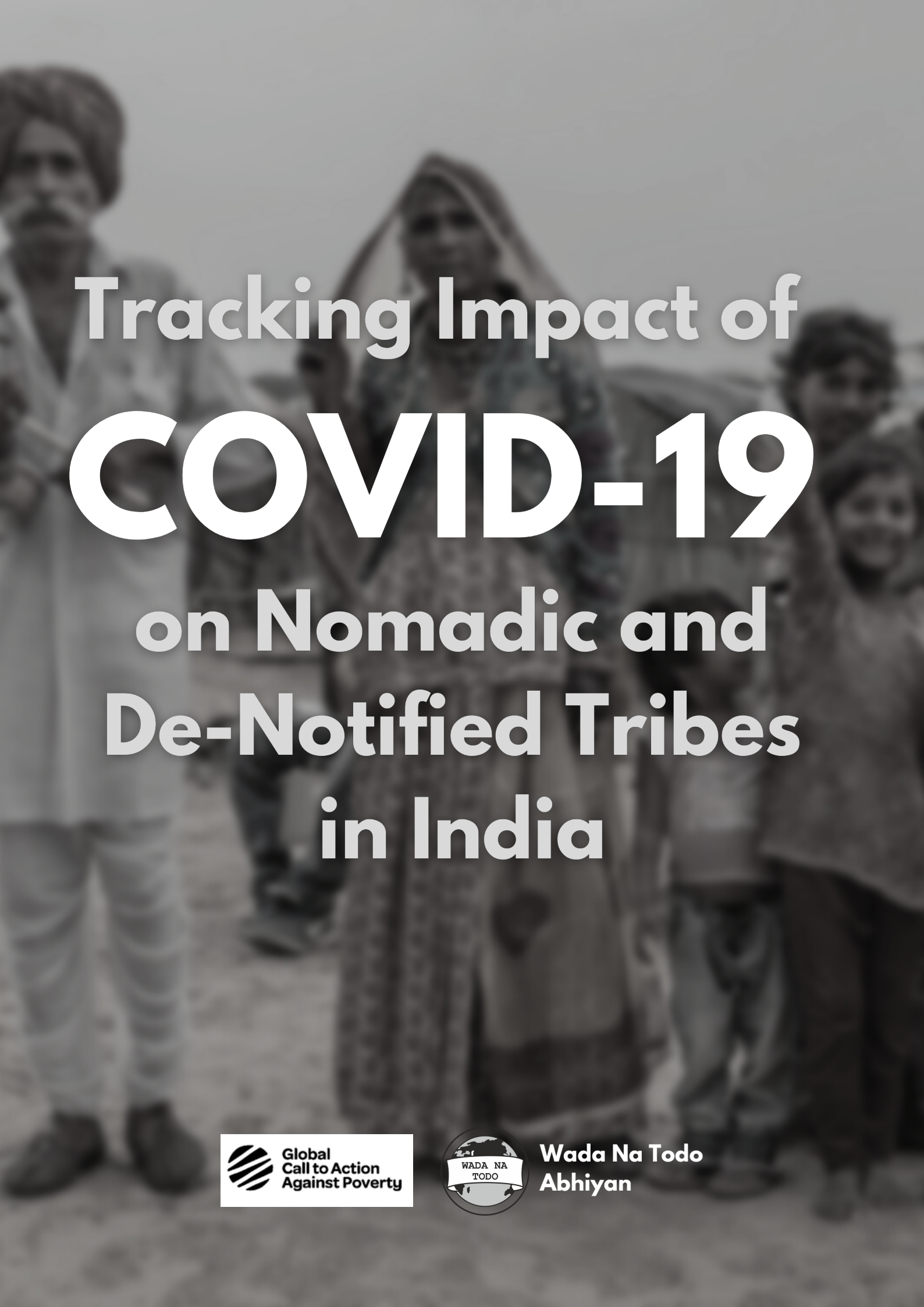


Tracking Impact of COVID-19 on Nomadic and De-Notified Tribes in India

Global Call to Action Against Poverty

Wada Na Todo Abhiyan

1. INTRODUCTION

The Renke Commission Report of 2008 estimated the De-notified and Nomadic tribes (DNT-NT) constitute approximately 10 per cent of the Indian population. These are communities who were notified as 'criminals' under the Criminal Tribes Act, 1871 in colonial India, deeming generations as 'born criminals.' While the post-colonial government of India repealed the Act in 1952, thereby 'de-notifying' these tribes, the enactment of the Habitual Offenders Act, 1952 and the Bombay Prevention of Begging Act, 1959 ended up perpetuating the stigma and criminalization of these communities.

2. GOVERNMENT INITIATIVES

Since independence, subsequent Union Governments have formulated special commissions to better understand the challenges of these communities and make recommendations to pull them out of poverty and deprivation. These are the Criminal Tribes Enquiry Committee Report, 1947; the Criminal Tribes Enquiry Committee Report, 1949–50; Kalelkar Commission, 1953; G.N. Devy-led Technical Advisory Group Report, 2006; Renke Commission Report, 2008; and the latest Idate Commission Report, 2017.

Given that DNT-NTs are among the target communities for the Ministry of Social Justice and Empowerment, several welfare schemes are also in place for the betterment of the community.

