



Research Paper

## Migration And Covid-19 Economy Crises On Indigenous Peoples: An Inceptive Journey To Tribal Discontent

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**ABSTRACT:** India's economic crisis, rising unemployment, poor wages, and hazardous working conditions have gained before Covid-19. Still, on the latter side, the pandemic situation has exacerbated the living milieu of the migrants to terrible due to lockdown. Due to the pervasive problem and protection and precaution from this virus, the government asked the common masses and acted upon every means to maintain 'Social Distancing', but it has socially distanced itself from the poor and the marginalized sections of the country. Vulnerability to these present circumstances these casual unprotected workers include in millions, lack of social protection, fear of layoffs, stoppage of income, no hope of restoration or rehabilitation, infinite situation. Suddenly, the problem made the poor migrants scattered and terrified without clues where to move as going back will bring emptiness. As the indigenous people at present India's colossal migrant population, Tribals are sufferers to all extend. It generates a big question: the sudden visibility of these migrant workers in Covid-19 has created a critical situation and a more significant challenge towards governmental strategies to cope with the virus and these scattered populations. The paper has tried to examine the condition of tribals and consequences faced by the tribal migrants' invariable circumstances enforcing them to migrate and the challenge of Covid-19 before them to meet and fight.

**KEYWORDS:** Migration, Covid-19, Tribals, Poverty, NTFPs, FRA

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### I. INTRODUCTION

Migration has a long history of human movement from one's origin to a new destination for human development and better livelihood. Human migration has its trends for different groups of people. Other reasons may be forced or by choice migration for better opportunities and standardization in living conditions or even poverty, landlessness, debt, displacement, industrialization, mining industry, and falsehood in Development is to bring change. Still, all forms of change can't relate to development, may lead to disadvantage and deprivation to some particular human communities. Such denial, where dispossession ends with an enormous loss of land and property to a mentioned community, lowers their livelihood and endangering their existence, where such development perspectives fail. Such negative outlook of adverse inclusion towards social exclusion, without any means and merciless ends. When there is no food, land, or life in their place of originality, they were pushed to migrate to an unknown location, with hope, may it feed them and give shelter and cherish them as a being, but reality seems to be a nightmare. As people from different origins and variant consequences migrate to big cities and urban localities in search of jobs and better habitant, it becomes the responsibility of the government to look to such creamy layer of the society, totally vulnerable and deprived of their homeland. Government development packages and policy reforms, economic assistance strategies need proper establishment and implementation of such allocations to restore jobs and protect the workers' health, rights, and incomes and their families of these migrants working in the informal sectors. Migrants are inexperienced in their new place of existence in which they temporarily live. They are reclining to various social, psychological and emotional anguish situations, exude from fear of neglect by the local community and concerns about the wellbeing and safety of their families. Migrants, forced to leave their native places searching for better opportunities and earnings, sometimes left behind their families trolled towards an unseen future.<sup>1</sup> The family behind them wholly or partially depends on the money sent by the migrants' to carry on their daily meal and survival. During the outbreak of infectious disease, COVID-19, and the restrictions imposed on routine activities as part of social distancing norms to prevent the spread of the disease, stopped the earnings of these migrants and forced them to move back to their native residents.<sup>2</sup>

For a vast country like India, wherein every sphere of existence differences and discrimination intakes into social-economic lives of the individual, whereas the study of human movement from their original existence to a new destination unleashes the truth. 2011 Census surveyed the total number of Internal Migrants in the country, staggering to 139 million as reported by the World Economic Forum, which should not be ignored or detached from the mainstream of 'relief' and 'development'. The Economic Survey of India 2017 estimates that inter-state migration in India was close to 9 million annually between 2011 and 2016, which has leapt so high at present. In reality, to study population, it has to interlink with human migration, which endorses various social, economic or political reasons.<sup>3</sup>

