
CRIMINALISATION OF THE TRIBAL IDENTITIES: THE IMPACT OF STATE VIOLENCE

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ABSTRACT

The repression of tribal identities in India, particularly the marginalized and the tribes classified as vulnerable tribal groups (PVTGs), is a complex issue that deserves more attention considering how these groups that have steeped in socio economic disadvantage and are treated with violence and discrimination, is not only a result of the actions of the state but also of their policies. Even with the existence of legal frameworks for protection and rights, PVTGs continue to be dispossessed forming the 'criminal descendants' as their nationality is stripped off as well as their modes of wealth creation illegalised as under the Habitual Offenders Act.

These were the legal issues they had to grapple with but added on to this were the so-called 'development' initiatives that worsened the situation of PVTGs. The addition of the Sardar Sarovar Dam, the diamond and uranium mines in Orissa and the jailing of *pahariyas* from Jharkhand including violent humiliation of tribal people, added to the criminalisation and stigmatisation of the desperate lives they already lead. However, even with these difficulties, PVTGs have also demonstrated strength through various forms of resistance including challenging the legal and identity construction by the state.

This research attempts to examine the nuances of these issues by posing a number of important questions about the legal, political, and socio-economic aspects that enhances the fabrication of criminalization of PVTGs. Drawing upon primary and secondary sources of development literature, case law, government documents, and media reports, the focus of this study is on how legal settings, state's action and policies foster structural violence, forced removals, and conversion of tribal personalities into criminal ones. It also contrasts the positioning of PVTGs within Indian society, with that of indigenous peoples of other countries, thus providing additional perspectives on how these people manage with ethnonational identity and state policies.

Keywords: Criminalization, PVTGs (Particularly Vulnerable Tribal Groups), Structural Violence, Dispossession

INTRODUCTION

PVTGs (Particularly Vulnerable Tribal Groups) are a category of indigenous communities in India that are recognized for their unique cultural traits and their vulnerable status due to their isolation and limited access to resources. These groups are considered to be at a high risk of being marginalized or displaced due to factors like modernity, economic development, and environmental changes.

The Government of India has designated certain tribes as PVTGs based on criteria like their small population size, lack of written language, low levels of literacy, subsistence economy, and resistance to mainstream society. As of now, there are 75 such communities across different states in India, including Odisha, Jharkhand, Madhya Pradesh, Andhra Pradesh, West Bengal and others.

The primary goal of identifying and categorizing PVTGs is to ensure that these communities receive special attention for their socio-economic development and protection of their rights. This includes targeted interventions in areas such as education, healthcare, livelihood, and legal protection. Additionally, the government also emphasizes preserving their cultural heritage and ensuring their participation in decision-making processes that affect their lives.

While PVTGs are protected under various laws and policies, challenges like exploitation, land alienation, and cultural erosion continue to affect them, making it crucial to focus on their holistic development in a sustainable and sensitive manner.

HYPOTHESIS

The criminalization and systemic marginalization of Particularly Vulnerable Tribal Groups (PVTGs) in India are rooted in a complex intersection of legal frameworks, state-driven development policies, and social prejudices. Despite constitutional safeguards and laws meant to protect their rights, PVTGs continue to face displacement, legal exclusion, and cultural erasure. This marginalization is exacerbated by the state's paternalistic approach to tribal welfare and the imposition of state-defined identities, which conflict with indigenous ways of life. Resistance narratives from PVTGs challenge these state-imposed identities and legal frameworks, advocating for autonomy and cultural preservation. Moreover, India's treatment of PVTGs, while legally progressing in some areas such as land rights, lags behind global

standards, especially in terms of political autonomy, cultural preservation, and the intersection of development and indigenous self-determination.

RESEARCH METHODOLOGY

The methodology of research used in this particular paper is by means of the usage of the secondary sources of research. These include materials that analyse, interpret, or summarise data collected by others, offering an overview rather than original research. These sources include scholarly books, review articles, newspapers, magazines, reports from organisations, and biographies. They have been used here to understand and interpret the criminalization of tribal identities with special reference to Particularly Vulnerable Tribal Groups in India.