Dr. Ambedkar Pre-Matric and Post-Matric scholarship for DNTs was launched in 2014 for welfare of DNT students not covered by schemes for students from the Scheduled Castes (SC), Scheduled Tribes (ST) or Other Backward Classes (OBC) communities. The Nanaji Deshmukh Scheme for Construction of Hostels for DNT Boys and Girls, also launched in 2014, is implemented through State Governments/Union Territory Administrations/Central Universities.

From 2017, the scheme "Assistance to Voluntary Organisations working for the Welfare of Other Backward Classes (OBCs)" has been extended for DNTs and Economically Backward Classes as "Central Sector Scheme of Assistance for Skill Development of Backward Classes (OBCs)/ De-notified, Nomadic and Semi-Nomadic Tribes (DNTs)/ Economic Backward Classes (EBCs)."

In 2019, the Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities (DWBDNCs) was constituted for the development and welfare of DNT-NTs. Additionally, Rs. 2.26 crores (INR 22.6 million) were released to NITI Aayog in 2019 to conduct an ethnographic study of 62 tribes.

2.1 CHALLENGES

Most members of DNT–NT do not have primary citizenship identity documents such as voter identity cards, ration cards, domicile certificates, caste certificates and birth certificates. Lack of legal documents hinders their participation in democratic political processes and acts as a barrier to accessing welfare schemes. With DNT–NT–SNTs being denied the fundamental rights guaranteed by the Constitution, they are deprived of their fundamental rights as citizens.

While the Scheme for Development of De-notified Nomadic Tribes had a budgetary allocation of Rs. 10 crores (INR 100 million) in 2020-21, there was no allocation for the scheme in the Union Budget 2021-22.

Though the budgetary allocation for the Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities (DWBDNCs) for 2020-21 was Rs. 1.24 crores (INR 12.4 million), the revised estimates for 2020-21 were a mere Rs. 0.30 crores (INR 3 million). Further, while the allocation in the 2021-22 Union Budget is Rs. 5 crores (INR 50 million), given the underutilization of funds in the previous financial year, the actual expenditure remains to be seen. The stark variation in allocation and expenditure seems to indicate an absence of a consistent and well-thought-out welfare plan for the community.

It is important to note that the DNT–NTs do not have a uniform classification across the country. They are not recognised as a separate social category under the Constitutional schedules like the Scheduled Castes (SCs) and the Scheduled Tribes (STs). Instead, they are part of SCs, STs and Other Backward Classes (OBCs) in different states. Some of them are not even listed under any recognized marginalized category, resulting in non-uniformity across the country and a massive data deficit on the community. This data gap results in policies and schemes that are not adequately aligned to their needs and challenges. A major critique, thus, is the fact that the budgetary allocations are barely sufficient considering the estimated size of the population and gaps in implementation mechanisms fail

to adequately address the complexity of the structural issues and development challenges faced by the DNT-NT communities.

3. COVID-19 AND AGGRAVATED VULNERABILITIES:

The COVID-19 pandemic has badly affected the lives of DNT-NT communities. The restrictions on the mobility of these pastoral nomadic communities gravely hampered their means of livelihood as they mostly engage in grazing, and selling milk and related products. The forest dwelling Van Gujjars faced restrictions to enter towns and villages due to fear that they may spread COVID-19. Communities engaged in performing arts- such as the Nat and Bediya- faced a livelihood crisis due to the absence of travel and tourism. Further, many communities reported discrimination in access to relief due to the stigma attached to their communities and occupations.

In order to bring visibility to and assess the impact of COVID-19 on the lives and livelihoods of nomadic and de-notified communities as well as their access to government and private relief measures, Wada Na Todo Abhiyan along with Praxis-Institute for Participatory Practices facilitated a community-based data collection process for four communities- Van Gujjars, Nats, Bediyas and Banjaras- from across four states- Uttarkhand, Madhya Pradesh, Maharashtra and Bihar.

I. Van Gujjars are a forest-dwelling nomadic community inhabiting the foothills of Himalayan states such as Uttarakhand, Himachal Pradesh and Jammu and Kashmir.
II. The Bediyas of Madhya Pradesh- historically performers and folk artists- are now primarily engaged in sex work due to loss of traditional livelihoods.
III. The Nat community is considered one of the oldest nomadic communities of India. Residing in the state of Bihar, they are marginalized, socially excluded and compelled to lead a hand-to-mouth existence.
IV. Banjaras are nomadic tribes in Maharashtra with a traditional occupation of selling salt and cattle rearing.

The study was designed within the collaborative framework of community-based participatory approach which focused on keeping the community narrative and knowledge at the forefront. After initial consultations with community-based organisations to identify core areas of concern, quantitative tools were developed for primary data collection. The study covered 50 households each from the four DNT-NT communities across the four states, and primary data was collected through a household survey using 'Collect'- an app-based platform.

The key findings from the study are given in the sections below.