## **II. IMPACTS OF THE LOCKDOWN AND COVID-19 SITUATION: HUMAN RIGHTS**

Major ethical decisions and critical plans have been taken in such pandemic situations, essentially safeguarding all human dignity and human rights, irrespective of any discrimination identified amid societal prejudices. Any governmental decisions and programmes upheld must be approved in all social, economic, health, and medical benefits to avoid bias. Together with the consent of the common masses, it leads towards the protection of privacy, and it reaffirms the fundamental link between human rights, solidarity and responsibility, essential in addressing the current crisis.<sup>4</sup> Preventive measures, taken in curtailing public mobility. Sealing hotspot areas/containment zones have to control the spread of the pandemic, extended and stringent lockdowns of the entire population with inadequate planning. Insufficient protections for the most marginalized have had severe impacts on the human rights of a large section of society. These include, in particular, infringements of their rights to food, health, adequate housing, participation, and, most importantly, their right to live with dignity. The most severely affected by the lockdown resulted in the loss of livelihoods, mainly the daily wage workers, including homeless and landless people, migrant workers, agricultural labourers, fish workers, and others engaged in the 'informal sector'. After lockdown, the life of both urban and rural poor is over-burdened with loss of income, starvation, ill health, depression, deprivation, and rise of malnutrition among the poor infants. Another apocalyptic situation increased during the lockdown is domestic violence against women, child abuses, detrimental health, loneliness, psychological stress disruption in children's education and social-connectivity and sensitivity, loss of life other than the pandemic death, suicide, starvation, exhaustion and denial of medical assistance.<sup>5</sup> The lockdown has dramatically affected the homeless individuals who suffered from high mournfulness, mental illness, fear and uncertainty, separation, lack of communication with family members, forcefully relocation of habitats, severe cash loss and an increase in non-coronavirus health complaints. In cities, the ordinary individual's masses and the inadequate shelter more minor migrants have witnessed police brutality and even failed to access the privilege to food distribution centres.

As has been widely reported, migrant workers, on account of their low incomes, insufficient social security and labour protections, and inadequate living conditions, are most severely impacted by the sudden and prolonged lockdown. On 28 March 2020, states were ordered to seal borders and stop migrants from returning home. While the central government, on 29 April and 1 May, issued orders permitting migrant workers to return home, the orders come with significant caveats, including a lack of clarity for implementation. Worst of all, people who have had no income for the last 40 days are being made to pay for their return fare, often at inflated rates, as reported in states like Karnataka. Despite the lockdown and 'stay at home' orders, forced eviction and home demolitions for various reasons were reported in Jammu and Kashmir, Odisha, Rajasthan, and Telangana, rendering people homeless during this crisis. These evictions were inhumane and severely violated multiple human rights of affected persons, including rights to health and housing. Marginalized and vulnerable groups such as displaced persons, children in street situations, persons with disabilities, older persons, indigenous/tribal and other local communities living in remote areas, single women, etc., have not suffered adversely from the lockdown benefitted from most relief measures. Reports of attacks on minorities, healthcare providers, and workers in different parts have been disturbing.<sup>6</sup>

## **III. COVID-19 AND SITUATION OF THE LABOUR MIGRANTS**

The coronavirus (COVID-19) pandemic has generated an unprecedented global crisis, in all spheres in individual's lives, groups and communities as a whole, living in marginalized and vulnerable conditions has raised the risk and in terms of their inability to cope with any positive measures to preserve their families and lives, as because of complete lockdowns, forced isolation, and quarantines are additional grievances to the situation. India announced a 21-day lockdown in response to retrench the spread of COVID-19 on the evening of 24<sup>th</sup> March 2020, giving the nation a mere four-hour notice. Later, on 14 April 2020, the lockdown was extended for another 19 days until 3 May 2020. On 1 May, the lockdown was extended for two weeks, although some tranquillity was divided into 'green' and 'orange' zones, with some relief.<sup>7</sup> The real hardship among the Indian population essentially added to the people living below the poverty line. For long, 70 years of migration on the Indian soil has caused immense affliction to the millions of migrants as the most vulnerable people significantly affected by COVID-19. Nearly 90 per cent of the reported cases in Bihar, Jharkhand and Odisha

are returning migrants. Historically, about 118 million jobs of the poor migrants were lost due to this pandemic and lockdown, resulting in reverse migration bringing enormous socio-economic emergency outcomes.