LITERATURE REVIEW

- 1. Human Rights, Constitutional Safeguards and Tribals in India: Trapped in Labyrinth (M. Ramana Reddy, 2017):** Human rights/tribal welfare intersection has been extensively debated within academic literature pertaining to India. Both the Constitution provisions including the provisions in Fifth Schedule and PESA, 1996 have been made to protect tribal interests but they are only enforced poorly, particularly for issues related to land acquisition and resource management. The socio-economic vulnerability of tribal communities is further deepened by unchecked displacement in development projects and their cultural patrimony. Research highlights the significance of weaving cultural identity into human rights frameworks in order to preserve the autonomy of the tribals. Grassroot- activism being an essential force, debates continue on effectiveness of the legislation, development versus rights conflict and paternalistic state continues.¹
- 2. Human Rights and Realities of Tribals' Lives in India: A Perfect Storm (Krishna Halavath, 2014):** Tribal communities in India continue to suffer from systemic marginalization; even with constitutional guarantees as research has pointed at significant differences in areas such as life expectancy, health, education & employment within tribes. Development interventions such as the Polavaram Dam further compounds these problems, by displacing thousands and eroding socio-

¹ Krishna Halavath, Human Rights and Realities of Tribals' Lives in India: A Perfect Storm, 19 IOSR J. Humans. & Soc. Sci. (IOSR-JHSS) 43, (2014)

economic ecosystems. Land alienation and inadequate rehabilitation highlight the failure of legal rights to translate into ground realities on human rights violations. Central pedagogy discourses related to cultural identity and economic development continues; complications are the participation of advocacy civil societies. Areas of further research are longitudinal studies, intersectionality, climate change impacts and comparative perspectives to comprehend tribal welfare and rights better.²

- 3. Indigenous Emancipation: The Fight Against Marginalisation, Criminalisation, and Oppression (Grace O'Brien, PeyChun Pan, Mustapha Sheikh and Simon Prideaux, 2014):** Indigenous emancipation research shows that historical wrongs (land dispossession, cultural erasure) and current day challenges including lack of health services and systemic political exclusion remain pivotal. Works such as Restoule v. Canada highlight the need to claim treaty rights in research, and studies on the Indigenous people of Taiwan demonstrate how complicated political autonomy can be. Most importantly, it means conceptualizing indigenous experiences not as linear, but in an intersectional manner while advocating for self-determination and incorporating indigenous knowledge systems into policy-making.³

RESEARCH QUESTIONS

1. How did the intersection of legal frameworks and informal justice systems contribute to the criminalization of PVTGs in India?
2. How do state-driven development projects perpetuate the systemic violence and displacement of PVTGs, and how is this linked to their criminalization?
3. In what ways do narratives of resistance among PVTGs challenge state-imposed identities and legal categorizations?
4. Comparative Analysis: How does India's treatment of PVTGs compare with global indigenous rights?

² M. Ramana Reddy, Human Rights, Constitutional Safeguards and Tribals in India: Trapped in Labyrinth, 27 Contemp. Soc. Scis. 221, (2018)

³ Grace O'Brien et al., Between legal indigeneity and Indigenous sovereignty in Taiwan: Insights from critical race theory, 11 Soc. Inclusion 187,(2023)

I: How did the intersection of legal frameworks and informal justice systems contribute to the criminalization of PVTGs in India?

There are many culturally deep-rooted prejudices found in India, which was a result of its colonial past. One such prejudice resulted from classifying certain communities as "criminal tribes." The central and state governments- as well as society-at large-threw this identity of inherent criminality upon them. Society at large was hostile towards them, and the government kept them under close observation, believing that their mode of life was not possible without criminal activity.

