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# THE OLDEST INHABITANT OF INDIA ARE NOT SAFE IN THEIR LAND: AN ANALYSIS ON OUTBREAKS OF DISCRIMINATION AND VIOLENCE AGAINST TRIBAL IN INDIA

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## ABSTRACT

India is the home of the largest tribal population in the world. Tribal people have rich traditions, cultures, and unique lifestyles. They follow their traditional life and customs. Around 70,000 years back a group of people came from Africa, they spread to India, South Asia, and Indonesia<sup>1</sup>. They are considered the oldest inhabitant of India. Different incidents show, after 75 years of Independence Tribal or Adivasi population is not safe in their land. They are killed, molested, discriminated against, and harassed just because of their orientation. Just because of cast and class division in society. They are discriminated against in the education sector, health facilities, and employment even their basic human rights have been taken away. Their tribal land and forest areas are forcefully taken away by industrialists or greedy businessmen. The forest is the source of employment and it gives them food and an environment to live in. Employers take advantage of their illiteracy and immediacy, giving them less amount of wages. Several times tribal women are harassed by the security forces and upper cast people. In the name of inspection tribal villages are vandalized by local police and security forces. At the time of the election, they are used as just vote banks. Political leaders only talk about those problems but never try to solve the problem. Thousands of incidents point to the eyes that laws and facilities are unable to change their conditions. Laws and reservation systems are not able to change their condition. Tribal groups were forced by the people belonging to upper castes to perform menial jobs like sweeping, cleaning manure, small household work, leather work, removal of dead bodies, etc. This paper tends to focus on different incidents which clarify how tribals or adivasi are not

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<sup>1</sup> RAM AHUJA, INDIAN SOCIAL SYSTEM 363 (Rawat Publications 2019).

safe in India and different crime and human rights violations against the tribal people.

**Keywords:** Adivasi, Tribal, Discrimination, Violence, Rights

## INTRODUCTION

Tribals are an integral part of our society even before the Vedic period. We can find their existence in Ramayana and Mahabharat<sup>2</sup>. Tribal people have their own heritage, cultures, and unique lifestyles. According to the Ministry of Tribal Affairs, data tribal people constitute 8.6 percent of India's total population; about 104 million people according to the 2011 census.<sup>3</sup> Despite the geographical variation, tribal population has common customs and tradition. They have mostly homogeneous interests and they are comfortable in their traditional simple lifestyles. The total tribal population located two parts; a large number of the tribal population lives in the North-Eastern part of India rest of the tribal communities are located in the plain part of India.

Tribal is a modern term for communities that are very old inhabitants in the Indian sub-continent. Tribals are also called "Adivasi", the term Adivasi derives from the Hindi word 'adi' which means earlier time or old time, and 'Vasi' means inhabitant or resident. The term was coined in 1930 in different political movements<sup>4</sup>. The definition of tribal community is given in the Constitution of India; article 365 (25) of the Constitution of India talks about the "Schedule Tribes", according to this section schedule tribes are those community that comes under the definition of article 342 of the Constitution of India. Article 342 talks about the socially and educationally backward classes. The tribal community is considered educationally and economically weak and backward from mainstream society. Article 14 of the Constitution of India focuses on equality in society. Article 17 of the Constitution of India protects from the practices of untouchability. There are many laws made to provide special protection for the tribal community.

## VIOLENCE AGAINST TRIBAL WOMEN

There is a massive gap between the ideal India and reality. On the one hand, a tribal woman is

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<sup>2</sup>HISTORY OF TRIFED, *Tribal Co-operative Marketing Development Federation Of India Limited Ministry of tribal affairs*, Govt. of. India, (Feb. 18, 2023, 2:08 PM), <https://trifed.tribal.gov.in/history-of-trifed>

<sup>3</sup> Ministry of Tribal Affairs Government of India, <https://tribal.nic.in/Statistics.aspx>, ( Last visited Feb. 18, 2023)

<sup>4</sup>Tribal Culture and Heritage in India, <https://indiantribalheritage.org/?p=8415>, ( Last visited Feb. 18, 2023)

sitting in the most powerful position, and on the other hand, sexual violence against tribal women is increasing day by day. Parliament has done its duty by presenting dozens of laws.