The World Bank estimates about 40 million Inter-State migrants indeed affected due to Covid-19 into their lives and livelihood. These migrants are the real contributor and economic raisers of the 'Host cities', but they were not taken care of during this pandemic, with extreme distress and neglected food and shelter seen trolled on streets as the most significant departure since Independent India. These migrants are marginalized farmers, landless, debt-burden, displaced from their ancestral lands, poor and deprived, socially excluded, and detached from the measure of development, scarcity of food and for a better livelihood, reflects with the thought that Home is where the heart is, so goes the adage. Poverty and hunger are the reality that knows neither boundaries nor any threatening situation. These migrants put behind their struggled lives and move towards ordeal conditions. The sudden announcement by the government for complete lockdown made these helpless migrant labourers from all different directions of India footslog hundreds of kilometres back to their homeland, carrying their meagre belongings dragging their hungry and thirsty children in the red hot heat. A country amidst the Coronavirus situation raised the question of whether this ordeal circumstances could have avoided proper and adequate supply and arrangement of food and shelter for the workers at their host cities and place of work. These marginalized workers were driven out of their rented homes by their landlords as they could not pay the rent of single room rented houses. Fear of death due to hunger forced the poor labourers to accept the pain and unbelievable walking journeys of hundreds of kilometres. Their choice was between the devil and the deep sea, between starvation, economic crisis and pandemic death. For India, it was not less than a nightmare witnessing such mass movement across the country without food or a shelter to rest; the need for the time was for the government to be a good Samaritan.

#### **IV. LEGALITY AND ADJUDICATORY CONCERNS ON TRIBAL RIGHTS (LAND, WATER AND FOREST): ILO**

ILO Convention No. 169 is an international treaty, adopted by the International Labour Conference of the ILO in 1989, constructed to represent the indigenous rights and tribal peoples within the nation-States, concern to their life and responsibilities of the governments to preserve their culture, land and natural resources and to define their priorities for development, including employment and vocational training, education, health and social security, customary law, traditional institutions, languages, religious beliefs and cross-border cooperation. Indigenous and tribal peoples, often known by Adivasis, mountain dwellers, hill tribes, hunter-gatherers, found more than 70 countries worldwide with more than 370 million people, approximately 5% of the world population. Discrimination, differentiation and exploitation of indigenous peoples and tribal workers instantly inspired the ILO to adopt Forced Labour Convention, 1930 (No.29).<sup>8</sup> Later in the 1950s, labour conditions of these peoples in their place of work, viewed as dangerous and critical, were consequences of deep-rooted injustices and prejudices and fundamentally linked to broader issues of identity, language, culture, customs and land. Therefore, in 1957 and on behalf of the UN system, the ILO adopted the Indigenous and Tribal Populations Convention (No. 107). Convention No. 107 was the first international treaty dealing with the rights of indigenous peoples. All available statistics and research indicate that indigenous peoples still suffer from the worst forms of labour exploitation and are unreasonably represented among the victims of discrimination. Their traditional practices of shifting cultivation, pastoralism, hunting and gathering are restricted, and their land and natural resources rights are not recognized. Generalized marginalization and poverty has made them vulnerable and drags them towards exploitative practices such as bonded labour, trafficking, and even child labour. Indigenous peoples face barriers and disadvantages in the labour market. They have limited access to education, vocational training, and traditional knowledge and skills are not necessarily valued or in demand. Ignorant and bewildered towards their rights and have weak connections to workers' organizations. Convention No. 169 comprises an entire section on indigenous peoples' right to employment, vocational training and protection of their labour rights. Further, the ILO and its constituents are increasingly addressing the situation of indigenous peoples through the fundamental labour Conventions concerning non-discrimination, freedom from forced labour and child labour, freedom of association, and the right to collective bargaining.<sup>9</sup>

In most countries, indigenous peoples have significantly higher poverty rates than other sectors of society, along with pronounced health and education disadvantages. It can mean extent related to structural discrimination, also reflected in low public investments on indigenous lands, e.g. in terms of infrastructure and communication. Moreover, the contribution of indigenous peoples to the national economy and development often remains invisible as their production systems may be largely subsistence-oriented and usually work within the informal sectors as unskilled labourers or domestic workers. There is a growing recognition of the economic potential to overcome discrimination against indigenous peoples and preserve economic and development perspectives of indigenous cultures, knowledge and production systems, and natural resources. Indigenous people know their rights to consultation, participation and benefit-sharing. The developmental process needs to

be respected to avoid conflicts and State obligations. Encouraging democratic norms as special measures for consultation and involvement is required in the decision-making process in scheduled areas. Convention No. 169 is an instrument for good governance and a tool for conflict resolution and reconciliation of diverse interests. If indigenous peoples' rights and aspirations for the development process are respected, they can become full partners in the development process, considerably a leap towards national economies.<sup>10</sup>