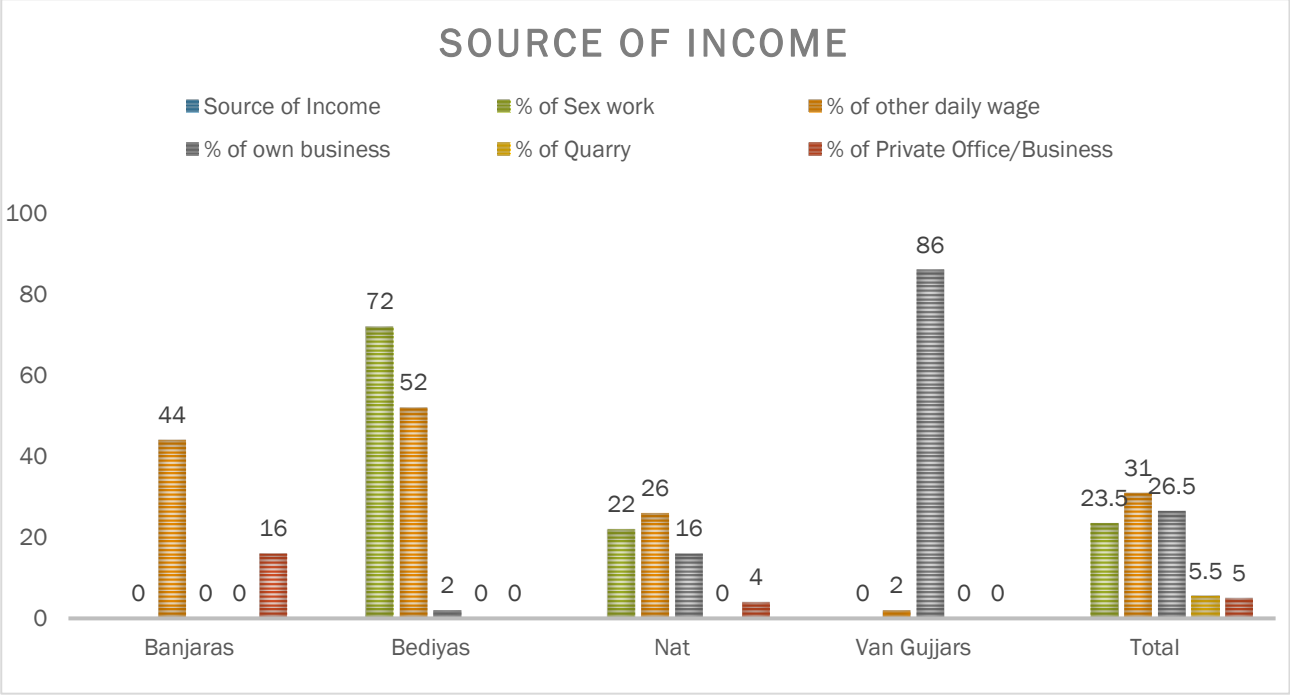
3.1 INCOME LOSS AND RISING INDEBTEDNESS:

The COVID-19 pandemic and accompanying lockdowns and restrictions have only deepened existing cleavages, pushing those on the margins closer to the edge.[1] The pandemic and subsequent lockdowns intersected with their pre-existing disadvantages, bringing to the fore inequalities, discrimination and anxieties. With already limited access to adequate livelihood opportunities, the nationwide lockdown in 2020 exacerbated their economic distress. Given the historical exclusion and discrimination faced by these communities from the administration, they were far removed from government support systems and relief measures.

3.1.1 PRIMARY SOURCE OF INCOME

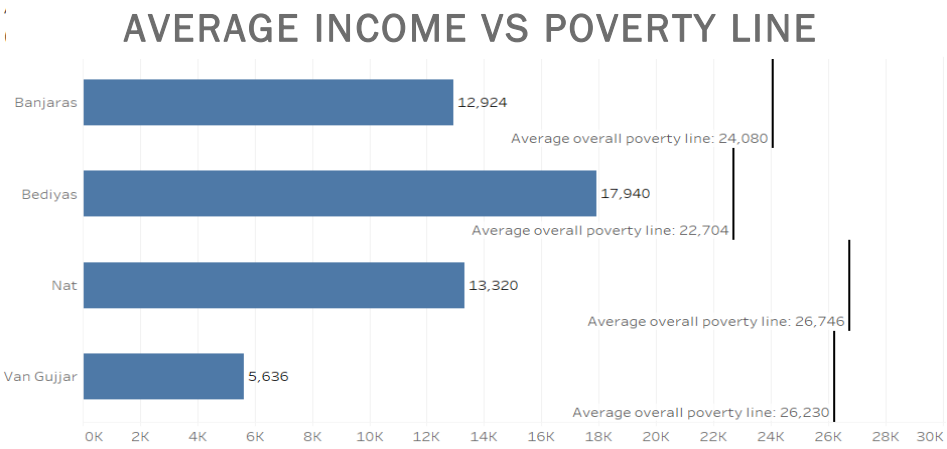
The primary data collected from the communities highlights the extent of their engagement in precarious forms of employment. Almost three-fourth of the Bediyas (72%) and one-fourth of the Nats (22%) reported sex work as their primary source of income. With physical distancing at the core of COVID-appropriate behaviour and the misconception around brothels and sex workers perpetuating the spread of COVID-19, their livelihood has been disproportionately impacted by the pandemic. Across the communities, 31% reported daily wage work as their primary source of income- another sector that has been majorly impacted post the lockdown. Shrinking employment opportunities and increased demand for work has resulted in daily wage workers being more exposed to exploitation due to loss of bargaining power with employers and subsequently poorer wages. A quarter of respondents across the communities reported having their own small businesses through the sale of milk and related dairy products in local markets. However, with the closure of markets and lockdown restrictions limiting their mobility, their incomes gravely decreased.

