : The Working Group should be able to furnish the number of houseless ST families, ST families need repair of houses, number of dilapidated ST houses, number of incomplete ST houses etc. prior to the starting of Annual TSP formulation every year. This can be prepared by the working group by updating the ST Suvey data 2008 suitably taking into account the number of ST houses constructed and repaired each year after 2008.) This continuously updated data base will be the backborn of the proposed online monitoring system. The working groups can easily identify the critical gaps and other longstanding problems in ST development and depict in the website associated with the online monitoring system. This would help the District Level and State Level Working groups on ST Development in appraising and clearing the projects proposed by the local governments and other line departments, claiming TSP corpus and pooled funds aimed at filling up the gaps under ST Development .

PHOTOGRAPH SHOWING THE INFRASTRUCTURE DEVELOPMENT OF SCHEDULED TRIBES(KANIKKAR) IN KUTTICAL PANCHAYAT DURING MAY 2013



**Samskari Kanilayam at Pankav ST settlement
(Cultural centre)**



A katcha road in kaithode ST settlement



Anganvadi at Chonampara ST settlement



Community Hall at Valippara ST settlement



Visramakendram at Kaithode settlement



Anganvadi at Valippara ST settlement



Inside of Anganvadi at Valippara ST settlement



Tribal LP School at Chonampara settlement – Constructed utilising MPLADS of Sri AK Antony, Hon'ble Minister of Defence, India (2011-12)



Anganvadi at Pankav ST settlement



Tuition being given by young man to ST students at Pankav ST settlement funded by a foreign NGO



Tuition being given by young woman to ST students at Pankav ST settlement-funded by a foreign NGO (Funding from Italy)



Community Hall at Podiyam ST settlement



MGLC(alternate school) at Mankodu settlement



Kaithode - Chonampara road tarred using MPLADS fund 2008-09 (Rs.10 lakhs) of Sri Themnnala Balakrishna Pillai, former MP(RS)



A public well at Podiyum settlement . A house provided by Kuttichal Panchayat and the MGLC (alternate school) are seen behind



House of Sri Rajendran, former Member, Kuttichal Panchayat amidst beautiful forest background (constructed using TSP fund of Kuttichal Panchayat) – Podiyam Settlement



Rubber cultivation in kaithode ST settlement



Rubber cultivation in Thottumpuram ST settlement



**House of Sri Dharmajan, Pankav ST colony
(TSP fund 2008-09 of Kuttichal Panchayat) –Rs 1 lakh also
utilised for constructing this beautiful house - completed in 2012)**



**House of Smt.Sreedevi Suresh, member, Kuttichal Panchayat
funded by Kuttichal Panchayat(Chonampara settlement)**



**House of Kamalasanan Kani , Thottumpuram ST settlement
(constructed in 1991 by ITDP)**



**A natural pond (Keni) in the house of Kamalasanan Kani,
Thottumpuram ST settlement**



**Eachen Kani's house at Chonampara Settlement –funded
by ITDP in 2011-12- Rs.1.75 lakhs received from ITDP,
Nedumangad (STDD)**



**A tribal house being constructed at Podiyam,
funded by Kuttichal panchayat, on the verge of
completion during May 2013**



ReghuvaranKani's house at Kaithode ST settlement- funded by Vellanadu Bl.Panchayat in 2008 (Rs.1 lakh received)



A very hygienic well adjacent to the new house of Reghuvaran Kani Kaithode settlement- TSP funds(2011-12) given by Kuttichal panchayat



Aruviyan Kani's house at kaithode settlement- funded by Bl.panchayat Vellanad-completed in 2012



Aruviyan Kani's son Rajoo in his old hut at kaithode ST settlement



Chandran Kani's house at Kaithode ST settlement- funded by ITDP and constructed in 2012 – amount sanctioned is not known to him



Arogyapatcha plant seen in the natural habitats of Augustayar forest Photo-obligation to Sri. Anil K Gupta



Incomplete house of Sri Raveendran, Mankode settlement. Out of Rs.1.25 lakhs sanctioned in 2010-11 by Block Panchayat Vellanad, Rs.92375 utilised. As the third instalment was not properly utilised the Block Panchayat did not sanction the 4th & last instalment. Incomplete house owner Sri Rajendran's wife is seen besides their hut adjacent to the incomplete house



A locked tribal hut seen at Kaithode ST settlement



A traditional style house and workshop seen at Kaithode ST settlement



A mini bridge at Kaithode settlement constructed by Kuttichal panchayat in 2010-11



A perennial drainage line through Kaithode settlement- ST women engaged in banana cultivation are seen there.