Broadly, the indigenous peoples are highly dependent upon the land and natural resources for economic assistance and livelihood. Convention No. 169, as a general principle, stipulates that indigenous peoples have the right "to the natural resources about their lands", including the right "to participate in the use, management and conservation of these resources". More often, the state retains ownership over minerals, sub-surface or other resources in scheduled areas. In such situations, the Convention establishes a series of safeguards to ensure that indigenous peoples are adequately consulted and participate in the benefits and receive fair compensation for any damage incurred. The provisions on natural resources (Article 15 of the Convention) are applied in conjunction with the general conditions on consultation and participation (Articles 6 and 7) described in detail in the previous section. The Convention highlights the need to ascertain to what extent indigenous peoples' interests are prejudiced before exploring and exploiting natural resources on their lands. Article 7(3) emphasises that the government must cooperate with indigenous peoples to assess planned activities' social, spiritual, cultural, and environmental factors. The results of these studies shall be considered fundamental criteria for the implementation of the activities.<sup>11</sup>

Further, it is essential to note that impact assessment and consultation provisions apply to the actual exploitation of resources and the exploration phase. Inadequate implementation of consultation, participation and impact assessment conflicts occur between indigenous peoples and private sector actors, who have obtained concessions or licenses from the state. In this context, it is essential to underline that ensuring the correct application of the right to consultation and participation lies with the state. Failure to comply with this responsibility will risk the private sector's investments, as indigenous peoples may rightfully invoke their rights to be respected under the Convention.<sup>12</sup>

## **V. TRIBALS SITUATION AND FAILED POLICIES: MIGRATION A COMPULSION**

Tribals belong to the most impoverished and deprived sections of the society, called forest dwellers or the Indigenous peoples. Living in discrete settlements, habituated in their ancestral lands, outskirts from the mainstream of development, protecting the environment for long years and sustainable livelihood. The issue of tribal development is a troublesome one. Lawful arrangements to prevent alienation of lands held by the tribal population is questionable, as the laws need to be re-established for legal negotiation with proper execution and further protection of the socio-economic disabilities of these poor tribal populations. Due to such backwardness and developmental crisis among tribal, the government has made affirmative policies, developmental programmes and enacted laws for their protection. There are various Constitutional safeguards for the welfare, development and preservation of Scheduled Tribes in the country. Besides National Commission, the 5th and 6th Schedule are provided to the tribals for the protection and administrative dispensation in the Central Indian States and the North-Eastern Region States.<sup>13</sup>

Further, the "The Provision of Panchayats (Extension to the Scheduled Areas) Act, 1996, confers special powers to Gram sabha in Scheduled Areas to protect their land and forest from outside invasion and be in the decision-making process. In addition "Forest Rights Bill", "Land Rehabilitation & Resettlement Policy" are other provisions to empower the tribal people to safeguard their land and forest. Though these Constitutional provisions are in place, the effective implementation of these remains in words. The true spirit generated by the state is an excellent encumbrance for the welfare and development strategy for these vulnerable groups in the country. Despite affirmative actions, tribal in India face insuperable consequences due to their low socio-economic conditions, poverty, unemployment, displacement, indebtedness, lack of opportunities and even unaware of the government programmes. Further, the government and private industry have blindly figured to establish mega projects of mining, hydro-electric, industry, business, roads and transport, digging holes in their ancestral land without their consent, leading to the loss of traditional land ownership and livelihood opportunities, most unfortunate outcome of globalization, liberalization and privatization.<sup>14</sup> The tribals are nowhere placed in the journey of growth and evolution instead pushed towards destruction and inabilities.