[1] https://www.epw.in/engage/article/locked-down-sex-workers-and-their-livelihoods



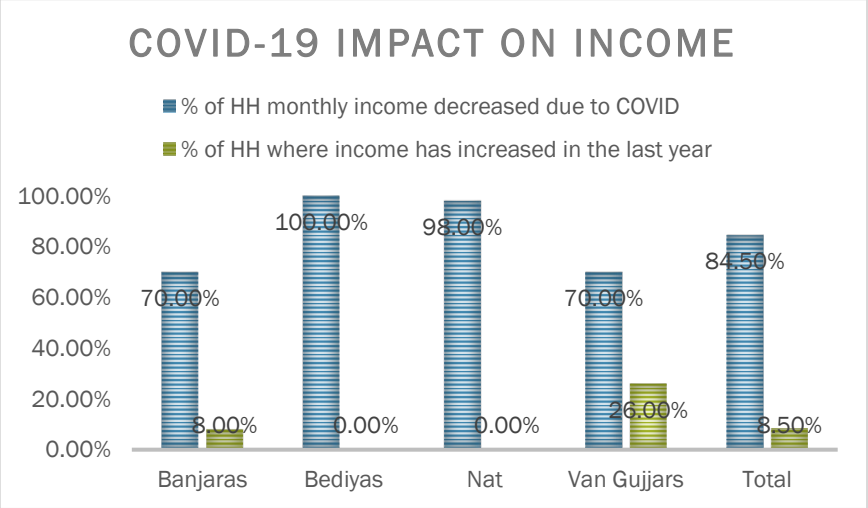
3.1.2 INCOME LOSS

The dire poverty indicators of the DNT-NT communities are reflected in the average household incomes of the surveyed community members which falls significantly below the World Bank's revised poverty line for middle income countries, i.e., Rs. 4300 per person per month, which comes to Rs. 24,940 per family per month (with an average family size of 5.8 persons in the surveyed communities).[2] Among the four communities, the Van Gujjars who rely predominantly on the sale of milk and related dairy products reported the lowest average household income- a mere Rs. 5636 per month.



Given the marginalization and exclusion of DNT-NT households depriving them of any mitigating skills and preparedness to deal with crisis situations, it was inevitable that the pandemic would heighten their vulnerabilities and widen existing inequalities. 84.5% of the respondents across the communities reported a substantial decrease in their household income since the advent of COVID-19, with 100% of Bediya respondents (majority of whom were engaged in sex work) reporting the same.

[2] Poverty and Equity Data Portal, World Bank (http://povertydata.worldbank.org/poverty/country/IND)



3.1.2 RISING INDEBTEDNESS

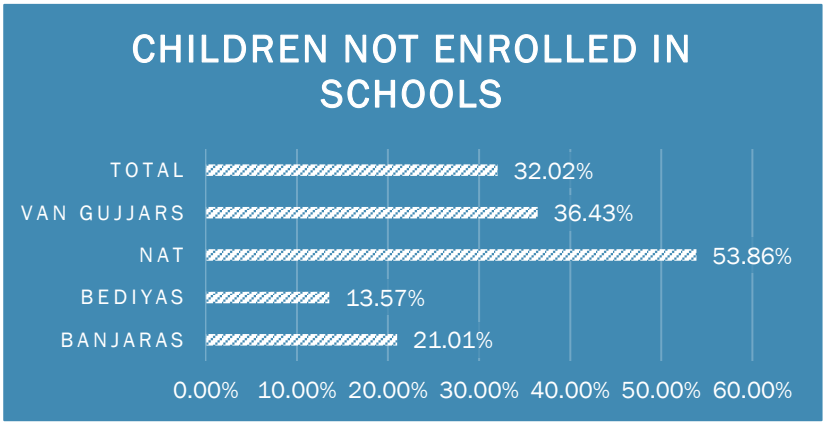
The loss of employment and decreased incomes post-lockdown resulted in severe financial strain for the DNT-NT communities. Lack of access to government relief measures coupled with non-existent social protection/support made the situation extremely precarious for the community. 27% of the surveyed households reported that they were reeling under indebtedness, with rising unpaid loans post-COVID-19. The highest instance of the same was reported among the Nat community, with 54% of the surveyed households having unpaid loans. More than half of the loans (53%) were reportedly to meet the daily consumption needs of the household. A high percentage of loans (47%) were taken due to health-related emergencies signifying high out-of-pocket-expenditure on healthcare. Further, 17% of households reported taking a new loan to pay back previous debts, feeding into a continuous cycle of vulnerability and poverty.