**MGNREGS works going on within Kottoor forest
Area of Kuttichal Panchayat**



A stream at Podiyam settlement



**One ST family of Pothode settlement on return journey from
Kottoor market**



**A traditional scheduled tribe healer of Kanikkar(Plathy)
photo-obligation to sri Anil k Gupta**



**MGNREGS works going on within Kottoor
Forest- Chonampara settlement**



**Kuttimathan Kani of Chonampara settlement in his
farm land. He belongs to the Kani team who revealed
the medicinal properties of Arogyapatcha to the
Scientists of TBGRI**



grass land amidst thick forest in Mukkothyvayal ST settlement
Herds of bison are occasionally seen here.
Agasthyar peak seen behind.

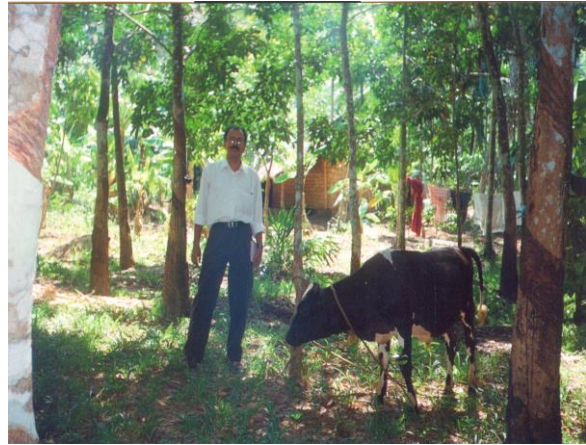


A

A hygienic and strong bamboo - made traditional ST house at
Mulamood ST settlement (Vice President of kuttichal Pt seen in
the sit out).



Rubber Cultivation seen at Aamode ST settlement



A Kannukutty distributed by Dist Panchayat during 2009-10 -
Mulamoodu ST settlement in Kuttichal



Inauguration of one day workshop on health & hygiene organised
by Kuttichal Panchayat and KUDUMBASREE at Aamode STsettlement



Audience of the Workshop organised by Kuttichal panchayat &
KUDUMBASREE at Aamode STsettlement



The Doctor of PHC Paruthipulley taking classes on health & Hygiene at Aamode ST settlement



The Doctor of PHC Paruthipulley conducting medical camp at Aamode ST settlement



Lunch break during the workshop at Aamode ST settlement



MGNREGS registration being done at Aamode during the WKSP



Tapioca cultivation at Aamode ST Settlement



Flex board against usage of liquor and other intoxicating items at Aamode ST settlement – installed by KARUNASAI , an NGO .



New House of Mathan kani at Aamode settlement - funded by ITDP (2012) – Not yet occupied the house.



Old house of Mathan kani at Aamode settlement



Villiyan Kani –Muttukani(Chieftain) of Aamode ST settlement



Fully damaged roof of parvathy kanikkari's house at Kompidi ST settlement- The house was damaged by the usual January storm



ST families of Kamalakam settlemet seen in front of a waiting shed besides the narrow forest jeepable difficult pathway.



KANI TRUST Building at Chonampara settlement. The building was Constructed in 1998-99 utilising the benefit share of JEEVANI developed from AROGYAPATCHA by TBGRI



Inauguration of extension of KSRTC upto kaithode Settlement during May 2013. Smt.Sreedevi, member, Kuttichal Panchayt stands in front of the bus.



