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Post NEP, Odisha all set to teach in tribal languages



Recently, the Odisha government has decided to teach in indigenous languages in schools on the basis of the New Education Policy.

Details:

- Odisha's ten-year experience in multilingual education may be useful in meeting the challenge posed by the new National Education Policy to affect education in the tribal language.
- The 'Samhati' project aims to alleviate the linguistic barriers that tribal pupils confront in early grades or elementary school.

1. Tribal Education in India

Background

- Tribal education in India focuses on empowering and creating confidence and bravery in tribal students to tackle the obstacles in their daily lives with the aid of education.
- In India, tribal people are marginalised, poor, and deprived in some way. They have yet to enjoy the benefits of modernisation and technological advancement.
- Only through education, they will be able to break free from centuries of tyranny and enjoy the benefits of socio-economic prosperity.

Constitutional Safeguards:

- **Article 29(1):** This provides all citizen groups that reside in India having a distinct culture, language, and script, the right to conserve their culture and language.

- **Article 46** of the Indian Constitution lays down that the state is responsible for promoting the educational and economic interests of the poorer parts of the population, particularly the scheduled castes and tribes.
- **Article 154(4)** empowers the state to make any special provision for the advancement of socially and educationally backward classes of citizens or for SCs or STs.

Government Measures for Tribal Education:-

1. **Ministry of Tribal Affairs:** The Ministry of Tribal Affairs was established in order to guarantee a coordinated and planned approach to the development of scheduled tribes.
2. **Ashram Schools:** Tribal children's educational requirements are mostly met by ashram schools, which are residential institutions. These institutions provide boarding and accommodation for students from native communities.
3. **Eklavya Model Residential Schools:** 197 Eklavya Model Residential Schools, modelled after KGBVs and Navodaya Vidyalayas, have also been established by the Ministry of Tribal Affairs.

Different Aspects of Tribal Education

1. **Teacher-Student Relationship:** One of the most important variables in promoting meaningful learning in classrooms is a positive relationship between indigenous students and their instructors.
2. **Medium of Instruction:** Every state shall have enough facilities to teach children in their mother tongue, according to Article 350A of the Indian Constitution. Providing effective education at the basic level might help tribal students perform better.
3. **Potential of Youth:** In tribal societies, development should be centred on educational programmes that encourage tribal youngsters to remain immersed in their own culture.
4. **Tribal Leadership:** Working with tribal leaders is essential for ensuring their active involvement and cooperation in educational awareness campaigns.
5. **The role of the United Nations:** United Nations Children's Fund (UNICEF) has been promoting quality education and employability amongst marginalised children.

What are the challenges to Tribal Education?

1. The majority of ashram schools do not meet minimum requirements.
2. There is little consistency in ashram school management, primary school coverage, or infrastructure quality between states.
3. Inadequate infrastructure resulted in shortages, neglect, and, in some cases, abuse by school employees.

4. Children, particularly females, are in danger due to a lack of electricity and/or lighting, as well as the distance between usable restrooms and residential areas.
5. Years of geographical isolation and cultural variations have resulted in substantial disparities in communication, learning, and interaction styles, as well as gaps in contextual information.

Other Initiatives:

1. **Tribal textbooks:** The Odisha government has come up with textbooks in 21 tribal languages. These textbooks are developed by SC/ST Research and Training Institute (SCSTRTI) in association with the Academy of Tribal Language and Culture (ATLC).
2. **Tribal Model of Primary Education:** The School Education and Literacy Department has introduced a new model of imparting lessons to students of Class 1 to Class 5 in tribal languages in some Government-run primary schools.

1. 25 years of Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)

The Ministry of Tribal Affairs has celebrated the 25th year of the inauguration of the Panchayats (Extension to Scheduled Areas) Act 1996 (PESA) as a part of Azadi Ka Amrit Mahotsav.

PESA

- The PESA is a law enacted by the govt. **for ensuring self-governance** through traditional Gram Sabhas for people living in the Scheduled Areas of India.
- **Scheduled Areas** are areas identified by the Fifth Schedule of the Constitution of India.