3.2 EDUCATION

DNT-NT communities, with a history of exclusion, exploitation and impoverishment, have been systematically marginalized from the development process, and need to battle multiple disadvantages that have accumulated over time. Due to their nomadic lifestyle, lack of resources and low levels of awareness, many from these communities have poor educational status.[3]

3.2.1 HIGH DROPOUT RATES

Even prior to the pandemic, the dropout rates and instances of out-of-school children were very high among the DNT-NT communities. According to the Renke Commission Report, only 42% of DNT communities and 28% of NT communities have access to schooling. Given the income and livelihood insecurity of DNT-NT households, children are initiated into income earning activities from a very young age to supplement the family income.[4]



The post-pandemic status of out-of-school children (OOSC) among the DNT-NT communities is alarming. The Nat community reported the maximum percentage of children out of school (54%), followed by the Van Gujjars (36%) and the Banjaras (21%). The lower rates of OOSC among the Bediyas may be attributed to their comparatively better economic status, however, the devastating economic impact of COVID-19 on the lives and livelihoods of the surveyed community members may result in more children being compelled to drop out of school.

[3] https://www.negfire.org/downloads/NT-DNT_report_final.pdf

[4] http://socialjustice.nic.in/writereaddata/UploadFile/NCDNT2008-v1%20(1).pdf

The primary reason cited for discontinuation of education was that further education was not deemed necessary (37.5%) followed by a difficulty in supporting the cost of education (12.5%). Among the surveyed communities, the high rate of migration among the Nats (50%) were also cited as important reasons of children being out of school.

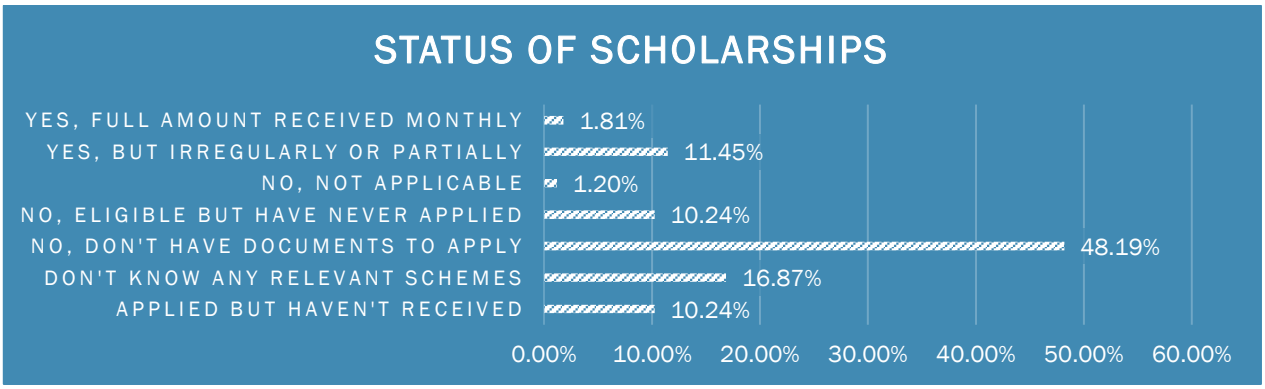
3.2.2 HIGH OUT-OF-POCKET-EXPENDITURE ON EDUCATION

The preference for private schooling was evident among the Bediya community, with 100% of surveyed children attending private schools. The higher household income of the Bediya respondents as compared to the other surveyed communities, as well as an aspiration of providing quality education to their children resulted in a preference for private schools. However, enrolment in private schools also denies children from vulnerable families access to entitlements such as mid-day meals, free books and uniforms, tuition waiver, etc. resulting in high out-of-pocket-expenditure (OOPE). The average annual OOPE on education across the surveyed communities was Rs. 6607, with Banjaras and Bediyas having the highest expenditure (Rs. 8891 and Rs. 7500 respectively). Given the vulnerable economic status of their households, with low and irregular incomes, a high OOPE on education may push them further into poverty. Additionally, enrolment in private schools still may not necessarily ensure access to better quality education as these communities could only access poor quality private schools which are not necessarily better than their government counterparts.[5]

3.2.3 INTERRUPTED SCHOLARSHIPS

Scholarships are a critical support system for children from DNT-NT families to continue their education as they partially reduce the OOPE on education, ease the financial burden on families and incentivize enrolment and retention of students from marginalized communities. While children from DNT-NT communities are entitled to pre- and post-matric scholarships, it was reported that only 2% of surveyed households received monthly scholarship regularly while 11% reported receiving scholarships either partially or irregularly.

Nearly 50% of respondents reported being unable to apply for scholarships due to lack of access to legal identification documents, thus restricting their ability to access the benefits meant for them. Low levels of awareness pertaining to their rights and entitlements was the second major reason for not receiving scholarships as the respondents were not aware of any schemes in place.