Further, resulting in large scale migration of rural tribal to urban areas in search of livelihoods either temporarily or permanently, which aggregate in bringing disturbances in their traditional socio-psychological family relationship, a network of neighbourly relationships and a more significant challenge in the adoption of new urban culture. Large-scale internal migrations and labour mobility, in particular, have a historical association, while the different flows in duration, motives, and migrant profiles impact households and communities destination and origin. In particular, human migration and its implications are becoming an important socio-economic problem for the policymakers and government to undertake welfare and development activities. Internal, seasonal migrations act as a 'safety valve' among the most impoverished communities.<sup>15</sup>



## **VI. COVID-19 ENDANGERED THE LIVES OF INDIGENOUS PEOPLE: LOSS OF JOBS, HUNGER AND REVERSE MIGRATION**

Tribes are known as the 'Adivasis, 'aboriginal peoples, ' and 'forest dwellers' as they are too closely associated with mother earth for food, water, shelter and fuel. The Indian Constitution provisions broadly; protective measures, reservation and development, rendering with policies and affirmative actions for tribes but the last six decades, it has to lead to much appreciable improvement in the quality of living among the majority of tribal population. Tribal peoples' poverty relates to other issues, too as poor health, educational status, and loss of social, cultural and economic features of their heritage societal history. The invasion by the mining industry and colonization and exploitation of tribal lands, forests and other resources has thrust the tribal towards discourse living. Such exclusion from the source of development and failed allocations in tribal areas due to their peculiarity living in such geographical isolation makes these tribal more detached from the mainstream. The state-sponsored development programmes and schemes relating to their livelihood and income generation activities seem to be a mere approval due to ineffective implementation. Thus, they remain at the endnote of development. Losing land and their ancestral habitats due to false promises makes migratory movements a better source of income and survival for their families. Seasonal migrations further convert to long-term migration, therefore appearing as a 'safety valve' for the tribal communities to migrate and find the necessary resources for their survival elsewhere. More often among the tribal, the essence of migration seems to be forced migrations resulting from land alienation and complete dispossession, growing numbers of migrating families, collective acceptance of lowering daily wages, and a growing vulnerability towards contractors or corruption practices.<sup>16</sup>

Due to industrialization, thousands of indigenous peoples migrate to metropolitan cities, primarily to work in informal sectors, with some hope. With the entry of COVID-19, the economy has been ruined, creating an absence of jobs, shattering of homes and hunger in large; these indigenous migrant workers are all set to return, possibly carrying the diseases back into their communities. It can wipe out endangered indigenous peoples of India and further permanently damage the survival of many communities. These tribes are particularly vulnerable to infectious diseases due to their tradition of living in close-knit communities and low immunity. The Scheduled Tribes have higher poverty rates than the general population. According to the Ministry of Tribal Affairs, the scheduled tribes live below the poverty line as in 2011-12 recorded as 45.3% in the rural areas and 24.1% in the urban areas compared to 25.7% persons in rural areas 13.7% persons in urban areas in general.<sup>17</sup> Thereby, assumed that the tribal are unconditionally worst affected by the lockdown and the inattentive measures taken by the local administration to provide essential facilities. Hunger and malnutrition among the tribal population have already been accorded, but this present pandemic situation and restricted movement and limited source of livelihood have aggravated their hunger crisis.<sup>18</sup> On 2 April 2020, the *Times of India* reported that around 70,000 tea workers of the Barak Valley region in Assam, belonging to the Adivasi tea tribe community are without ration and wages since 24 March 2020 and are struggling to find one proper meal a day.<sup>19</sup> Reports of starvation among the tribal remained excluded from benefits of any socio-economic schemes such as the National Food Security Act, National Rural Employment Guarantee Scheme, rations under the Antoyadaya Scheme, Prime Minister's flagship health insurance scheme Ayushman Bharat, among others. On 27 March 2020, *The Hindu* reported that over 30,000 tribal labourers from the Jhabua district in Madhya Pradesh have returned from Gujarat, Rajasthan and Maharashtra.<sup>20</sup> Another report by *Down To Earth* on 25 March 2020 stated that thousands of migrant workers, primarily tribal, returned to their homes in Banswara, Dungarpur, Udaipur, Sirohi of Rajasthan; Jhabua in Madhya Pradesh and tribal districts of Dahod, Panchmahals, Banaskantha, Sabarkantha in Gujarat. Most of them have returned by walking a hundred kilometres walked hundreds of kilometres in the absence of public transport.<sup>21</sup> As per the COVID-19 protocol, all the migrant workers has to spend 14 days self-isolation after screening. But in the lack of adequate space at home, many tribal migrants returned to their homelands, for, e.g., in the Purulia district in West Bengal had to spend the mandatory 14 days of self-isolation outside the village, sleeping on trees, inside trucks or buses and in make-shift shelters.<sup>22</sup>

