

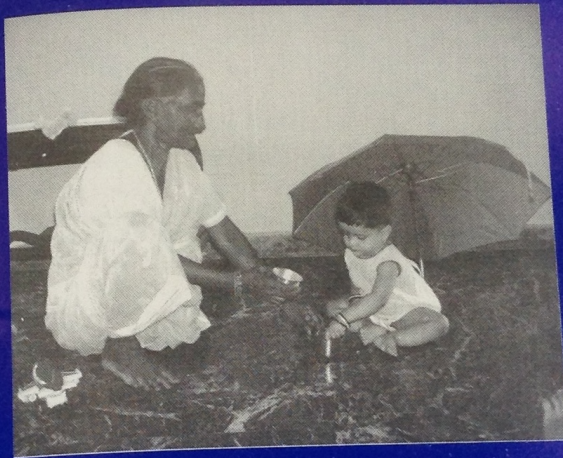
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Tribal Welfare In Goa

Uncertain Future Under
Mafia-Minister-Police Raj

Editor's Note

The tribal communities remain alienated from the mainstreaming efforts and continue to be marginalised due to state apathy in Goa. The tribal population constitutes 8.08 per cent at-all India level whereas it constitutes about 12 per cent in Goa. Government of India's development strategy is tilted against the tribal people. It has shown a wide gap between framed policy and what is translated in reality. The record of Goa Government with regard to tribal welfare is utterly dismal for past eight years. The tall claims of Goa Government of achievements on socio-economic front and accreditations accorded by Delhi-based media barons have a few takers.

The cluster tribal population in the tiniest State of Union of India is 2000 to 2500 or even less compared to other parts of the country. The tribal welfare department is yet to survey the tribal hamlets/ villages or areas populated with scheduled tribes in Goa. In 2003, the Gauda, Kunbi and Velip communities were accorded constitutional status as notified tribes of Goa by the National Democratic Alliance Government at Centre. Now, efforts are being made by Congress-led Goa Government to apprise Sonia Gandhi after her post-surgery recovery in India.

Goa administration is yet to pursue the major demand of 12 per cent representation for scheduled tribes in the state legislature. Plus, it has sponsored violence during the Balli blockade of the UTAA. The protective legislations including the Forest Act, 2006 have not been effectively implemented to safeguard the tribal lives, livelihood and decent standard of living on the one hand and to strengthen the conservation regime in the mine-affected forest belts.

In a ghastly criminal act at Balli, two tribal leaders were burnt alive by the miscreants let loose by the mafia-minister-police troika. The culprits are still at large. The tribal leaders are arrested without any evidence to prosecute them in the Court of Law. The mafia-minister-police nexus in Goa is bent on to suppress the emerging tribal movement by resorting to selective killings, police harassment, divisive tactics and blame games. The state-sponsored persecution of the tribal activists and leaders for peaceful expression of their legitimate demands is inconsistent with the established norms democracy.

TRIBAL COMMUNITIES IN GOA

Uncertain Future Under Mafia-Minister-Police Raj

Dr. Pradip Narayan Maske

INTRODUCTION

The idea that one can make money out of a dead tree was unknown to the original settlers of Goa. The tribal communities are attached to land, water, forest, livestock and wildlife. They evolved eco-friendly lifestyle, customs and practices for ages. The tribal communities—Gauda, Kunbi, Velip and Dhangars are the original settlers of Goa. The other communities

who came to Goa also nursed the cultural, economic and social landscape. The land ownership relationships changed in favour of the other communities who migrated to Goa. They managed to retain their hold over the natural resources due to their spiritual and warfare edge.

The Portuguese rule strengthened the hold over the masses converted to Christianity. The colonial rulers did not spare any one in their strategy of directing the worst atrocities in Goa. The colonial administration launched census enumeration in Goa way back in 1850 and labelled the Gauda, Kunbi, Velip and Dhangar communities as primitive tribes. In the post-Liberation Goa, the tribal communities and other traditional forest dwellers were not accorded ownership rights over their ancestral land in the hilly areas of Goa.

Tribe versus Caste Debate

After Liberation of Goa, 1961, Dayanand Bhandodkar, the first Chief Minister of Goa, made sincere efforts for socio-economic welfare of the masses. However, the Gauda community leaders felt that the constitutional status along with scheduled castes by Government of India would equate the Gauda community with the former. The Gauda considered themselves separate from the scheduled castes. Historically, Gauda, Kunbi, Velip and Dhangar communities nursed and were the masters of Goa. The idea of clubbing the tribes with scheduled castes was largely unpalatable to the original settlers.

However, the rapid developmental activities carried out by the Government of India soon after 1961 alienated the original settlers from the mainstreaming efforts of the state, due to their illiteracy, poverty and vain glory that they nursed and were attached to the land, people and biodiversity. The idea of according constitutional status to tribes did not gain much momentum during the merger and language controversy (1961-1967) which engaged the attention of the political leaders. The socio-economic agenda was temporarily shelved. It was only in 2003, the Gauda, Kunbi and Velip communities were accorded constitutional status as notified tribes by Government of India.