AROGYAPATCHA PLANT with fruits in its stems
Photo -obligation to Sri. Anil K Gupta

Annexure 1

THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006

(Copy of the Act Published in the Gazette of India by the Ministry of Law and Justice (Legislative Department), New Delhi on 2-1-07 after receiving assent of the President of India)

NO. 2 OF 2007

(29th December, 2006)

An Act to recognize and vest the 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 for 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;

WHEREAS the recognized rights of the forest dwelling Scheduled Tribes and other traditional forest dwellers include the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwelling Scheduled Tribes and other traditional forest dwellers;

AND WHEREAS the forest rights on ancestral lands and their habitat were not adequately recognized in the consolidation of State forests during the colonial period as well as in independent India resulting in historical injustice to the forest dwelling Scheduled Tribes and other traditional forest dwellers who are integral to the very survival and sustainability of the forest ecosystem;

AND WHEREAS it has become necessary to address the long standing insecurity of tenurial and access rights of forest dwelling Scheduled Tribes and other traditional forest dwellers including those who were forced to relocate their dwelling due to State development interventions;

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:-

CHAPTER 1

PRELIMINARY

Short title and commencement

1. Short title and commencement-

- (1) This Act may be called the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- (2) It extends to the whole of India except the State of Jammu and Kashmir
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. Definitions:- In this Act, unless the context otherwise requires:-

- (a) “Community forest resource” means customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access;
- (b) “Critical wildlife habitat” means such areas of National Parks and Sanctuaries where it has been specifically and clearly established, case by case, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of wildlife conservation as may be determined and notified by the Central Government in the Ministry of Environment and Forests after open process of consultation by an Expert Committee, which includes experts from the locality appointed by that Government wherein a representative of the Ministry of Tribal Affairs shall also be included, in determining such areas according to the procedural requirements arising from sub-sections (1) and (2) of Section 4;
- (c) “forest dwelling Scheduled Tribes” means the members or community of the Scheduled Tribes who primarily reside in and who depend on the forests or forest lands for bona fide livelihood needs and includes the Scheduled Tribe pastoralist communities;
- (d) “forest land” means land of any description falling within any forest area and includes unclassified forests, undemarcated forests, existing or deemed forests, protected forests, reserved forests, Sanctuaries and National Parks;
- (e) “forest land” means the forest rights referred in Section 3;
- (f) “forest villages” means the settlements which have been established inside the forests by the forest department of any State Government for forestry operations which were

converted into forest villages through the forest reservation process and includes forest settlement villages, fixed demand holdings, all types of taungya settlements, by whatever name called, for such villages and includes lands for cultivation and other uses permitted by the Government;

- (g) “Grama Sabha” means a village assembly which shall consist of all adult members of a village and in case of States having no Panchayats, Padas, Tolas and other traditional village institutions and elected village committees, with full and unrestricted participation of women;
- (h) “habitat” includes the area comprising the customary habitat and such other habitats in reserved forests and protected forests of primitive tribal groups and pre-agricultural communities and other forest dwelling Scheduled Tribes;
- (i) “minor forest produce” includes all non-timber forest produce of plant origin including bamboo, brush wood, stumps, cane, tussar, cocoons, honey, wax, lac, tendu or kendu leaves, medicinal plants and herbs, roots, tubers and the like;
- (j) “nodal agency” means the nodal agency specified in Section 11;
- (k) “notification” means a notification published in the Official Gazette;
- (l) “prescribed” means prescribed by rules made under this Act;
- (m) “Scheduled Areas” means the Scheduled Areas referred to in Clause (1) of Article 244 of the Constitution.
- (n) “sustainable use” shall have the same meaning as assigned to it in Clause (o) Section 2 of the Biological Diversity Act, 2002;
- (o) “other traditional forest dweller” means any member or community who has for at least three generations prior to the 13th Day of December, 2005 primarily resided in and who depend on the forest or forests land for bona fide livelihood needs.

Explanation:- For the purpose of this Clause, “generation” means a period comprising of twenty-five years;

- (p) “village” means-
 - (l) a village referred to in Clause (b) of Section 4 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996; or

- (II) any area referred to as a village in any State law relating to Panchayats other than the Scheduled Areas; or
 - (III) forest villages, old habitation or settlements and unsurveyed villages, whether notified as village or not; or
 - (IV) in the case of States where there are no Panchayats, the traditional village, by whatever name called;
- (q) “wild animal” means any species of animal specified in Scheduled I to IV of the Wild Life (Protection) Act, 1972 and found wild in nature.

CHAPTER II

FOREST RIGHTS

Forest rights of Forest dwelling Scheduled Tribes and other traditional forest dwellers.