## **VII. CONSEQUENCES OF COVID-19 ON TRIBAL AND FOREST DWELLERS: REVERSE MIGRATION**

The outcome of lockdown has had a drastic effect on a large population of poor and marginalized communities, the tribals bringing loss of livelihoods, physical hardships and challenges, lack of food and shelter and enhancing economic distress. There are reports from across the country of severe hardships faced by migrant workers, shortage or lack of ration to the communities, and a loss of income. Tribal and other forest-dwelling communities are inevitably getting affected by COVID 19 and the lockdown measures.<sup>23</sup>

### **1. Inadequate information on covid-19, non-access to health benefits**

The Scheduled areas are remotely located where these tribals and forest dwellers are too marginalized and ignorant regarding the required measures to face this pandemic due to lack of information and awareness. These Indigenous people are grave threats to health issues. They are at significantly higher risk to various communicable and non-communicable diseases and adequately face the scarcity of availing health benefits and access to good and healthy living. Due to the lockdown, reverse migration among the tribal has raised the concern of spreading COVID-19 infection in tribal areas. The tribal population has suffered from various chronic diseases and health issues due to social deprivation such as malnutrition, malaria, leprosy, tuberculosis (TB) and other diseases. The absence of healthcare facilities can severely limit the capacities to deal with COVID 19 outbreaks in tribal areas, as per weak immunity system and traditional source of living possess a severe threat to the tribal population, increasing the risk of infection. Testing and monitoring of the disease is inadequate and is mainly limited to urban habitats. Even relevant information about infectious diseases and preventive measures is also not available in indigenous languages, making these tribal people more ineffectual to the condition.

## **2. Loss of livelihoods and employment risk to scarcity of food among Tribes**

As lockdowns continue, Indigenous peoples who already face food insecurity and compulsory migration have lost their traditional lands and territories and confront even graver challenges in access to food after returning to their homeland. With the loss of their traditional livelihoods, often land-based, many Indigenous peoples who work in traditional occupations and subsistence economies or the informal sector are adversely affected. The situation of indigenous women leads providers of food and nutrition to their families, and the real supporter is even in graver.<sup>24</sup> Tribal migrants have seen poor access to Public Distribution System as provided to those with cardholders. During the lockdown, ensuring food and adequate nutrition security to tribal is a priority in extending the need to the migrants in a humanitarian context. Provision of ration, vegetables, cooking oil and other essentials need to be available at the doorstep. Ministry of Rural Development has already written to state governments on direct cash transfers, additional pensions etc., as relief during the lockdown period. However, the Central Government should provide the State Government with adequate financial resources to ensure that all eligible tribal people and OTFDs receive their cash entitlements. There are also reports that tribal people and forest dwellers cannot get direct cash benefits as they don't have bank accounts or banks are located far away from their villages. It is noted that this is an issue of lack of social security, especially the migrant workers in terms of labour rights. The legislation in place, such as the Unorganized Workers Social Security Act, 2008, is poorly implemented. These workers with no means are withdrawn from certain labour rights and do not put any responsibility on the employer for their wellbeing, particularly in the current context.<sup>25</sup> It is the state's responsibility to critically try to resume the implementation of MGNREGA, further enabling land development, improving the productivity of Community Forest Resources etc.

## **3. Loss of Minor forest products destruction to tribal livelihood**

Tribals are forest dwellers wholly dependent on forest products for food, shelter, and medicine. In raising cash income through collecting and selling the forest products in the market, the lockdown has badly affected the sale of minor forest products Non-Timber Forest Products (NTFPs).<sup>26</sup> The 60 percent annual NTFP collection season begins from April to June, provides significant income to support tribal, and, unfortunately, coincides precisely with the lockdown. Sincerely the tribal women are primarily engaged in the collection and selling of NTFPs. This unpredictable adverse effect for this season affects their families in all spheres, restricting the movements of the tribal related to non-recognition of forest rights and security.<sup>27</sup> States like Odisha, Maharashtra have come up with guidelines allowing the collection of NTFPs. Although the NTFP issues have been highlighted in a letter written by the Minister, MoTA to Chief Ministers and in the order passed by MoHA on 16th April exempting NTFP collection from lockdown, these measures don't fully address the MFP issues. The Minimum Support Price scheme (MSP), a significant economic safety net, has failed to deliver due to lack of implementation in most states and slashing of minimum support prices of many NTFPs by the central government. After consulting with some of the states, MoTA has written a letter to the conditions on 1st May 2020 announcing the revision of MSP for 49 MFPs.<sup>28</sup>