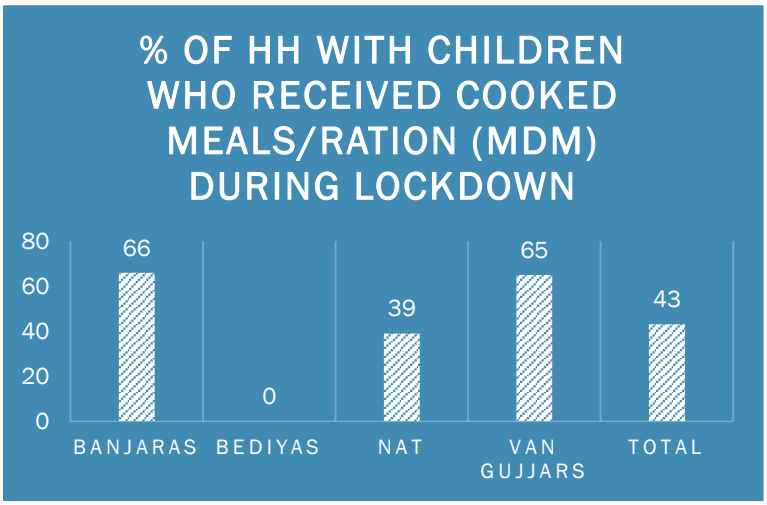
3.2.4 IRREGULAR MID-DAY MEAL SERVICES

The mid-day meal (MDM) scheme is one of the most important interventions of the government to improve enrolment, retention and attendance of primary and upper primary students in government schools and provide nutrition supplementation through the provision of cooked food. However, as schools closed across the country since March 2020, the MDM scheme could no longer provide the much-needed cooked lunch to the 115.9 million children enrolled under the scheme.[6]

Though the central government had mandated provision of MDM in different forms (packaged meals, dry ration, food allowance directly transferred to bank accounts) to ensure continuity of the scheme during the lockdown, only 43% of school-going children from the surveyed communities reported receiving the same. 61% of children from the Nat community reported not receiving any MDM during the lockdown, while the corresponding numbers for the Banjara and Van Gujjar communities was around 35%. Among the Bediyas, not a single child reported receiving the

[5] Discussed under Section 2.5- Digital gap and loss of learning.
[6] MDM Portal

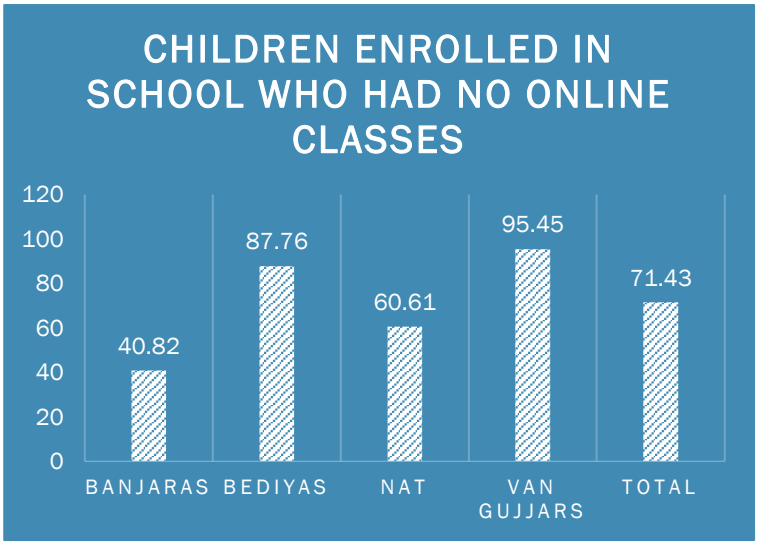
MDM, but that is attributed to the fact that 100% of school-going Bediya children are enrolled in private schools and thus not eligible for the MDM scheme. Further, across the communities, children who received the MDM post-lockdown did so only for an average duration of 3-4 months with irregular supply of MDM. The disruption of the MDM scheme post-pandemic would have had a major adverse impact on the health and nutritional status of children from DNT-NT communities.



3.2.5 DIGITAL GAP AND LOSS OF LEARNING

The pandemic and the lockdown in March 2020 brought with it an unparalleled effect on children across the world. Studies have clearly indicated that school closures due to COVID-19 have significant negative impact on the learning capacity of children, with children from disadvantaged backgrounds disproportionately affected.[7] Even though remote learning strategies aim to ensure continued learning for all children, it is well known that the most marginalized may not be able to access these alternate learning opportunities. For children from the DNT-NT communities- primarily first-generation learners and either constantly on the move or located in remote geographical areas- access to these alternate, online modes of schooling was abysmally poor.

The remotely located forest dwellers Van Gujjars have the poorest access to online schooling, wherein 95% of the children reported having no online classes and the schools were mostly reported to be defunct, while the corresponding percentage for the Nat and Bajara communities was 60% and 41% respectively. Among the Bediyas, 88% of the respondents reported having no online classes since March 2020 despite being enrolled in private schools. Given the poor quality of these private schools, with the absence of proper infrastructure and staff to conduct online classes, most may have closed indefinitely since the lockdown, compelling the children from the community to drop-out



The massive digital divide in India restricts the ability of a majority of children from marginalized communities from accessing remote learning, with basic digital infrastructure, including electricity, devices like smartphones, computers, and internet connectivity remaining out of reach for most.

Even among those children who had access to online education, 24% reported having forgotten their previous learnings. The impact of the learning loss is likely to be further compounded if nothing is done to compensate for this loss when schools reopen. Further, this compounded learning loss will expectedly be more for students from disadvantaged backgrounds who access the public school system[8], thus dealing a huge blow to their educational prospects. It thus becomes evident that school closures and a shift to virtual forms of education has not only

[7] Simulating the potential impacts of COVID-19 school closures on schooling and learning outcomes: a set of global estimates. http://pubdocs.worldbank.org/en/798061592482682799/covid-and-education-June17-r6.pdf
[8] https://archive.azimpremjiuniversity.edu.in/SitePages/pdf/Field_Studies_Loss_of_Learning_during_the_Pandemic.pdf

exacerbated the learning inequalities among the haves and have-nots, but may also end up pushing a large number of children out of school due to the stark digital divide.