Emerging Trends in Tribal Leadership

In Goa, the population of tribal communities is estimated to be over 1.60 lakhs out of the total population of 14,57,723 in 2011. There are nine tribal associations with the United Tribal Associations Alliance (UTAA) spearheading the demands of the tribal communities in Goa. The benefits of development are yet to reach them. They are politically damned and economically mined. The central funds meant solely for tribal welfare are diverted for non-tribal purposes under Tribal sub-Plan. The Scheduled Tribes Commission, Tribal Welfare Department, Scheduled Tribes Finance and Development Corporation perform merely an ornamental role and without a nodal agency to monitor the TSP. The ornamental and superfluous architecture of the tribal institutional support can hardly attain the objectives of the Centre.

The tribal people have been denied of their constitutional right to protest peacefully. The state administration is responsible for unlawful arrests and detention of the tribal leaders and

activists to suppress the tribal movement. On May 25, 2011, the state enacted violence in Balli village to suppress the voice of the tribal people. The vested interests are bent on pitting tribals against non-tribals in Balli and other parts of Goa.

Moreover, the tribal agitation in Goa is supported by the cross-section of Goan society. Dr. Kashinath Jalmi, former Law Minister, Adv. Babuso Gaonkar, Ex-MLA, Praksh Velip, Ex-Education Minister, Ramesh Tawadkar, MLA, Vasudev Gaonkar, MLA, Antonio Gauncar and other tribal leaders have been associated with the welfare activities of the Scheduled Tribes for decades. Prakash Shankar Velip worked in the field of education, culture, twin-cooperative sector (agriculture and banking) for 18 years to raise the socio-economic standards of the tribal communities. He became the target of the vested interests in Quepem. Strangely, the traditional anti-tribal lobby instigated by the vested interests argues that the tribal community has no business coming to Balli as no tribal community reside in the area.

Interestingly, the Congress never worked for the betterment of the tribal population in Goa. The MGP under Dhavalikar & Brothers used the tribal communities merely as vote bank entities. The Dhavalikar duo attempted to sideline the tribal leaders and tried to become the sole spokesperson of tribal welfare in Goa. Dhavalikar & Brothers in Ponda hangs on Pratapsingh Rane & Sons in Sattari, Digambar Kamat in Margao city and others for electoral manipulations. Meanwhile, the emerging vocal, dedicated and effective tribal leadership has exposed the double standards of political leaders in Goa.

It is pertinent to analyse the factors responsible for deprivations suffered by these tribal communities even after 50 years of Liberation of Goa.

ORIGINAL SETTLERS OF GOA: AN OVERVIEW

Historically, the tribal communities— Gauda, Kunbi, Velip, Dhangar and others nursed the landscape of Goa ecologically, culturally, socially, economically and evolved the village republic, despite migrations and dynasties that brought the region under their spell of rule. The Gaokary system (Portuguese version of *Comunidades*) with its roots in Vedic tradition flourished in Goa. The highly evolved civilizational heritage of tribal communities later became the monopoly of privileged classes. The tribal communities have lost the ownership rights over the temples in Goa. The original settlers continue to nurture the feelings that the deities were once upon a time installed by their ancestors. It is argued that the Gaokary system dispossessed the tribal communities of their economic and spiritual rights in Goa.

According to Norman Dantas, ‘the Gauda alienated from the land was primarily caused by formation of Gaokary, the village communities formed by the higher castes, who came to Goa after the original settlers and staked land ownership rights to the virtual exclusion of the lower conquered castes’ (Mani & Noronha, 2008: pp38-39).

The material culture was adopted by the migrant population to identify themselves with the land, but not with the tribal people. The tribal communities are scattered in hilly areas of Sanguem, Quepem, Canacona, Sattari and Ponda talukas. The majority of tribal communities reside in the hilly areas (which came under Portuguese occupation after 250 years, when

Afonso de Albuquerque occupied tiny island of Goa on November 23, 1510. The converted tribal population in Tiswadi, Salcete and Bardez talukas became the second class subjects during the colonial rule.

Dr. Kashinath Jalmi argues that every hamlet/ village where Gauda community reside one can find a deity called 'Goudas' installed and worshipped by the community. In the ancient period of local history, King Goudeshwar ruled over the coastal belt comprising of Goa. The ancient Hindu temples in Goa belong to Gauda community. No matter ownership rights of these temples now have gone to others. The tribal community must continue their emotional attachment to these temples, according to Dr. Jalmi.

The original settlers were ridiculed as caricature in the local literature. The Church in Goa exploited their poverty, illiteracy and backwardness. The conversion of these communities did not bring any material or temporal change in their lives. The attempts, if any, to transform their lives were sabotaged by Portuguese Government and the Church. The pitiable standard of living of the marginalized people, the church believed, would bring them closer to God.