Most importantly, it is unclear it's functioning with the Gram Sabha centric forest governance mechanisms as provided in the FRA and PESA. Further, the trading and value chain of NTFPs has been wholly disrupted under the lockdown as traders are not willing to buy NTFPs in the current situation. Both the central and state governments need to devise strategies to engage with the traders to ensure the purchase of NTFPs. Application of GST on tendu leaves has further affected the income of communities depending on tendu leaves collection.

## **4. Issues of PVTGs**

Among the tribal, the particularly vulnerable tribal groups (PVTGs) are even more susceptible. It is noted that the 75 listed PVTGs live in remote and scattered geographical locations in India, Particularly Vulnerable Tribal Groups (PVTGs) in 18 States and Union Territories of Andaman & Nicobar Islands.<sup>29</sup> They all remain vulnerable, with poor administrative and infrastructure backup. Over the years, they have become more vulnerable due to the loss of their customary rights to cultivate and use forests for livelihoods. This has led to hunger, starvation, malnutrition etc., among PVTG members leading to a situation where their basic survival is at stake.<sup>30</sup> The provisions for recognising and protecting the tribal habitat rights of PVTGs under FRA have not been implemented positively in the states. The lockdown measures have further added to their current struggle for survival. There are reports of them not being able to access forests for meeting subsistence needs. Neither do they have access to other livelihood activities. They have demanded that the Jharkhand government implements a relief package for PVTGs comprising refined grains, pulses, vegetables, oil, cash grant, soap and medicines. There are reports that the Gotti Koya and other tribal in Mulugu district of Telangana were wearing face masks made of teak leaves, tribal in Chhattisgarh's Bastar district made masks from palm leaves to cover their faces<sup>31</sup> and tribals of Vizianagaram district in Andhra Pradesh were covering their faces with a mask made from herbal leaves,<sup>32</sup> due to non-availability of protective masks in the tribal areas.

### **5. Forest land diversions and afforestation**

Diversion of forest land without the consent of Gram Sabha in violation of the FRA continues even during the lockdown. The local tribal have been resisting such pursuit of forests as it would cause destruction of the forests, displacement and loss of livelihoods. It is a matter of concern that the MoEF has been clearing forest and creating a diversion at this time. They have issued new guidelines relaxing forest and environmental clearance norms for mining by new tenants<sup>33</sup> when people are in lockdown and cannot come out even to resist.

As COVID 19 spreads and livelihoods are affected due to the lockdown, there are reports of Compensatory Afforestation (CA) plantations being carried out on forest land used by tribal and other traditional forest dwellers, including by fencing of such areas accessed for community rights. These actions are in direct violation of their rights under the FRA. They are causing severe distress to the tribal and forest dwellers in the present situation by impacting their livelihoods and destroying agro-biodiversity. The MoHA has issued an order allowing the forest department to carry out forestry and plantation operations. The forest department can misuse this order to carry out plantations in cultivation land and community forest resources of tribal and forest dwellers, leading to further violation of their land and forest rights.<sup>34</sup> The MoTA must ensure that the guidelines allowing forestry operations and plantations are implemented only with necessary safeguards to comply with the Forest Rights Act and with the consent of gram sabhas to sustain local livelihoods and support agro and biodiversity of the region.