3.3 WATER AND SANITATION (WASH)

COVID-19 has further propelled the importance of water, sanitation and hygiene (WASH) practices to prevent the spread of infection. Access to clean water and toilets has become all the more important with the pandemic. However, primary data highlighted poor access to WASH facilities in DNT-NT households. Only about half of the respondents (52%) reported having access to any toilets (individual and community toilets), with 90% of Van Gujjars and Banjaras reporting no access to toilets. The Bediyas were the only surveyed community that reported 100% access to individual toilets.

The poor access to basic WASH facilities was further highlighted by the fact that only 12.5% of the respondents reported having access to clean water and soap, thus predisposing the majority to increased risk of diseases and infection.

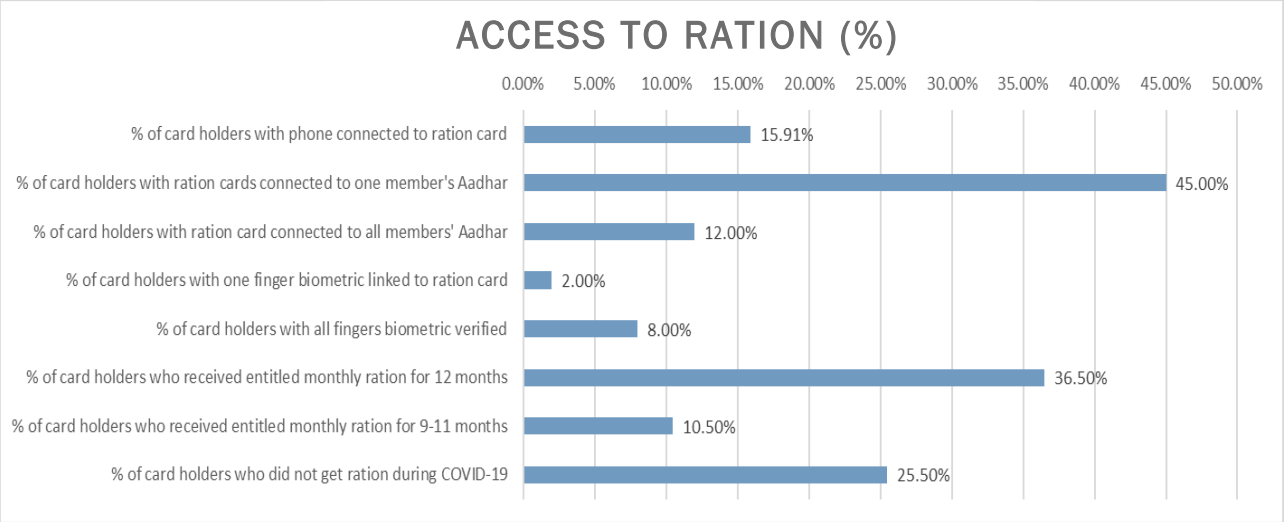
3.4 POOR ACCESS TO GOVERNMENT RELIEF MEASURES

Given the nomadic and semi-nomadic nature of their lives, DNT-NT communities often face difficulty in proving their domicile and residential status. The lack of access to legal documentation acts as a barrier in the communities' access to their rights and entitlements.

3.4.1 ACCESS TO RATION

In order to alleviate the food insecurity of the most vulnerable post the pandemic, the government directed the provision of ration to non-ration card holders as well. However, the last mile reach of these benefits remained poor. While 66% of the surveyed DNT-NT households had a ration card, only 36.5% of those actually reported receiving their entitled amount for all 12 months, while a quarter of the surveyed households reportedly received no ration since the advent of the pandemic. The remotely located Van Gujjars reported the poorest access, with only 18% of the households receiving ration regularly during the lockdown, even though 76% of the households have ration cards. A major area of concern is that only 12% of respondents across the communities reported to have their ration card linked with all family members' Aadhar cards, while less than half (45%) reported to have their ration card linked with one member's Aadhar card. With the rules mandating compulsory linkage of ration card with Aadhar card and biometric verification in order to avail the benefits of the Public Distribution System (PDS),[9] the absence of linkages may end up perpetuating the food insecurity of the surveyed communities.

[9] https://www.livemint.com/news/india/aadhaar-card-ration-card-linking-deadline-is-september-30-here-is-how-to-do-it-online-offline-11600908387011.html



3.4.2 JAN DHAN ACCOUNTS

In late March 2020, under the Pradhan Mantri Garib Kalyan Yojana, a direct benefit transfer (DBT) of Rs. 500 per month for three months was announced for all women Jan Dhan account holders. Between April and June, the government released three tranches of more than Rs 10,300 crore ($1.3 billion) each to be directed to about 200 million women[10].