After Portugal became Republic in 1910, the efforts were made to regenerate spiritual way of life the converted ordinary people of Goa to Christianity— the coded religion. In 1928, Social reformer Vinayak Maharaj Masurkar of Masur Ashram, Satara, Maharashtra launched *Shuddi* caste purification movement in Goa. The Shuddi ceremony focused on the pre-conversion status of tribal communities. Interestingly, the Masur Ashramites did not wait and rely on the tactics of social service, but focused on spiritual discourse to bring back the Gauda community members to their original/ Hindu— spiritual way of life. 7815 Gauda and others adopted pre-conversion status defying the Church, Portuguese administration and vested interests within four days (26 to 30 February, 1928) in Tiswadi, Ponda, Sattari and Bicholim talukas.

The Gaokary system led to disenfranchisement of land ownership rights of the original settlers. The Gauda chieftains had gone outside Goa and requested the spiritual heads to dispatch learned people/ priests to perform religious rites and maintain land/ revenue records. Symbolically, some Saraswat Brahmins after 1961 used to perform the ancestral duties in Gaonkar families. For example, Ramani priests performing symbolic religious rites of a Gaonkar family in Wadi-Talauli village in Ponda.

According to Dr. Kashinath Jalmi, Ex-Law Minister, argued that D. B. Bandodkar (1963-1972), the first Chief Minister of then Union Territory of Goa, had attempted to notify the tribal communities under scheduled tribe category. However, the tribal leaders felt that inclusion under Scheduled Tribe category is like accepting the status similar to scheduled castes. Former Chief Minister Shashikala Kakodkar pursued the tribal related demands at the Centre and wrote letter to Registrar General of India for notification of tribes in Goa.

The fact that the Gauda community had evolved, nursed villages in Goa was acknowledged by top leaders of MGP--- D. B. Bandodkar and Shashikala Kakodkar from 1963 to 1979. Later, the MGP leaders merely used the tribal communities for electoral gains. Ramkrishna

Dhavalikar and Deepak Dhavalikar got elected on the MGP ticket and their politics of double standard and opportunism is scoffed at by politicians and laymen in Goa

INCLUSION OF ORIGINAL SETTLERS IN SCHEDULED TRIBES CATEGORY

On August 14, 2001, former BJP, Member of Lok Sabha, Ramakant Angle presented the petition signed by Antonio Gauncar for inclusion of Gauda, Kunbi, Velip and Dhangar communities of Goa in the list of Scheduled Tribes. The Government of India did not extend the Constitution (Scheduled Tribes) Order 1950 to the Union Territory of Goa, Daman and Diu immediately after the Liberation of Goa in 1961. Although in the year 1968 the Goa, Daman and Diu (Scheduled Tribe) Order 1968 was promulgated, it declared only tribes from Daman and Diu as Scheduled Tribes while those from Goa were excluded. Under the Goa, Daman & Diu Reorganisation Act in 1987, the tribes from Daman and Diu were considered to be tribes from Goa while the ethnic Goan tribes were excluded.

The petition was referred to the Ministry of Tribal Affairs on 16 August, 2001 for furnishing their comments on the various points raised therein. In response, the Ministry of Tribal Affairs vide their communication dated September 5, 2001 stated that the Scheduled Tribes are specified in accordance with the provisions of Article 342 of the Constitution. The first list in relation to a State/ UT is by a notified Order of the President, after consultation with the State Government concerned. Any subsequent modification can only be effected through an Act of Parliament.

In June 1999 Government have approved modalities for deciding cases for inclusion, exclusion and other modifications in the list of Scheduled Castes and Scheduled Tribes. According to this procedure only those cases that have been agreed to by the concerned State Government and Registrar General of India as well as National Commission for SCs and STs are only to be taken for amending legislation. The recommendation of the State Government is forwarded to the Central Government. Thereafter proposals received from State Government are sent to the Registrar General of India.

The criteria adopted by RGI for determining tribal character of a community are:

- (1) Indications of primitive traits;
- (2) Distinctive culture;
- (3) Geographical isolation;
- (4) Shyness of contact with the community at large; and
- (5) Backwardness.

The inclusion of Dhangar community in the ST category is not considered by the Registrar General of India. Government of Goa is yet to review or justify that Dhangar community fulfils the criteria for its scheduling as ST.

Goa Government has assured the Dhangar community, which constitute 8000 of the total population of Goa, that the efforts will be made to accord the status of notified tribes, but no concrete steps are taken in this regard so far. Interestingly, the demand for inclusion of Dhobi

community as the notified tribes is also put forth and assurances are given by the politicians in Goa to fulfil their demands.

VARIED TRIBAL PICTURE & CASE OF GOA

The tribal situation in the country presents a varied picture. Some areas have high tribal concentration while other areas form a very small portion of population. Under the Fifth Five Year Plan the Tribal sub-Plan strategy took note of the fact that an integrated approach to the tribal problems was necessary in terms of their geographic and demographic concentration. For faster development of tribal communities, the tribal areas in the country were classified under three broad categories: -

- (i) States and Union Territories having a majority scheduled tribe population;
- (ii) States and Union Territories having substantial tribal population but majority tribal population in particular administrative units, such as block and tehsils; and
- (iii) States and Union Territories having dispersed tribal population, respectively.