## **VIII. COVID-19 AND MINORITY RIGHTS: OVERVIEW AND SUGGESTED PRACTICES AND ACTIONS**

In the Covid-19 situation, the problems and strategies for tribal includes measures addressed by the Ministry of Tribal Affairs, as so;

1. Indigenous peoples are susceptible in approach as the representatives, leaders, authorities, and the government has to act frontline in providing health services in response to Covid-19 in scheduled areas with its feedbacks. The Central Government must ensure adequate testing and healthcare facilities in tribal areas, including deploying mobile health units and setting up COVID Care Centres in tribal locations.<sup>35</sup>
2. As these Indigenous peoples have their uniqueness in their culture and language, public service announcements messages, such as hygiene, physical distance, quarantine and prevention, must be imparted in various indigenous languages in cooperation with the local masses. Providing and managing clean water, sanitation, hygiene in such remote areas is a challenge to avoid spreading the virus relevant to their indigenous practices.
3. Along with all availabilities, it's essential to bring awareness among them through the involvement of the indigenous youth in the promulgation of Covid-19 messages within the communities to make things easier and fundamental to them to support their traditional livelihood.
4. The Ministry of Tribal Affairs also needs to be conscious and indulge with the state governments, other tribal departments, and civil society to broadly monitor and support the necessities of the forest dwellers. The MoTA must be vigilant and active in its proceedings with the necessary availabilities of administrative proposals in tribal areas. And to resolve the bottlenecks with the district, sub-district level officers and state authorities by issuing guidelines required to states on measures to be taken for tribal and forest dwellers to deal with COVID and lockdown.
5. The MoTA needs the support and promotion of the state-tribal departments to reach the tribals, PVTGs and OTFDs. To create awareness about COVID-19, with the assistance of ASHA, ANM employee and others to provide protection measures in local language about the nature of the disease, quarantine and

containment measures, testing, drive out vaccination myths etc. Necessarily, special attention should be given to areas with migrant workers who have returned home, providing testing facilities and quarantine lessons, good masks, disinfectants and emergencies ensured by the local panchayats is a real help them to get vaccinated.<sup>36</sup>

6. Irrespective of ration cards, there is evidence of undernourishment strategies in many tribal areas as per the required free distribution of foods and ration through PDS and basic income needed to maintain the tribal and forest dwellers' livelihood the migrant workers.
7. Necessary financial and logistical support should be provided directly to the Gram Sabhas and the forest management committees constituted under the FRA in addition to NTFP procurement and selling of the products. The Forest Department should be directed to extend the transportation of NTFPs. Such immediate action will hike the prices under the MSP scheme in the short term and provide much-needed income support to the tribal during the lockdown. As concern support, the central government should waive off GST levied on tendu leaves, which can significantly raise the income of tribal and forest dwellers.
8. The Ministry of Tribal Affairs should coordinate with MoRD and state development agencies to ensure food security and wage employment while facilitating basic income-generating under MGNREGA for tribal people and OTFDs, including proper and adequate FRA policies for improving productivity and land development. MoTA should enable MoEF to release the enormous compensatory afforestation fund available to the Gram Sabhas under constituted FRA to support tribal community forest management for generating livelihoods and wage enrolment for tribals and forest dwellers to accord with the economic crisis. MoEF should review its policy decisions during the lockdown to ease forest and environmental clearances to prevent violation of the forest rights of tribal and forest dwellers.

## IX. CONCLUSION

The COVID-19 has drastically hit the Indian economy, and recovery of such tranquillity is ambiguous and problematic. Loss of jobs and rise of unemployment, and underemployment structure has primarily affected all sections of people. Its damage has mostly persisted in the unorganized sector and among the poor and deteriorated migrants. Tribal's unemployment is a challenge before the government as they return to their native places. Due to invasion in their habitants' areas and destruction due to mining left no more source of livelihood. Forest income-generating farm income has already collapsed MGNREGA, the possible solution that has been underperforming for myriad reasons since its inception. So providing certain reliefs through such programmes is insufficient action of the government. Migration seems to be a ray of hope for at least generating income to fulfil their needs by risking their life, in the cities and engaging in hazardous situations. Still, due to this pandemic, they are again pushed back without any economic source, which has worsened their lives and mental conditions. As all the inter-state migrants have returned to their homeland, the most brutal hit needs to be taken care of and concerned about exposure to the virus and economic degradation. Such crunch of under-funding, lack of adequate social services, and not being listed correctly in the government developmental order, the indigenous communities become more helpless to face in such pandemic situation and so left behind. It requires information and messaging in indigenous languages, proper medical supplies and services, emergency sanitation supplies, emergency food and cash aid. COVID-19 is a challenge to fight vigorously and together through determined and effective measures implemented to provide specific assistance to the indigenous peoples with a full consultation, involvement, and culturally appropriate manner with future enablement to the most vulnerable group of society.

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