3. *Forest rights of Forest dwelling Scheduled Tribes and other traditional forest dwellers:-*

(1) For the purposes of this Act, the following rights, which secure individual or community tenure or both, shall be the forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers on all forest lands, namely:

- (a) right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers;
- (b) community rights such as nistar, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;
- (c) right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries;
- (d) Other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;
- (e) Rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;
- (f) Rights in or over disputed lands under any nomenclature in any State where claims are disputed;
- (g) Rights for conversion of Pattas or leases or grants issued by any local authority or any State Government on forest lands to titles;
- (h) Rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;
- (i) Right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;
- (j) Rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribals under any traditional or customary law of the concerned tribes of any State;

- (k) Right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity;
 - (l) any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers, as the case may be, which are not mentioned in clauses (a) to (k) but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal;
 - (m) Right to in situ rehabilitation including alternative land in cases where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13th day of December, 2005.
- (2) *Notwithstanding anything contained in the Forest (Conservation) Act, 1980, the Central Government shall provide for diversion of forest land for the following facilities managed by the Government which involve felling of trees not exceeding seventy-five trees per hectare, namely:*
- (a) Schools;
 - (b) Dispensary or hospital;
 - (c) anganwadis;
 - (d) Fair price shops;
 - (e) Electric and telecommunication lines;
 - (f) Tanks and other minor water bodies;
 - (g) Drinking water supply and water pipelines;
 - (h) Water or rain water harvesting structures;
 - (i) Minor irrigation canals;
 - (j) Non-conventional source of energy;
 - (k) Skill upgradation or vocational training centres;
 - (l) Roads; and
 - (m) Community centres:

Provided that such diversion of forest land shall be allowed only if,

- (i) the forest land to be diverted for the purposes mentioned in this sub-section is less than one hectare in each case; and
- (ii) the clearance of such developmental projects shall be subject to the condition that the same is recommended by the Grama Sabha.

CHAPTER III

RECOGNITION, RESTORATION AND VESTING OF FOREST RIGHTS AND RELATED MATTERS

Recognition of, and vesting of, forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers:-

4. Recognition of, and vesting of. Forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers:-

(1) Notwithstanding anything contained in any other law for the time being in force, and subject to the provisions of this Act, the Central Government hereby recognises and vests forest rights in-

- (a) the forest dwelling Scheduled Tribes in States or areas in States where they are declared as Scheduled Tribes in respect of all forest rights mentioned in section 3;
- (b) the other traditional forest dwellers in respect of all forest rights mentioned in section 3.

(2) The forest rights recognised under this Act in critical wildlife habitats of National Parks and Sanctuaries may subsequently be modified or resettled, provided that no forest rights holders shall be resettled or have their rights in any manner affected for the purposes of creating inviolate areas for wildlife conservation except in case all the following conditions are satisfied, namely:-

- (a) the process of recognition and vesting of rights as specified in section 6 is complete in all the areas under consideration;
- (b) it has been established by the concerned agencies of the state Government, in exercise of their powers under the Wild Life (Protection) Act. 1972 that the activities or impact of the presence of holders of rights upon wild animals is sufficient to cause irreversible damage and threaten the existence of said species and their habitat
- (c) the State Government has concluded that other reasonable options, such as, coexistence are not available;
- (d) a resettlement or alternatives package has been prepared and communicated that provides a secure livelihood for the affected individuals and communities and fulfils the requirements of such affected individuals and communities given in the relevant laws and the policy of the Central Government;

- (e) the free informed consent of the Grama Sabhas in the areas concerned to the proposed resettlement and to the package has been obtained in writing;
- (f) no resettlement shall take place until facilities and land allocation at the resettlement location are complete as per the promised package:

Provided that the critical wildlife habitats from which rights holders are thus relocated for purposes of wildlife conservation shall not be subsequently diverted by the State Government or the Central Government or any other entity for other uses.