The states like Arunachal Pradesh, Meghalaya, Mizoram, Nagaland and Union Territories of Lakshadweep and Dadra & Nagar Haveli may not need a Tribal sub-Plan, as the entire plan of these States/ Union Territories was primarily meant for the Scheduled Tribes population constituting the majority. For the second category of States and Union Territories, tribal sub-Plan approach was adopted after delineating areas of tribal concentration.

A similar approach was also adopted in case of States and Union Territories having dispersed tribal population by paying special attention to pockets of tribal concentrations, keeping in view their tenor of dispersal.

During the Sixth Plan, Modified Area Development Approach (MADA) was adopted to cover smaller areas of tribal concentration and during the Seventh Plan, the TSP strategy was extended further to cover even smaller areas of tribal concentration and thus cluster of tribal concentration were identified. The TSP strategy also has twin-objectives namely socio-economic development of Schedule Tribes and protection of tribal against exploitation.

The ITDPs are generally contiguous areas of the size of a Tehsil or Block or more in which the ST population is 50% or more of the total. On account of demographic reasons, however ITDPs in Assam, Karnataka, Tamil Nadu, and West Bengal may be smaller or not contiguous. Andhra Pradesh and Orissa have opted for an Agency model under the Registration of Societies Act and the ITDPs there are known as ITD Agencies (ITDAs). So far 194 ITDPs/ ITDAs have been delineated in India.

The clusters are identified pockets of tribal concentration containing 50% or more ST population within a total population of about 5,000 or more. As in the case of MADA pockets, there are no separate administrative structures for Clusters.

So far 82 Clusters have been identified in various TSP states. The smallest State of Goa, where cluster population is less than 5000 can adopt a creative approach to carve out smaller clusters to extend the development programmes to tribal communities by demarcating Special TSPs.

The Special Central Assistance (SCA) to TSP is provided by the Ministry of Tribal Affairs to the State Government as an additive to the State TSP. SCA is primarily meant for family-oriented income-generation schemes in sectors of agriculture, horticulture sericulture and animal husbandry cooperation. A part of SCA (not more than 30%) is also permitted to be used for development of infrastructure incidental to such income generating schemes.

The allocation to the States under the National Scheduled tribes Finance Development Corporation, Special Central Assistance grants-in-aid under Article 271(i) and Central Sector Schemes has steadily gone up. But, how far these schemes have benefitted the targeted tribal population is a big question.

DIVERSION OF TRIBAL WELFARE FUND

On June 22, 2011, the editorial in the widely circulated English daily *The Navhind Times* depicts the dismal state of welfare measures adopted by Goa Government.

The editorial reads: -

“There seems to be an element of truth in the allegation made by the tribal leader, Mr Prakash Velip that the government is diverting funds meant for the development of tribal areas. Hence, his demand that all funds and benefits due to his people must be utilised has some moral authority. Issues pertaining to tribal people seldom make headlines, but blockade at Balli and the horrific death of two tribal people has brought to the fore the disinterested manner in which the government has approached the tribal welfare...

Further, the editorial says: “Under tribal welfare, the only head under which more than allotted funds were used was Indira Bal Rath Yojana, a scheme used to provide buses to the schools which have significant number of tribal children. More than total utilisation was accomplished because the scheme was extended to practically all schools in violation of norms. Even the Rs. 20 lakh allotted under the ‘medicclaim facilities’ was not touched. If you ever wondered where the government was getting its money to fund the cyberage scheme read the fine print of TSP allocation chart. About Rs. 2.66 crore was siphoned out from the education department to buy computers for others. The fisheries department has fared the worst, using only Rs. 1.2 lakh of the Rs. 2.06 crore allotted to it. For all the noise that the Sports Minister Babu Azgaonkar makes about the working for the poor and downtrodden, his department spent only Rs. 93 lakh of the Rs. 5.54 crore allotted under the TSP, his department only spent Rs. 21.79 lakh was spent on the Sports Authority of Goa. These figures were presented by Mr Rodrigues in reply to a question asked by Siolim MLA, Mr Dayanand Madrekar in the Assembly.

It is apparent that the allocations are being made with the sole purpose of satisfying the statutory duty of allocation in proportion to the tribal population in the state. Also if allocations are not shown the Planning Commission will not pass the state plan. However, there is no ready explanation as to why funds were not utilised and instead diverted. Hence the allegation made by Mr Velip rings true. Mr Rodrigues allegation explanation that his hands are tied by norms specified in the tribal plan is a half-truth. He claimed that the

concentrations of tribal populations rarely exceed 2000 and the Planning Commission norm is that minimum cluster should be 4000 to 5000. This is not entirely true. For the purpose of tribal sub-plan, there are 194 clusters in the country where the ST population is more than 50 per cent of the block 252 which have a population of 10000 where the ST strength is more than 50 per cent and 74 clusters where the ST population is 2500 in a total of 5000. Some pockets in Goa could have fitted in the last category”.