This social segregation was not incidental but reflected in a widely practiced view that crime was an in-born characteristic of these tribes, passed down the generations as a fixed vocation. The Criminal Tribes Act of 1871 was amended in 1897 and 1911 to cement this biased attitude. When it was first introduced, there were defenders who elaborated on it by relating criminality with caste traditions, holding that these sections were predestined for a life of crime. This framing fostered the idea that reform was impossible and further solidified their marginalized status.

s.2 of the Criminal Tribes Act 1871 stated that "If the Local Government has reason to believe that any tribe, gang or class of persons is addicted to the systematic commission of non-bailable offences, it may report the case to the Governor General in Council, and may request his permission to declare such tribe, gang or class to be a criminal tribe."⁴

This provision gave the local government sweeping discretion to declare a whole tribe, gang, or group of "criminal tribes" without proof that these groups were habitually engaged in serious offenses. Thus, this clause allowed these communities to be labeled and treated as inherently criminal, but their members would never be individually investigated and due process administered. This type of classification strengthened the discriminatory attitudes and led to a wide-scale marginalization because entire communities were condemned based on the actions of a few, thereby perpetuating legal and social exclusion.

⁴ Criminal Tribes Act 1871, Colonial Legis. No. Act no. XXVII 1871, Oct. 12, 1871, Repealed by the Criminal Tribes Act (Repeal) Act, 1952 (Act No. LIII of 1952). (India), <https://ccnmtl.columbia.edu/projects/mmt/ambedkar/web/readings/Simhadri.pdf>

The Criminal Tribes Acts of 1911 and 1924 further systematically branded certain marginalized and nomadic communities in India as "criminal tribes," based on the assumption that criminality was hereditary. The 1871 Act provided the foundation for this discriminatory framework by requiring registration, strict surveillance, curtailment of movement, and forced resettlement. The 1911 Act extended its grasp, reaching wider communities and enhanced control through mechanisms like forced labor, vocational training, and pulling children away from their families to rehabilitate. The 1924 Act implemented these provisions over British India. The stigma remained institutionalized because of reformatory settlements, and the strictures were enforced.

Soon The Habitual Offenders Act of 1959 was enacted to address the problem of habitual offenders, especially those who were repeatedly committing crimes. It aimed to identify and detain individuals considered a threat to public safety through preventive detention and surveillance, even without new convictions. The Act replaced the Criminal Tribes Act of 1924, which had been used during colonial times to classify certain communities as "criminal" based on their social identity, often stigmatizing entire groups as inherently criminal. However, the Habitual Offenders Act, like its predecessor, was heavily biased against these tribes who were already subjected to long-standing discrimination. Many of the members of these tribes were wrongly branded as habitual offenders and further victimized.

An Open House Discussion was conducted by the National Human Rights Commission (NHRC) on "Protection of Nomadic, Semi-Nomadic, and De-Notified Tribes (NTs, SNTs, and DNTs) in India and their Forward Trajectory" on January 19, 2024. The NHRC Member Dr. Dnyaneshwar M. Mulay inaugurated the discussion which covered several points like implementation of the Idatte Commission report, abolition of Habitual Offenders Act, 1952, and documentation to get benefits under welfare schemes for these groups. These factors included the scrapping of colonial thought that describes De-Notified Tribes as "crimes" along with the serious collaborative work that addresses the human rights concerns of this section. Major areas of deliberation included hindrances caused due to the Criminal Tribes Act, 1872; difficulties to obtain basic provisions and ways that guarantee political representations along with improving living standards among the concerned citizens. The event brought together various stakeholders, including senior officials from government bodies, NGOs, and experts, who deliberated on ways to advance the rights and welfare of these communities. Dr. Mulay

concluded that the NHRC would continue to address these issues and make necessary recommendations to the government for improving their human rights.⁵

II: How do state-driven development projects perpetuate the systemic violence and displacement of PVTGs, and how is this linked to their criminalization?