- (3) The recognition and vesting of forest rights under this Act to the forest dwelling Scheduled Tribes and to other traditional forest dwellers in relation to any State or Union territory in respect of forest land and their habitat shall be subject to the condition that such Scheduled Tribes or tribal communities or other traditional forest dwellers had occupied forest land before the 13th day of December, 2005.
- (4) A right conferred by sub-section (1) shall be heritable but not alienable or transferable and shall be registered jointly in the name of both the spouses in case of married persons and in the name of the single head in the case of a household headed by a single person and in the absence of a direct heir, the heritable right shall pass on to the next-of- kin.
- (5) Save as otherwise provided, no member of a forest dwelling Scheduled Tribe or other traditional forest dweller shall be evicted or removed from forest land under his occupation till the recognition and verification procedure is complete.
- (6) Where the forest rights recognised and vested by sub-section (1) are in respect of land mentioned in clause (a) of sub-section (1) of section 3 such land shall be under the occupation of an individual or family or community on the date of commencement of this Act and shall be restricted to the area under actual occupation and shall in no case exceed an area of four hectares.
- (7) The forest rights shall be conferred free of all encumbrances and procedural requirements, including clearance under the Forest (Conservation) Act, 1980, requirement of paying the net present value and 'compensatory afforestation' for diversion of forest land, except those specified in this Act.
- (8) The forest rights recognised and vested under this Act shall include the right of land to forest dwelling Scheduled Tribes and other traditional forest dwellers who can establish that they were displaced from their dwelling and cultivation without land compensation due to State development interventions, and where the land has not been used for the purpose for which it was acquired within five years of the said acquisition.

Duties of holders of forest rights.

- 5. Duties of holders of forest rights.- The holders of any forest right, Grama Sabha and village level institutions in areas where there are holders of any forest right under this Act are empowered to-

- (a) Protect the wild life, forest and biodiversity;
- (b) Ensure that adjoining catchments area, water sources and other ecological sensitive areas are adequately protected;
- (c) Ensure that the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers is preserved from any form of destructive practices affecting their cultural and natural heritage;
- (d) Ensure that the decisions taken in the Grama Sabha to regulate access to community forest resources and stop any activity which adversely affects the wild animals, forest and the biodiversity are complied with.

CHAPTER IV

AUTHORITIES AND PROCEDURE FOR VESTING OF FOREST RIGHTS

Authorities to vest forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers and procedure thereof:-

6. Authorities to vest forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers and procedure thereof: -

(1) The Grama Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Grama Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub- Divisional Level Committee.

(2) Any person aggrieved by the resolution of the Grama Sabha may prefer a petition to the Sub-Divisional Level Committee constituted under sub-section (3) and the Sub- Divisional Level Committee shall consider and dispose of such petition:

Provided that every such petition shall be preferred within sixty days from the date of passing of the resolution by the Grama Sabha:

Provided further that no such petition shall be disposed of against the aggrieved person, unless he has been given a reasonable opportunity to present his case.

(3) The State Government shall constitute a Sub-Divisional Level Committee to examine the resolution passed by the Grama Sabha and prepare the record of forest rights and forward it through the Sub-Divisional Officer to the District Level Committee for a final decision.

(4) Any person aggrieved by the decision of the Sub-Divisional Level Committee may prefer a petition to the District Level Committee within sixty days from the date of decision of the Sub-Divisional Level Committee and the District Level Committee shall consider and dispose of such petition:

Provided that no petition shall be preferred directly before the District Level Committee against the resolution of the Grama Sabha unless the same has been preferred before and considered by the Sub-Divisional Level Committee:

Provided further that no such petition shall be disposed of against the aggrieved person, unless he has been given a reasonable opportunity to present his case.

(5) The State Government shall constitute a District Level Committee to consider and finally approve the record of forest rights prepared by the Sub-Divisional Level Committee.

- (6) The decision of the District Level Committee on the record of forest rights shall be final and binding.
- 7) The State Government shall constitute a State Level Monitoring Committee to monitor the process of recognition and vesting of forest rights and to submit to the nodal agency such returns and reports as may be called for by that agency.
- 8) The Sub-Divisional Level Committee, the District Level Committee and the State Level Monitoring Committee shall consist of officers of the departments of Revenue, Forest and Tribal Affairs of the State Government and three members of the Panchayati Raj Institutions at the appropriate level, appointed by the respective Panchayati Raj Institutions, of whom two shall be the Scheduled Tribe members and at least one shall be a woman, as may be prescribed.
- (9) The composition and functions of the Sub-Divisional Level Committee, District Level Committee and the State Level Monitoring Committee and the procedure to be followed, by them in the discharge of their functions shall be such as may be prescribed.

CHAPTER V

OFFENCES AND PENALTIES

Offences by members or officers of authorities and Committees under this Act.