Sadly one of them is not able to protect them from the increasing number of sexual violence against the tribal women. These kinds of cases are coming from different parts of India. Unfortunately, very few of them are in the lamplight; media and intellectuals are pocourante with this horrible incident. Here the question arises of why these incidents are growing rapidly. Indian social structure is mostly male-dominated. Till the date, women have to fight for equality and respect in society. In between tribal women are the most depressed. They are the easy target of the hunters. National Human Rights Commission found 16 tribal women were prima facie victims of rape and sexual and physical assault by the state police personnel in Chhattisgarh<sup>5</sup>. Kerala is known for its highest literacy rate also this state has lots of cases of violence against tribal women. Chitralkha was the first tribal autorickshaw driver in Kerala and her autorickshaw set ablaze within one-year<sup>6</sup>. According to the data, a minor tribal girl was raped by 5 men just because she was returning with her male friend, this is the punishment for her act in West Bengal<sup>7</sup>. This incident clarifies how much tribal women are unsafe in society.

## DISCRIMINATION IN THE EDUCATION SECTOR

Tribal students are always kept in a negative light in the eyes of teachers. Many teachers have a hallucination, Adivasi or Tribal students are unclean, lazy, dishonest, and ill-mannered. Very few teachers are willing to know why a huge number of tribal populations till now backward in the education sector. Basic education is free but due to extreme poverty, tribal students are not able to continue higher studies. In a highly competitive society, tribal students are lacking behind. The percentage of tribal literacy rate is very low. It is only 8.54 percent as against the general literacy rate of 24 percent. Similarly, in the case of tribal girls, it is as poor as 3.2 percent<sup>8</sup>. In many tribal families children are the sources of income so many parents do not

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<sup>5</sup> Brinda Karat, *When Rape Becomes A Weapon Against Tribal Women*, NDTV, ( Feb. 19, 2023, 1:05 AM), <https://www.ndtv.com/opinion/when-rape-becomes-a-weapon-against-tribal-women-1647667>

<sup>6</sup> Himadri Gosh, *Crime against lower castes, tribal in India*, Scroll.in, ( Feb. 19, 2023, 01:23 AM), <https://scroll.in/article/811133/crimes-against-lower-castes-tribal-population-in-india-are-rising>

<sup>7</sup> Sweety Kumari, *Minor tribal girl-raped in West Bengal Birbhum, friend assaulted*, The Indian Express, ( Feb. 19, 2023, 01:47 AM), <https://indianexpress.com/article/cities/kolkata/minor-west-bengal-birbhum-tribal-girl-gang-raped-7870731/>

<sup>8</sup> Tribal Education in India, <http://14.139.60.153/bitstream/123456789/4409/1/Tribal%20Educational%20in%20India.pdf>, (Last visited Feb. 19, 2023)

want to send their children to school. There is a group of tribal, who enjoy different facilities and they have stable social and economical conditions but they do not interact with the poor and illiterate tribal population. General students have a wrong impression of tribal students because of the reservation system. There are many cases of ragging in different institutional campuses against tribal students. In different metropolitan cities institution cast based on ragging is increasing day by day.<sup>9</sup>

### **ALIENATION FROM LAND AND PROPERTY**

Land is an integral part of tribal identity. Tribal land is deeply connected with tribal history and culture. Each and every tribal land has its own significance and importance on the tribal population. Tribal land provides them different kinds of livelihood, like shelter, food, employment, and the environment of a peaceful life. Mainly tribes live in forest areas and the rest of them live in rural areas. Land alienation in urban areas has been done by outsiders for constructing houses, buildings, factories, or other non-agricultural purposes. This kind of land alienation is conducted forcefully and in a very illegal way. The other type of land alienation which is happening in rural areas is basically among the poor tribals to meet day-to-day needs. In such type of land alienation tribal sell or give their land in a gift system at a very low price. Prominent industrialists and greedy land dealers take advantage of their simplicity. According to the report of the ministry of rural development, 2000, around 9, 15,442.57 acres of tribal land have been reported to be alienated<sup>10</sup>. In this crucial way, they are denied their basic rights, the right to live with dignity and equality, and their right to land, forest, and other means of the lively hood is getting violated.