Goa Government has shown a complete lack of commitment, creativity and the desire to help the less privileged. It has flouted the guidelines of the Centre to divert the funds earmarked under the TSP and there is no mechanism in place to channelize the funds to the intended beneficiaries— the scheduled tribes. However, during the tenure of NDA government at the Centre and in Goa pro-tribal legislations, policies were translated into reality.

PLANNING COMMISSION NOTE ON GUIDELINES FOR TRIBAL SUB-PLAN

The basic objective of the Special Component Plan for scheduled Caste and Tribal-sub Plan for Scheduled tribes is to channelize the flow of outlays and benefits from the general sectors in the plan of states for the development of scheduled castes and scheduled tribes at least in proportion to their population, both in physical and financial terms, as per Planning Commission mandate. The Commission further adds that the Special Component Plans should be the integral part of the annual and five-year plans, making provisions therein non-divertible and non-lapsable.

The Planning Commission envisages following points while formulating SCP/ TSP:-

1. Earmarking funds for TSP at least in proportion to ST population to the total population of the State.
2. The TSP should be non-divertible and non-lapsable.
3. Making the social welfare/ tribal welfare department concerned with the welfare and development of STs as nodal department for formulation and implementation of Tribal sub-Plan.
4. Placing the earmarked funds at the disposal of the nodal departments concerned which interned will reallocate the funds to the sectoral departments for implementation of the schemes directly relevant to the ST developments.
5. Placing the earmarked funds for TSP and under separate budget head/ sub-head for each department implementing the TSP.
6. Special Central Assistance for TSP extended by the Centre to the States as a 100% grant meant to fill critical gaps and missing input for family-oriented income generation schemes and supporting infrastructure development with special focus on BPL families. Guideline issued in this connection should be strictly followed.

TSP STRATEGY IN GOA: A CRITICAL REVIEW

The nodal departments are non-functional entities in Goa. State and district/ block level monitoring committees are yet to be constituted for realising the objectives of the TSP. Tribal

Welfare Minister Filipe Neri Rodrigues stated On March 30, 2011 that the his department is new and yet to get all departments under the control of one nodal agency. Neri said:

“I may not be able to foresee that this department will go in a right direction unless there is a reviewing committee or monitoring committee may be under the chairmanship of the chief secretary, with the members as secretary personnel or the secretary tribal welfare. There are various anomalies involved in coordination with the various departments”.

The nodal agencies are yet to earmark funds for all concerned development departments. No earmarking or insufficient earmarking of funds under TSP may result in non-approval of plans by the Planning Commission. Besides, there is no proper dissemination of information regarding the schemes for tribal welfare and development.

On March 30, 2011, Vasudev Gaonkar, MLA Sanguem Constituency in the Starred Question No. 3C, raised the matter regarding non-implementation of TSP guidelines by Goa Government. No action had been initiated by the Tribal Welfare department using earmarked fund or underutilising the earmarked fund or for proper implementation of schemes meant for STs.

No projects were undertaken under TSP in 2008-09, 2009-10 and 2010-2011 by directorate of municipal administration, directorate of education, directorate of women and child development, directorate of animal husbandry and veterinary services, directorate of agriculture, district rural development agency, directorate of fisheries, directorate of craftsmen training centre, department of art & culture, directorate of social welfare/ directorate of tribal welfare. Interestingly, Filipe Neri Rodrigues argued that some of the departments were implementation is nil, they are implementing the beneficial oriented schemes. However, these schemes are additives to TSP.

Table 1: List of Vacancies filled by Different Departments of Goa Government

	<i>Departments</i>	<i>Number</i>	<i>%</i>
1.	Indian Reserve Battalion (1st & 2nd)	437	36.72
2.	Electricity Department	235	19.75
3.	Forest Department	113	9.50
4.	Directorate of Health	61	5.13
5.	Directorate of Fire Services	33	2.77
6.	GAD	32	2.69
7.	Registrar of Cooperative Societies	25	2.10
8.	Directorate of Accounts	22	1.85
9.	Directorate of Transport	21	1.76
10.	Other 34 Departments & other Establishments with less than 20 vacancies	211	17.73
	Total	1190	100

Source: *Based on Annexure-II Goa Legislative Assembly, Starred Question No. 3C, Tabled by Vasudev Gaonkar, MLA (Sanguem) 30/03/2011.*

Ramesh Tawadkar, MLA, Poigunim Constituency lamented that no serious action is contemplated/ taken by government against the departments for non-implementation of the TSP. Tawadkar mentioned that Goa Government has made provision for Rs. 230 crore or about 4.6 per cent of the total allocation in the Budget 2011-12 whereas 2010-11, it was 5.8 per cent for the tribal welfare and development. Last year, the issue was raised to raise the budgetary provision under the tribal head, but the state government instead cut down the budgetary provision from 5.8 to 4.6 per cent allocation.