7. Offences by members or officers of authorities and Committees under this Act.- Where any authority or Committee or officer or member of such authority or Committee contravenes any provision of this Act or any rule made there under concerning recognition of forest rights, it. or they, shall be deemed to be guilty of an offence under this Act and shall be liable to be proceeded against and punished with fine which may extend to one thousand rupees:

Provided that nothing contained in this sub-section shall render any member of the authority or Committee or head of the department or any person referred to in this section liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

Cognizance of offences.

8. Cognizance of offences:- No court shall take cognizance of any offence under section 7 unless any forest dwelling Scheduled Tribe in case of a dispute relating to a resolution of a Grama Sabha or the Grama Sabha through a resolution against any higher authority gives a notice of not less than sixty days to the State Level Monitoring Committee and the State Level Monitoring Committee has not proceeded against such authority.

CHAPTER VI

MISCELLANEOUS

Members of authorities, etc., to be public servants.

9. Members of authorities, etc., to be public servants.-

Every member of the authorities referred to in Chapter IV and every other officer exercising any of the powers conferred by or under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Protection of action taken in good faith.

10. Protection of action taken in good faith. –

- (1) No suit, prosecution or other legal proceeding shall lie against any officer or other employee of the Central Government or the State Government for anything which is in good faith done or intended to be done by or under this Act.
- (2) No suit or other legal proceeding shall lie against the Central Government or the State Government or any of its officers or other employees for any damage. caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.
- (3) No suit or other legal proceeding shall lie against any authority as referred to in Chapter IV including its Chairperson, members, member-secretary, officers and other employees for anything which is in good faith done or intended to be done under this Act.

Nodal agency.

11. Nodal agency.- The Ministry of the Central Government dealing with Tribal Affairs or any officer or authority authorised by the Central Government in this behalf shall be the nodal agency for the implementation of the provisions of this Act.

Power of Central Government to issue directions.

12. Power of Central Government to issue directions.- In the performance of its duties and exercise of its powers by or under this Act, every authority referred to in Chapter IV shall be subject to such. general or special directions, as the Central Government may, from time to time, give in writing.

Act not in derogation of any other law.

13 Act not in derogation of any other law.- Save as otherwise provided in this Act and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act; 1996. the provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

Power to make rules.

14. Power to make rules.

- (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules for carrying out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:
 - (a) Procedural details for implementation of the procedure specified in section 6;
 - (b) the procedure for receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim for exercise of forest rights under sub-section (1) of section 6 and the manner of preferring a petition to the Sub-Divisional Committee under sub-section (2) of that section;
 - (c) the level of officers of the departments of Revenue, Forest and Tribal Affairs of the State Government to be appointed as members of the Sub-Divisional Level Committee, the District Level Committee and the State Level Monitoring Committee under sub-section (8) of section 6;
 - (d) the composition and functions of the Sub-Divisional Level Committee, the District Level Committee and the State Level Monitoring Committee and the procedure to be followed by them in the discharge of their functions under sub-section (9) of section 6;
 - (e) any other matter which is required to be, or may be, prescribed.
- (3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Annexure 2

Amended Forest Rights Act

(A Gist of the STs and other Forest Dwellers (Recognition of Forest Rights) Amendment Rules,2012, notified by the Ministry of Tribal affairs on 6-9-2012)

Forest Department's role in managing forest resources curtailed

The Union ministry of Tribal Affairs has notified the amended rules for the implementation of the Forest Rights Act (FRA) of 2006. The new rules, notified on September 6, bring more clarity to provisions relating to recognition of forest dwellers' rights to conserve and manage community forest resources, the procedure for which was ambiguous even in the draft amendment rules issued by the Ministry in July this year. The fresh rules also give more powers to Grama Sabha to ensure sustainable use of these resources.

FRA recognises the rights of forest dwellers over forestland and forest resources such as minor forest produce they have traditionally been extracting and using. The implementation of the Act started in 2008, but its benefits did not reach most tribals. The ineffective rules formulated under the Act were blamed for the tardy implementation. To correct this, the Tribal Affairs Ministry had made draft amendments to the rules on July 19, 2012 and invited public comments on the draft. In the next one month several suggestions and objections were sent to the Ministry on the draft rules by various stakeholders.