### **DISCRIMINATION IN EMPLOYMENT**

With the destruction of the forest employment opportunity for tribal people reducing day by day. Loss of forest land has most negatively affected their local livelihood opportunities and they are either displaced or have to struggle hard for their livelihood at their native places

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<sup>9</sup> *FIR against 12 students, 5 others for casteist remarks*, Times of India, ( Feb. 19, 2023, 12:57 PM), <https://timesofindia.indiatimes.com/city/mumbai/fir-against-12-students-5-others-for-casteist-remarks-ragging-at-kem/articleshow/88923850.cms>

<sup>10</sup> Ms. Sampriti Panda, *Tribal Culture of India*, Pathsala, ( Mar. 08, 2023, 8:52 PM ), [https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp\\_content/S000001AN/P001118/M013312/ET/145802435118ET.pdf](https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/S000001AN/P001118/M013312/ET/145802435118ET.pdf)

Tribal are mostly engaged in agriculture for their livelihood. Besides agriculture, tribes are engaged in activity-related step farming in hilly areas, occasional hunting, and gathering to supplement their income. Engagement in regular jobs is the least amount compared to all social groups. Most of them are engaged in casual labor and the rest of them are self-employed. Because of their illiteracy and less knowledge about the wages and payment most of the industrialist malpractice and pay less amount of wages<sup>11</sup>. This indicates that tribes are in a disadvantageous position so far as the human capital endowment is concerned.

## **DISCRIMINATION BY THE GOVERNMENT**

India is the world's largest democratic country. Ministers and government are the representatives of the citizens. In the state legislature and central legislature, there are specific seats reserved for the Schedule Cast and Schedule Tribe communities but there is always discrimination in politics. Tribals are used as a vote bank during the election. Politicians talk about tribal problems but never try to solve those problems. Many ministers visit tribal's houses for lunch or meals to show equality and good bond with tribal people. But in many cases it has found, politicians order food and water outside of the tribal house.

## **ABUSE AND HARASSMENT OF TRIBAL PEOPLE BY SECURITY FORCES**

Tribal peoples are always peace-loving and self-sufficient communities. They enjoy their traditional lifestyle. They prefer to live in the forest or rural areas far away from industrialization and civilization. Tribal people are ill-treated and harassed by security forces for a long time. Abuse and harassment cases are continuing since the British period. After independence, the scenario has not changed. Central Reserve Police Force (CRPF) assaulted a tribal woman with a minor tribal girl during an anti-Naxalite search operation. They created a ruckus in the villages of Chinnagolloor, Peddagolloor, Pegdapalli, Budgicheru, and Gundam villages in Bijapur district, Chhattisgarh<sup>12</sup>. There are many tribal leaders who died in police custody, and who just protested against the corruption. Tribal women were drugged out of their

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<sup>11</sup> Balwant Singh Mehta and Bharat Singh, *Employment and Livelihoods among Tribal in India*, Journal of Anthropological Survey of India, (Mar. 12, 2023, 12:06 AM), [https://www.researchgate.net/publication/356992429\\_Employment\\_and\\_Livelihoods\\_among\\_Tribal\\_in\\_India](https://www.researchgate.net/publication/356992429_Employment_and_Livelihoods_among_Tribal_in_India)

<sup>12</sup> Joseph Jon, *Security Forces abused tribal women in Bastar, allege NGO's*, The Times of India, (Mar. 12, 2023, 12: 47 PM ), <https://timesofindia.indiatimes.com/city/raipur/security-forces-abused-tribal-women-in-bastar-allege-ngos/articleshow/49616074.cms>

house at midnight, even though the police had no warranty<sup>13</sup>. From these incidents, it can be understood how the protectors are becoming the devourers and violating the human rights of tribal people.

## CONCLUSION

This is shame for all of us that after 75 of independence, we have to discuss the right of tribal people. The mainstream Indian population, the government, and the system of society are equally liable for the bad condition of tribal people. This is high time to return their rights, and give them respect and equality in society. Central and State governments have to focus on the betterment of their livelihood. Making laws and reservations will not bring change, the government has to focus on how they will be aware of the laws and use the sits of reservation. Education only can be the way to develop society. Executive bodies have to be very conscious to protect illegal land alienation. We can not put all liability on the solder of governments, we have to change our discriminatory thought process.

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<sup>13</sup> Survival, *India: Tribal leader dies in police custody – as tribe denounce harassment campaign*, <https://www.survivalinternational.org/news/11724>, ( Mar. 12, 2023, 01:08 PM )