What are Scheduled Areas?

- “Scheduled Areas” mean the Scheduled Areas as referred to in Clause (1) of **Article 244** of the Constitution.
- They are **found in ten states** of India which have predominant population of tribal communities.
- At present, Scheduled Areas have been declared in the States of AP (including Telangana), Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, MP, Maharashtra, Odisha and Rajasthan.

Powers granted to Gram Sabha/Panchayats

- **Land acquisition:** To be consulted on matters of land acquisition and resettlement.

- **Mining licencing:** Grant prospecting license for mining lease for minor minerals and concessions for such activities.
- **Water Bodies:** Planning and management of minor water bodies.
- **Regulation of Liquor:** The power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant.
- **Minor Forest Produces:** The ownership of MFPs
- **Land reforms:** The power to prevent alienation of land and to restore any unlawfully alienated land of a scheduled tribe.
- **Village Markets:** The power to manage village markets.
- **Money Lending:** The power to exercise control over money lending to scheduled tribes.

Role of Governor in Implementation of PESA

(1) Report as sought by the President:

- As per para 3 of the Fifth Schedule, the Governor therein is required to make a report to the President regarding the administration of the Scheduled Areas.
- The Attorney General had advised the Home Ministry that the role of the governor in sending this report is discretionary.

(2) Applicability of certain laws:

- An even more significant role of the Governor in scheduled areas arises out of the powers inherent in sub-para (1) of Para 5 of the Fifth Schedule.
- Governor may direct that any particular Act of Parliament or of the Legislature of the State shall not apply to a Scheduled Area or any part thereof in the State or shall apply to a Scheduled Area.

(3) Modification of laws:

- The regulation-making powers of the Area is bound neither by the advice of the Tribes Advisory Council or the assent of the President.
- The provision lays down the responsibility on the Governor to ensure that laws that are contrary to the interests of Scheduled Areas may be suitably modified.

Why was PESA enacted?

- **Filling the constitutional vacuum:** These Areas were not covered by the 73rd Constitutional Amendment or Panchayati Raj Act of the Indian Constitution as provided in Part IX of the Constitution.
- **Self-governance:** PESA sought to enable the Panchayats at appropriate levels and Gram Sabhas to implement a system of self-governance.
- **Customary regulation:** It includes a number of issues such as customary resources, minor forest produce, minor minerals, minor water bodies, selection of beneficiaries, sanction of projects, and control over local institutions.

Significance of PESA

- **Tribal autonomy:** PESA was seen as a panacea for many of these vulnerabilities where the tribal communities in such Scheduled Areas were to decide by themselves the pace and priorities of their development.
- **Tribal way of development:** PESA was viewed as a positive development for tribal communities in Scheduled Areas that had earlier suffered tremendously from engagement with modern development processes.
- **Sustainable access to forests:** The loss of access to forest, land, and other community resources had increased their vulnerability.
- **Easing of tribal distress:** Rampant land acquisition and displacement due to development projects had led to large-scale distress in tribal communities living in Scheduled Areas.

Issues with PESA

- **Dilution of the role of Tribal Advisory Councils:** PESA mandates Tribal Advisory Councils to oversee tribal affairs and also gives extrajudicial, extra-constitutional powers to the Governors.
- **Politicization:** The councils, with the CM as their chairperson, have evolved into a non-assertive institution amid the machinations of upper-class politics.
- **Non-involvement:** The Governors, in order to have friendly relations with the Chief Ministers, have desisted from getting involved in tribal matters.
- **Lack of coordination at Centre:** Two different ministries, the Ministry of Panchayati Raj and the Ministry of Tribal Affairs, have an overlapping influence and they function almost without any coordination.
- **Lack of operationalization:** In most of the state the enabling rules are not in place more than eight years after the adoption of the Act suggests the reluctance to operationalize the PESA mandate.
- **Ignoring the spirit of PESA:** The state legislations have omitted some of the fundamental principles without which the spirit of PESA can never be realised.
- **Ambiguous definitions:** No legal definition of the terms like minor water bodies, minor minerals etc. exist in the statute books.