Grama Sabha to issue transit passes

Sources in the Ministry revealed while many tribal rights groups recommended more clarity on provisions of community forest rights in the draft, forest departments across the country had objected to the rules as they gave more authority to the Grama Sabha and curtailed the role of the departments. The new rules say that forest dwellers can transport minor forest produce (MFP) by "any appropriate means of transport" and mandate that transit passes for the same will be issued by a Committee constituted by the Gram Sabha.

The draft rules issued in July were silent on transit passes. This would have led to a threat of opening up of forest for unsustainable use. But allowing the forest department to issue transit passes, as has been done so far, would have defeated the purpose. The Ministry has done the right thing by empowering Grama Sabha to issue transit passes," said Madhu Sarin of non-profit Campaign for Survival and Dignity.

According to the new rule, the committee constituted under the Grama Sabha will prepare conservation and management plan for community forest resources after forest dwellers' rights on such resources are recognised. The draft rules were silent on post rights-recognition scenario on how these forest resources will be managed. So far, the forests are managed by the forest departments according to their working plans. The rules say that the

Grama Sabha's committee can integrate its management plans with the forest department's working plans if it considers this necessary. The Grama Sabha will approve all decisions of the committee pertaining to issue of transit permits, use of income from sale of forest produce or modification of management plans, say the rules.

Forest claims cannot be rejected arbitrarily

Mandating that forest rights related to protection, regeneration and management of community forest resources by forest dwellers for sustainable use should be recognised in all the villages with forest dwellers, the rules say that in case this is not done in a village the reason should be recorded by the district-level committee formed to look into the FRA claims. To ensure that right claims are not rejected illegitimately by the authorities, the new rules put additional conditions for rejection than those which were there in the draft rules. The authorities will now not be able to reject the claims for being absent from the field verification process.

Besides, no committee or individual official at the panchayat, block or forest range level except the forest rights committee shall be eligible to receive, decide or reject the forest rights claims. The rules say that satellite imagery and technological tools cannot be treated as the replacement of evidence prescribed in the Act for verifying the claims, but can only be used as supplements. The new rules also prescribe a format for the state level monitoring committee to report on the progress of the implementation of the Act which requires detailed information on community forest rights claims.

What the amended rules state: -

- ❖ Forest dwellers can transport minor forest produce by any appropriate means of transport
- ❖ Transit passes for transporting minor forest produce will be issued by a committee constituted by the Grama Sabha
- ❖ The committee constituted under the Grama Sabha will prepare conservation and management plan for community forest resources after forest dwellers' rights on such resources are recognized
- ❖ The Grama Sabha committee can integrate its management plans with the forest department's working plans if it considers this necessary
- ❖ The Grama Sabha will approve all decisions of the committee pertaining to issue of transit permits, use of income from sale of forest produce or modification of management plans.
- ❖ Forest rights related to protection, regeneration and management of community forest resources by forest dwellers for sustainable use should be recognised in all the villages; in case this is not done in a village the reason should be recorded by the district level committee formed to look into FRA claims.
- ❖ To ensure that right claims are not rejected illegitimately by the authorities, the new rules put additional conditions for rejection than those which were there in the draft rules. The authorities will now not be able to reject the claims for being absent from the field verification process
- ❖ No committee or individual official at the panchayat, block or forest range level except the forest rights committee shall be eligible to receive, decide or reject the forest rights claims

- ❖ State level monitoring committee to report on the progress of the implementation of the Act in the prescribed format, which requires it to furnish detailed information on community forest rights claims

Source: Article Published by Sri Kumar Sambhav S on 8-9-2012 in
<http://downtoearth.org.in>

Annexure 3

Bio Diversity Act, 2002**

(A Gist of the Act Published by the Ministry of Law and Justice, Government of India on 5-2-2003)

An Act to provide for conservation of Biological Diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resources, knowledge and for matters connected therewith or incidental thereto

Citation Act No.18 of 2003

Enacted by Parliament of India

Date 5th Feb 2003

Assented to

Date 1st October 2003 and 1st July 2004

Commenced

The Biological Diversity Act 2002 is a Federal Legislation enacted by the Parliament of India for preservation of biological diversity in India, and provides mechanism for equitable sharing of benefits arising out of traditional biological resources and knowledge. The Act was enacted to meet the obligations under Convention on Biological Diversity (CBD), to which India is a party.