There are 2442 backlog of vacancies to be filled reserved for STs in 2011. Further 18 corporations and departments have not filled any vacancy reserved under tribal category. 1190 vacancies filled by Goa Government largely of lower category. The tribal villages or hamlets are not surveyed and tribal areas are not demarcated by Goa Government. The assurances are given by the government that it will carry out intensive survey to find out the exact population so as to notify those areas as STs. Thus, it gives scope for diversion of funds to non-tribal population.

TRIBAL PROTECTIVE LEGISLATIONS

The rule of law is the fundamental to functioning of democracy. The rule by law is tyranny. The tribal picture in Goa tells a different story. There is no political will to implement tribal legislations in Goa. The legislations safeguarding the rights of the scheduled tribes communities are : - (i) Protection of Civil Rights Act, 1955; (ii) Protection of Civil Right Rules, 1977; (iii) SC/ST (Prevention of Atrocities) Act, 1989; (iv) SC/ST (Prevention of Atrocities) Rules, 1995; (v) PESA 1996; (vi) Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.

The National Commission for Scheduled Tribes set up on February 19, 2004 under the Constitution (Eighty-Ninth Amendment) Act, 2003. The political appointees to tribal commission/ corporation/ bodies require having the basics of legislations pertaining to the rights of the Scheduled Castes and Scheduled Tribes, according to former Law Minister Dr. Kashinath Jalmi.

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

Whereas the recognised rights of the Scheduled Tribes and other forest dwellers include the responsibility and authority sustainable use, conservation of biodiversity and maintenance of ecological balance and thereby sustaining the conservation regime of the forests while

ensuring the livelihood and food security of the forest dwelling Scheduled Tribes and other forest dwelling communities.

And whereas the forest rights on the ancestral lands and their habitat were not adequately recognised in the consolidation of State forests during the colonial period as well as in the Independent India resulting in historical injustice to forest dwelling Scheduled Tribes and other traditional forest dwellers who are very integral to the very survival and sustainability of the forest ecosystem.”

Goa Government is to implement the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006. The vested interests are opposed to implementation of the Act which would empower the scheduled tribes other traditional forest dwellers of their forests rights and occupations in forest land in Goa.

The first mining license was granted by Portuguese Government in January 30, 1929 to Maria Fernandes and Camil Augustino Fernandes of Aldona village in Tiswadi taluka. The mining activity gained an industry status in 1941. From 1929 to 1963, the government issued 596 mining licenses. In 2001, there are 123 operating mines in Goa. About 700 sq km area out of total 3702 sq km geographical area is under mining sector.

The mining operations are neither carried in scientific and professional nor sustainable manner, excluding three or four companies. Interestingly, the Government of India has given nod to 1945 hectares of forest land for mining activity in 53 cases in Goa from 1980 to 2011 under the Forest (Conservation) Act, 1980. At all-India level, the Central government has approved 1718 cases till August 2011. The total forest land is 1424 sq km or 38.47 per cent of total geographical area of Goa. 1200 or sq. km 86 per cent is government forest and 200 sq km or 14 per cent is private forest land in 2008-09.

The illegal mining is encouraged by politicians in Goa. It led to fall of Manohar Parrikar-led Ministry in 2005 and 2007. The legislators who brought down the BJP ministry were unable to pursue their illegal mining interests in the Parrikar Ministry. Chief Minister Digambar Kamat has retained the minister of mines portfolio with himself for 11 years (2002-2011) after deserting the BJP in 2005. The Karnataka mining scam is routed through Goa. Yet, no investigations are made after the report of Justice Santosh Hegde, Lokayukta, Government of Karnataka.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is yet to be implemented to safeguard the tribal other traditional forest dwelling communities rights in Goa. The political reservation of 12 per cent seats for STs in the state legislature is in the domain of the Centre. But, state government is yet to put up the case before the Union of India. The tribal population scattered in 13 out of 40 assembly segments can damage the ruling Congress-National Congress Party-Mharashtrawadi Gomantak Party prospects in the forthcoming elections (*Lokmat*, Goa: 15/08/2011).

TRIBAL DEMANDS & STATE-SPONSORED VIOLENCE

The United Tribal Association Alliance (UTAA) gave a call for a six-hour (9.30 am to 3.30 pm) to block the National Highway-4 at Balli village in Quepe taluka in South Goa on May 25, 2011 to draw the attention of Goa Government to their demands, since 2004. The ultimatum regarding their demands was given on December 16, 2009 to Goa Government. Ten thousand tribal men, women and children staged a peaceful agitation after the state government adopted an ostrich-like attitude and resorted to delay, divide and misinformed the tribal campaign led by the UTAA.

On December 16, 2009, the UTAA had put forth following demands before Goa Government:

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1. To set up Scheduled Tribes Commission by the State of Goa vested with all powers of Civil Court;
2. To set up independent Tribal Department and Tribal Ministry;
3. 12 per cent budgetary provisions made be only utilised on for Tribals;
4. Scheduled Tribes Finance Development Corporation should be strengthened by providing adequate fund;
5. Implementation of the Tribal Forest Act, 2006;
6. Immediate filling up of back-log vacancies in direct recruitment as well as promotions;
7. Implementation of 12 per cent political reservation in the State Assembly by considering the present population of tribals in Goa i.e 12 %;
8. To set up Planning Authority for Scheduled Tribes;
9. Implementation of post based roster in government, semi- government organisations, autonomous bodies and private sector;
10. To ban on the selling of land belonging to Scheduled Tribes communities to non-Scheduled Tribes;
11. Notifying tribal areas/ scheduled areas for upliftment of Scheduled Tribes; and
12. To simplify the procedure for issue of caste certificates.