One of the most direct effects of government projects, especially land acquisition for the development of infrastructure, mining, industrialization, and dam construction, is the forced displacement of PVTGs from their traditional homeland. Such groups rely on their traditional homelands for subsistence agriculture, hunting, gathering, and utilization of natural resources for medicinal and cultural needs. When government projects take over these lands, they strip PVTGs of their primary source of livelihood. As a result, the displaced populations often face severe economic hardship, as they are unable to sustain themselves through traditional means in resettlement areas. This loss of territory, combined with the absence of proper resettlement measures, drives most tribal communities into new urban or semi-urban settings, from which they find it difficult to adjust because of a lack of skills, education, and exposure to non-agricultural ways of living.

In most instances, the resettlement is not supported by proper rehabilitation or compensation. Resettlement areas are inadequately equipped with minimal infrastructure needed to ensure a reasonable living standard. Lacking proper housing, clean water, sanitation, and means of livelihood, displaced PVTGs are driven further into poverty and an uncertain future. Additionally, the absence of cultural sensitivity in these resettlement plans can result in alienation and distress, adding to the problems they encounter in adjusting to new environments.

The health consequences of government projects on PVTGs are dire and multifactorial. When large-scale projects disrupt local ecosystems, they often cause environmental degradation, such as deforestation, soil erosion, and water contamination. For communities that depend directly on their natural surroundings for food, water, and medicinal resources, these changes have detrimental effects on their health and well-being. Availability of clean drinking water is

⁵NHRC organizes an open house discussion on the Protection of Nomadic, Semi Nomadic and De-Notified Tribes in India and forward trajectory, NATIONAL HUMAN RIGHTS COMMISSION (Jan. 19, 2025), <https://nhrc.nic.in/media/press-release/nhrc-organizes-open-house-discussion-protection-nomadic-semi-nomadic-and-de>

restricted, and natural food and medicine sources can be devastated, resulting in malnutrition, food insecurity, and a reduced level of overall health standards.

Moreover, the displacement process usually subjects tribal populations to new health hazards. For instance, when PVTGs are resettled in urban or semi-urban settings, they are exposed to diseases they never knew existed before. Their immune systems are not geared to deal with these new diseases, and this results in epidemics of diseases like tuberculosis, malaria, or respiratory infections. Furthermore, the lack of adequate healthcare facilities in resettlement zones adds to the problem, as PVTGs might not receive the required medical attention. Even if care is offered, the absence of culturally sensitive care, language limitations, and geographic isolation of such communities can lead to extensive underutilization of available care.

One of the most pernicious effects of government schemes on PVTGs is the destruction of their cultural identity. PVTGs possess distinct languages, traditions, beliefs, and social institutions, all deeply embedded in their connection with nature. Developmental schemes, however, have a heavy cultural cost. The superimposition of external education systems, economic arrangements, and social norms causes traditional ways of living to crumble gradually. The opening of schools and other state institutions in the resettlement zones tends to compel PVTGs to learn the majority language and customs, with an eventual abandonment of their native languages and traditional practices. In certain cases, government schemes may even discourage native language use or traditional knowledge actively, devaluing the passing of cultural practices from one generation to the next. With time, this culture assimilation may also pave way to a community losing its original identity in its entirety, where younger generations tend to veer away from the traditional ways of life of their forebears.

Socially, the displacement and integration into mainstream society tend to interfere with the communal order that has been in place for centuries in PVTGs. Tribal communities have traditionally been based on collective decision-making processes, which are guided by elders or community leaders, that are interfered with when extraneous systems are introduced. This disconnection from their customary social and governmental systems can undermine the cohesion and solidarity that have been at the core of these communities for generations. Government schemes aimed at promoting economic growth can inadvertently increase the economic vulnerabilities of PVTGs. Although such schemes provide the promise of employment, PVTGs are usually denied the advantages because of their lack of education,

skills, or knowledge of formal labour markets. Tribal people are usually unprepared to participate in industrial, administrative, or service industry jobs that such schemes might end up doing low-wage, unskilled, and even exploitative work.

Further, the imposition of new economic systems without stronger backup or training causes PVTGs to become reliant on outside support. The erasure of their traditional economic practices, like subsistence agriculture and communal hunting and gathering, pushes these groups into dependency, in which they must survive on the basis of government subsidies, charity, or other external support. This generates a trap of poverty and dependency, offering little scope for self-reliance or financial mobility.