Bio diversity and Biological Resource

Bio diversity has been defined under section 2(b) of the Act as “ the variability among living organisms from all sources and the ecological complex of which they are part , and includes diversity within species or between species and of eco-systems”. The Act also defines, Biological resources as” plants animals and micro organisms or parts thereof, their genetic material and by-products (excluding value added products) with actual or potential use or value, but does not include human genetic material.

National Bio Diversity Authority & State Bio Diversity Boards

The National Bio Diversity Authority (NBA) is a statutory autonomous body with HQrs at Chennai under the Ministry of Environment and Forests, Government of India established in 2003 to implement the provisions under the Act. State Bio Diversity Boards (SBB) has been created in 28 States along with 31574 Biological Management Committees (for each local body) across India.

Functions

- Regulation of acts prohibited under the Act
- Advise the Government on conservation of biodiversity
- Advise the Government on selection of biological heritage sites
- Take appropriate steps to oppose grant of intellectual property rights in foreign countries, arising from the use of biological resources or associated traditional knowledge

Regulations

A foreigner, non resident Indian as defined in clause (30) of section 2 of the Income Tax Act ,1961 or a foreign company or body need to take permission from the NBA before obtaining any biological resources or associated knowledge from India for research , survey , commercial utilisation . *Indian citizens or body corporates need to take permission from the concerned State Biodiversity Board.*

Result of the research using biological resources from India cannot be transferred to a non-citizen or a foreign company without the permission of NBA. However no such permission is needed for publication of the research in a journal or seminar, or in case of a collaborative research made by institutions approved by Central Government.

No person shall apply for patent or other form of intellectual property based on the research arising out of biological resources without the permission of the NBA. The NBA while granting such permission may make an order for benefit sharing or royalty based on utilisation of such protection.

Benefit Sharing

Benefit Sharing out of usage of biological resources can be done in the following manner.

- Joint ownership of intellectual property rights
- Transfer of technology
- Location of production, research development units in the area of production
- Payment of monetary and non monetary compensation
- Setting up of venture capital fund for aiding the cause of benefit claimers.

Penalties

If a person violates the regulatory provisions, he will be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to Rs ten lakhs and where the damage caused exceeds ten lakhs rupees such fine may commensurate with the damage caused, or with both.

See also

- Traditional Knowledge digital library
- Indigenous intellectual property
- Convention of Biological Diversity
- Bio prospecting
- Protection of Plant varieties and farmers Rights Act 2001

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- Section 7 of Biological Diversity Act, 2002
- Section 4&5 of Biological Diversity Act, 2002
- Section 6 of Biological Diversity Act, 2002
- Section 21(2) of Biological Diversity Act, 2002

External links

- BiologicalDiversityAct,2002
(http://envfor.nic.in/divisions/biodiv/act/bio_div_act_2000.pdf)
- National Bio Diversity Authority (<http://nbaindia.org>)

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Appendix

Terms and Terminologies used by the Kani Tribals

1.Arogyapatcha	An endemic medicinal plant seen in the Agasthyar Forest areas of Thiruvananthapuram. Its botanical name is “ Tricopus Zelanicus Travancoricus “
2.Kanikkar	hereditary proprietors of land
3.kanipattu	Land possessed by kani tribals from 1742 to 1945 in and around the present Ottasekharamangalam Grama Panchayat. This land (around 36000 acres)was given to the kani tribals by His Highness Anizham Thirunal Marthanda Varma Maharaja, the Founder of Travancore. Almost all the lands were alienated by the tribals between 1945 and 1950
4.Muttukani	The name of Kani Chieftain
5. Plathy	The name of kani tribal healer. They perform as Priests also in their temples
6. Kudiyanper	A Committee comprising of senior tribal people in the ST settlement to help the Muttukani in administrative, spiritual and cultural matters
7.Chempupattayam	The title deed associated with the transfer of Kanipattu land to kani tribals by the Maharaja in 1742
8. Chat	The word used by kani tribals for chanting of their hymns. The literal meaning of ‘Chat ’ is : Speak loudly. The various Chat forms used by the kani tribals are given in para 3.20.3 – Cultural Aspects of Kani tribals
9. Chattaeith	An archery game performed by kani children
10.Thoonkimuthan	A dance cum drama form popular among the kani tribals
11. Kokkara	A musical Instrument used by kani tribals during various chats

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