The peaceful agitation of the tribal people witnessed brutal killings of two young, poor and educated tribal leaders Mangesh Gaonkar and Dilip Velip by the local culprits owing allegiance to ministers, mine mafia and police troika on May 25, 2011. The real culprits behind the plot are yet to be booked by the police. Goa Police arrested Dipak Phaldessai and Prashant Phaldessai is absconding for alleged involvement in torching Achal Cashew Factory and Adarsh Cooperative Society premises at Balli, which killed tribal leaders. The mafia-minister-police conspiracy is responsible for Balli violence.

On August 12, 2011, Vishwanath Phadessai in Cuncolim blamed the UTAA and the Bharatiya Janata Party for Balli violence. He claimed that the tribal community do not reside in Balli. (*The Navhind Times*, Goa 12/08/2011). No tribal community reside in Balli, but the place is the centre of trading of agriculture produce and cooperative banking sector of the tribal communities from the neighbouring hilly areas. In past, the merchants in Goa had exploited the illiterate tribal communities in trading of agriculture produce. The politicians owing allegiance to Congress and Maharashtrawadi Gomantak Party were opposed to tribal agitation steered by the prominent tribal leaders--- Prakash Velip, Ramesh Tawadkar, Vasudev Meng Gaonkar, Govind Shepu Gawde and other prominent tribal leaders. In the wake of

state-wide support to tribal demands, the Congress and MGP leaders are propping up the lobbies/ cells to divide the Goan society on caste/ tribe lines

Dr. Uday Gaonkar, a tribal leader stated that ‘the UTAA is not responsible for Balli violence. It was an outcome of political manipulations’ (*The Navhind Times*, Goa: 10/08/2011) whereas Kanta Gaude, convenor of Congress Tribal Cell, blamed some of the BJP leaders for instigation of Balli violence (*Navprabha*, Goa: 10/08/2011). The Congress floated the ST Tribal Cell to politically counter the UTAA agitation. The tribal movement in Goa has not followed the line of naxalite tactics and strategy, though a few may espouse tit-for-tat tactics in the backdrop of state-sponsored violence against the tribal people.

The tribal leaders after Liberation followed a down-to earth policy of socio-economic regeneration of Gauda, Kunbi, Velip and Dhangar communities. Politically, the tribal people supported the ideology of Maharashtrawadi Gomantak Party which ruled for 17 years (1963-1979). In 1980, the prominent leaders of the MGP deserted the Party and joined the Congress. The MGP appeal remained intact for tribal communities. Ramkrishna Dhavalikar and his brother Deepak Dhavalikar, a MLA from Priol Constituency, resorted to electoral manipulation with support of Congress leaders attempted to revive the MGP for personal gain. They managed to ensure their survival by pursuing double standards on the issue of tribal welfare or grants to English at primary schools controversy in 2011. The politics of Dhavalikar & Brothers is shunned by his arch rivals and MGP sympathisers. The UTAA agitation exposed the double standards of the Congress and Dhavalikar & Co. in Goa.

The tribal leaders like Dr. Kashinath Jalmi, Prakash Velip and Babuso Gaonkar for over three decades silently worked to uplift the community and set up educational institutions, cooperative units in the tribal areas in Goa. The Achal Cashew Factory and Adarsh Cooperative Society became the economic centres of tribal movement in Goa. The economic and political rise of tribal communities is perceived as threat to traditional domination of a section of society over tribal community and illegal mining activity in hilly areas.

Precisely, the culprits of Balli riots burnt these establishments by pouring kerosene purchased from a trader just a 100 km distance away from the scene of crime. The role of Goa Police and Chief Minister Digambar Kamat is under scanner during the agitation that was allowed to take a violent turn by the Police. The Bharatiya Janata Party legislators Ramesh Tawadkar, Vasudev Gaonkar, ex-Education Minister and Convenor of UTAA Prakash Velip, Govind Shepu Gawde, Molu Velip and over 2000 activists were arrested on false charges. Goa Police has filed false charges including attempt to murder under Section 307. The tribal leaders were denied bail again and again to destroy the evidence exposing involvement of Goa Government. Goa Police adopted tactics of denying bail to tribal leaders to destroy evidence, which would implicate the high and mighty in the Government-led by Digambar Kamat.

The kerosene angle is not investigated by the Goa Police. Ramkrishna Dhavalikar presence at Balli till 1.45 a.m. on May 24, 2011 along with anti-tribal activists has not figured out by the police. Dr. Kashinath Jalmi questioned the presence of Ramkrishna Dhavalikar late night in the midst of anti-UTAA group at Balli. The UTAA has demanded for charge sheeting Goa Government for murder of tribal leaders.