One of the most glaring facts in the governance of government initiatives impacting PVTGs is failure to consult such communities. The government policies tend to be drawn up and implemented without proper input from the involved populations in decision-making. This denial of participation not only results in projects that fail to address the needs of PVTGs but also deprives them of the chance to protest against their rights being infringed or to raise concerns regarding the possible damage brought about by such projects.

In addition to that, most development projects are implemented top-down, without taking into consideration the cultural, social, and environmental contexts of the places where PVTGs reside. The imposition of projects and policies without effective consultation can lead to communities not knowing what changes are ahead, rendering them helpless to resist or adjust to the challenges they will encounter. Without adequate representation in government, PVTGs are at the mercy of policies that do not take into consideration their unique needs and concerns.

Another significant issue that the PVTGs are confronted with is the poor infrastructure and services made available in resettlement zones. Whereas the government might try to offer education, medical care, and shelter to displaced tribal populations, these amenities are usually of substandard quality and not easily accessible. Schools within the resettlement tracts could potentially neglect the distinct educational needs of tribal kids, especially those whose native language or cultural tradition are different from that of dominant society. In like manner, the health care systems are mostly unsuitable in managing the special medical needs of the communities, while the shortage of transport facilities or money bars the PVTGs from obtaining much-needed health treatment. Typically, in most cases, infrastructure envisioned

through government projects remains either unfinished or executed ineffectively, resulting in PVTGs having to stay in poorly developed dwelling units with low sanitation levels and living standards. Not only does this deteriorate their health but also serves as a precursor for an overall sense of disillusionment and disenfranchisement regarding government policies.

Health is a condition for human development, and it is an important element in well-being of mankind. Health issues of any section are influenced by different external factors such as social, the economic and political factors. The health status of PVTGs is in a terrific condition as a result of multiple factors like poverty, illiteracy, lack of clean drinking water, unhygienic sanitary conditions, harsh terrain, malnutrition, poor maternal and child health services, unavailability of health and nutritional services, superstition and deforestation. The diseases like Anemia, Upper Respiratory Problem, Malaria; Gastro-intestinal Disorders like Acute Diarrhea, Intestinal Protozoan; Micro Nutrient Deficiency and skin infection diseases are very natural among the PVTGs as a result of these factors mentioned above. Many of these diseases can be prevented by providing apt nutrition food, prompt medical attention and health consciousness. The condition of education is also very pathetic, with an average literacy rate of 10% to 44% in PVTGs.

The Scheme for Development of Primitive Vulnerable Tribal Groups (PVTGs), brought in the effectiveness from April 1, 2008. The Scheme depicts PVTGs as the most vulnerable among the Scheduled Tribes and the Scheme therefore proceeds to prioritise their progress. It gives identity to the 75 PVTGs. The Scheme seeks to adopt a wholesome approach to the socio-economic development of PVTGs and gives state governments an overall mechanism of planning initiatives that are geared towards the particular socio-cultural imperatives of those specific groups.⁶

The scheme designs a strategic approach which is need-based and works towards to optimizing the utilisation of resources available under various programmes, in the right manner thereby aiming at reaping the desired results. The scheme deals with funding for activities like housing, enhancement of education and health infrastructure, land distribution, land development, agricultural development, animal husbandry, construction of link roads and installation of non-conventional sources of energy for lighting purpose, irrigation, social security (including

⁶ SCHEME OF DEVELOPMENT OF PARTICULARLY VULNERABLE TRIBAL GROUPS, F. NO. 1101/01/2019-EMRS/PVTG, (2019), <https://tribal.nic.in/downloads/PVTG/GuidelinesofPVTGs17092019.pdf>

Janshree Bima Yojana), skill development and upgradation, conservation of culture or any other innovative activity meant for inclusive development of PVTGs. The funds under this scheme are brought into availability only for the necessary activities needed for the survival, protection and development of the PVTGs and which are not particularly catered to by any other scheme of the State or the Central Government or by guidelines governing the utilisation of the funds under Special Central Assistance to Tribal Sub-Scheme and Article 275(1) of the Constitution. The scheme is brought into effect through ITDA by State Government.