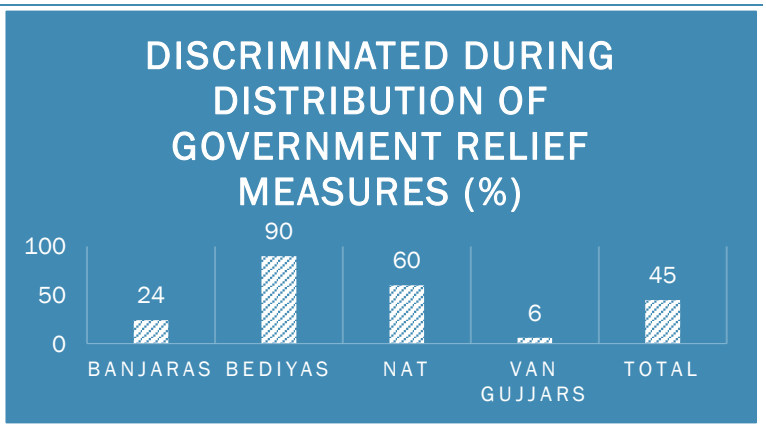
However, the remotely located Van Gujjars reported having zero Jan Dhan accounts, implying no cash relief during the lockdown. Across the communities, around 38.5% of respondents had access to Jan Dhan accounts and were eligible to receive the cash transfer during the lockdown in 2020. Yet, those who received the cash support reported receiving it only for an average of 2.3 months, instead of the promised 3 months. Further, only 29.5% of the DNT-NT households reported of being able to withdraw money from their bank accounts during lockdown. Only 16% of the Banjaras of Maharashtra, faced with more stringent lockdowns, reported being able to withdraw money during lockdown, thus defeating the purpose of the cash support provided by the government.

3.4.3 PENSIONS

Most eligible beneficiaries seem to have been excluded from accessing entitlements such as old age pension, widow pension and disability pension. The Banjaras, Bediyas and Van Gujjars reported zero access to any pension schemes, with 32% of respondents from the Van Gujjar community having applied for but not received pension. Only 20% of respondents from the Nat community reported receiving pension even after the lockdown.

3.5 DISCRIMINATION AND INSECURITY

The perpetuation of the 'stigmatized' and 'criminal' identity attached to the communities and their professions has led to deep-rooted discrimination by state authorities. Almost half of the surveyed communities reported being treated differently by officials during relief distribution due to their identity and occupations. 90% of Bediyas and 60% of Nats reported being discriminated against in access to relief measures due to the stigma attached to their occupation of sex work and dance respectively. The reportedly low



[10] https://www.indiaspend.com/40-of-jan-dhan-account-holders-could-not-access-govts-covid-19-relief-survey/

discrimination faced by Van Gujjars was attributed to their remote location and near negligible access to government services, and is indicative of the fact that they reported the lowest access to relief material during the lockdown.

The COVID-19 pandemic has significantly increased the insecurity of DNT-NT communities, with 41% of respondents across the surveyed communities reporting the same. The Bediyas and the Nats, faced with heightened vulnerability and a complete loss of livelihood, reported the maximum number of people (96% and 56% respectively) feeling uncertainty and insecurity during the lockdown.

4. RECOMMENDATIONS

- The Habitual Offenders' Act, 1952 is similar in spirit to the repealed Criminal Tribes Act of 1871. It should be abolished as the first step towards de-criminalisation of DNTs and prevention of atrocities by police.
- DNT–NTs should be included as a separate category for enumeration in the Census and the National Family Health Survey (NFHS), with central and state government preparing an official list of communities across India. The same community is often referred to by different names across states and listed under different categories; such duplication and anomalies should be corrected with DNT-NTs classified separately into a common category.
- Specific provisions should be made for a social protection framework (policies and schemes) that focuses on access to entitlements, land, housing, livelihood, education and health of DNT-NT communities to promote their inclusion, access to benefits and development (not only reservation). The central and state government should allocate a fixed budget based on their population.
- Amendments should be made to legislations such as the Wildlife Protection Act, the Prevention of Cruelty to Animals Act, the Environment Protection and Biodiversity Conservation Act, the Drugs and Magic Remedies Prohibition Act, and the Prevention of Beggary Act, taking into consideration that these laws have criminalised the traditional professions of the NT-DNT and specifically targeted street performing nomadic communities such as acrobats, tight rope walkers, dancers and singers, leaving them with no alternate source of livelihood.
- The Government of India should constitute a permanent commission for the NT-DNT in line with the Schedule Caste and Schedule Tribe commissions at the central and state level. Also, National and State commissions like Human Right Commission, Women Right Commission and Commission on Protection on Child Rights must have a separate unit within the commission to address the issues of the NT-DNT.
- An intervention and action plan needs to be devised to ensure basic citizenship entitlements, including access to basic citizenship documents, food security, caste certificates, health facilities, shelter needs, political rights and other socio security programs are made available specifically for the NT-DNT.
- NT-DNT should get free education with good hostel facilities, particularly for girls. Special effort should be made to sensitise the teaching and non-teaching staff in education institutions on the issues related to NT-DNT.
- Government should provide employment opportunities for nomadic tribes by offering loans for small enterprises. Some of those practising traditional occupations, including street performers, are struggling due to changes in laws and need to be revived. Companies that are hampering traditional occupations and polluting the local environment should be discouraged as it further marginalises these communities.
- The land belonging to the NT-DNT should be restored to them. The government should recognise the rights of the pastoral community over their grazing land and provisions should be made to transfer the ownership of these land to the pastoral communities.