Goa Police claimed that the agitators (ten thousand of them, including men, women and children) were drunk. DySP Atmaram Deshpande, public relations officer of Goa Police who had briefed the press was elevated to IAS cadre by Goa Government. Director-General of Police Dr. Aditya Arya (who was not present on the scene for mysterious reasons) had stated that he would have ordered the police to fire on the agitators to control them. Later, Dr. Arya retracted from his statement and apologised.

Interestingly, Prakash Velip, personal secretary of Chief Minister was present on the scene of agitation and later disappeared in the mysterious circumstances. Chandrakant Kawalekar, MLA, Quepem Constituency was losing clout in the constituency due to growing opposition from tribal communities. The UTAA leader Ramesh Tawadkar and MLA Poigunim Constituency revealed that Goa Government is responsible for killings of the tribal leaders and chief minister should be booked for murder charges.

The UTAA leaders and activists are arrested and harassed by the police and attempts are made by the administration to destroy evidence related to killings of the tribal youth. The kerosene angle is not investigated by Goa Police as it would lead to real culprits and social welfare minister who had camped on the scene previous night to execute plot to defame the tribal agitation.

Social Welfare Minister Ramkrishna Dhavalikar is now courting Chandrakant Kawalekar, MLA, Quepem constituency who is leading demand for inclusion of 8000 Dhangar community in the category of scheduled tribes. Kawalekar too is supporter of lobby opposed to demands of Gauda, Kunbi and Velip led by their political rivals. Kawalekar had introduced a private member's resolution in Goa Legislative Assembly on April 7, 2011 for setting up fire station at central place in Quepem due to frequent accidents on National Highway-4, increased in transport and mining activities. The conspirators were aware of the intensity of their plot or module on May 25, 2011.

The Balli violence is an outcome of minister-mine owners-police nexus to sabotage the tribal movement in Goa. The local people in Balli observed a bandh on July 5, 2011 to express the resentment of the handling of agitation by Goa Government. The UTAA agitation is supported by the civil society and other backward classes, too in Goa. The charges on UTAA leaders and activists may be dropped by Goa Government, but will they file charges, arrest and punish those who orchestrated crime at Balli by propping up anti-social interests?

CONCLUSION

The development policies of the State or Centre did not make much impact upon the life and livelihood of the tribal communities in Goa. They are politically damned and economically mined. They are deprived of their right to ancestral land in forest areas. In fact, the tribal communities nursed village life and established ecological conservation regime since ages. Government of India included Gauda, Kunbi and Velip communities in the Scheduled Tribes category in 2003. The said notification and tribal legislations enacted by the Government of India did not bring any material change in their status, position or rank. For eight years nine

tribal associations were battling against the governmental odds to translate tribal policy into reality.

Goa Government under Tribal sub-Plan has not implemented the percentage of funds at least in proportion to their population. There is backlog of 2442 vacancies reserved for Scheduled Tribes as on March 31, 2011. The government departments are not implementing the TSP and schemes. The tribal agencies are ornamental and superfluous bodies. The tribal department, commission, corporation are not in place to produce material change on the ground.

The Planning Commission guidelines under TSP are not followed by Goa Government. In turn funds are diverted from 2008-09 to 2010-11 to other heads. The budgetary provision under TSP is always less than six per cent. No attempts are made to 12 per cent under TSP, despite repeated concerns raised by the tribal legislators owing allegiance to Bharatiya Janata Party.

Strangely, Goa government has not surveyed, identified and recorded tribal population in hamlets/ villages in Goa. The tribal welfare measures do not reach the intended beneficiaries due to lack of institutional support and sincere efforts on the part of state administration. Goa Government has adopted half-hearted measures to implement the pro-tribal central acts, schemes. The involvement of ministers in illegal mining and parking black money in foreign countries has taken the toll of development in Goa. The tribal people are the worst victim of the political decay and anti-poor development strategy.

On May 25, 2011, Goa Government sponsored violence against tribal people who had gathered to exercise their democratic rights to highlight their grievances at Balli village. The culprits of the Balli violence are sheltered by Government. The reason behind the unlawful arrests, harassment, divisive tactics and blame-game is to divert the pointer of suspicion from Goa Government to tribal activists and leaders. To set the anti-tribal development strategy, polices, programmes and schemes right, State of Goa and Centre should adopt following measures: -

1. The demand for 12 per cent reservation for Scheduled Tribes in the State Legislature is the primary responsibility of the Centre and Goa Government should pursue the constitutional demand at the Centre.
2. Planning Commission should invoke the punitive measures against the States violating guidelines under Tribal sub-Plan.
3. Goa Government should implement the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 to grant land rights to tribal communities and other traditional forest dwellers.
4. The ornamental and superfluous architecture of the tribal institutional support can hardly attain the objectives of the Centre.

5. A central tribal university should be set up in Goa to meet the developmental concerns of the tribal communities in Goa and Western region of the country.

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