III. In what ways do narratives of resistance among PVTGs challenge state-imposed identities and legal categorizations?

A. The Problem of Survival Living Status of Mankirdias: A Case Study of Particularly Vulnerable Tribal Group (PVTG) of Odisha

The narrative of the resistance of tribal groups, like the Mankirdias, has been hugely influenced by the imposition of identities and legal classifications by the State. This study shows how the Mankirdias recognise their identity and actively resist marginalization, focusing on the case study of "The Problem of Survival Living Status of Mankirdias: A Case Study of Particularly Vulnerable Tribal Group (PVTG) of Odisha."⁷

The traditions of hunting, gathering, and handicraft production are the main source of pride for the Mankirdias, built deep into their social organization and identity; these attributes of theirs also hint at such richness in terms of cultural heritage. Despite the imminent challenges of the capitalist notion of the rich and difficulties presupposed by legalities and restrictions, they preserve their traditions actively obscuring current pressures applied onto their society. By doing this, they also problematize the process of an extremely Hispanic identity, one that has been blocked or categorically turned as "primal" or "backward" by states. This preservation is a complete disregard of the given boundaries and is actually a reminder of autonomy and a unique appearance.

The paper further states that state development policies are also criticized as they usually do not cater the expected needs of the Mankirdias. Policies like the Forest Rights Act, where the

⁷ J.K. Nayak & P.K. Das, *The Problem of Survival of Surviving Mankirdias: A Case Study of Particularly Vulnerable Tribal Group (PVTG) of Odisha*, 63 J. ANTHROPOLOGICAL SURV. INDIA 1-25, (2014), https://www.researchgate.net/publication/274712934_The_Problem_of_Survival_of_Surviving_Mankirdias_A_Case_Study_of_Particularly_Vulnerable_Tribal_Group_PVTG_of_Odisha

intent of the legislation is to empower tribal communities but they often leave the tribal population more marginalised, Unquestionably, the increasingly entangled web of bureaucratic interstitials and encroachment of external interests has led for erosion of their traditional forest rights forcing the Mankirdias to operate and function around a system that is not a true representative of their realities. Through dialogue and organized criticism they contest the notion that development is synonymous with progress and rather suggest paradigms in which their knowledge systems and ways of life are honored.

Economic pressure has made their survival even trickier. Since market changes and deforestation have disrupted traditional livelihoods, they have had to turn to agricultural and construction work, both of which are labor-intensive.

Recognising persons with disabilities in law is still a vital area of resistance. The Mankirdias have been denied formal rights to ancestral lands and resources, which are critical to their survival, for decades. This is so even with the constitutional provisions that seek to protect tribal rights. They are insisting on being recognized as legitimate stakeholders through petitions, working with NGOs and mobilizing their community. This disruption challenges the state's narrative of these siblings as passive beneficiaries of development and claims their right to self-determination.

The resistance of the Mankirdias lies in community solidarity. A shared history of discrimination creates a common identity and a shared purpose to overcome the vertical distinctions imposed by the state. Collective acts, from protests encroachments of their land to demands for better living conditions, give expression not only to their voices but also strengthen the bonds of their similar experiences with oppression.

B. "Status of Particularly Vulnerable Tribal Groups (PVTGs) in India: Special Reference to the State of Chhattisgarh"

Another such case study is from a paper called "Status of Particularly Vulnerable Tribal Groups (PVTGs) in India: Special Reference to the State of Chhattisgarh."⁸

The state is inhabited by many Particularly Vulnerable Tribal Groups (PVTGs) — a

⁸Dr Abhay Krishna Singh, Status of Particularly Vulnerable Tribal Groups (PVTGs) in India: Special Reference to the State of Chhattisgarh, 2017 Geo-Analyst

constitutionally recognized tribal group that faces multi-faceted socio-economic challenges such as poor health, high school dropout rates, and lack of access to essentials like drinking water and sanitation. These long-term improvements in living conditions, notable in agricultural and water re-development projects, have also led to unintended outcomes like violent displacement.

Such development projects, including mining and infrastructure development, need large land areas resulting in the eviction of PVTGs from their ancestral land that is inseparable from the identity and sustenance of the community. This land acquisition is usually done through compensation that will not come close to rehabilitating the displaced people and hinterlands of poverty farther, marginalizing these communities. Moreover the advent of outside economic activities invade the original basis of livelihood of the PVTGs which is hunting, gathering and subsistence farming. They become broken, and their cultural practices and social structures undermine themselves, leading to a breakdown of community cohesion and identity.

This frequently leads to violent clashes between these tribal communities and the state or private corporations, as their opposition to these development projects intensifies. PVTGs are often criminalized and tagged as "anti-development" or "criminal" when they resist land acquisition or other development processes. This criminalization further marginalizes them at the intersection of systemic violence. The regime of laws around land acquisition is stacked in favour of both the state and corporations, which in turn dispossesses tribal lands and results in a cycle of resistance, followed by repression.

Additionally, the rhetoric in media and politics also casts PVTGs as impediments to progress, reinforcing their criminalization and undermining public sympathy towards them. The exclusion of local communities from decision-making processes, whether it be in the planning or implementation of development projects further perpetuates their marginalization and denies them a platform where they can advocate for their rights. A failure to represent them as human subjects creates more violent displacement, as most of these people become criminalized subjects within the state's eyes.

Inextricably linked with this criminalization of PVTGs is their resistance to development projects. When these communities resist dispossession of their land or other initiatives pushed by the state, they are met with violence, intimidation and arrests. As always, this sort of overblown reaction is aimed at vaporising dissent and cementing the unequal power

relationship between state institutions and certain social groups. Such conditions have paved the way for the absence of adequate legal protection and criminalisation of their resistance, further marginalising PVTGs and their demands.

Chhattisgarh under government initiatives has a few significant programs in the path of PVTGs development. The Scheme for Development Of Primitive And Vulnerable Tribal Groups (PVTGs) notified (from 1st April, 2008) provide adequate provisions to safeguard and leverage social economic growth of PVTGs as States are given a lot of flexibility to give shape at the ground level through its initiatives. Also, Each State has to prepare Long-term CCD Plans (Conservation-cum-Development) that are elaborate and extensive detailed about the PVTGs prepared by DPI&FS with expert committee approval. Housing Strips, only one of the main things in 11-point program of the Government of Chhattisgarh alongside drinking water, electrification, health check-ups periodically and food security are few examples. Some other let say such as National Rural Livelihood Mission with a focus on achieving scrutable outcome at societal level and Gram Antodaya Yojana to improve basic human livelihood of rural families especially tribal community. Broadly speaking these programs have as their objectives to improve the social-economic conditions of PVTGs; make it easier for them access to primary services and challenge sustainable development by embedding respect for their culture into the development paradigm.

IV. Comparative Analysis: How does India's treatment of PVTGs compare with global indigenous rights?

India's PVTGs and indigenous rights can be illustrated in comparison to international standards concerning the rights of indigenous people, social incorporation, land tenure, and the preservation of indigenous culture. The following is a comparative analysis of the same:⁹

Legal and Institutional Framework

India: India acknowledges its indigenous communities, specifically through the Scheduled Tribes (ST) category in its Constitution. Under the STs sub-category, the PVTGs are listed for special protection due to being highly marginalized. In this context, the

⁹ODISHA PVTG EMPOWERMENT & LIVELIHOODS IMPROVEMENT PROGRAMME - II PROJECT DESIGN REPORT, 6630-IN,(2023)

government had passed the Protection of Civil Rights Act and Forest Rights Act, 2006, as a step to give safety over rights over land, forest, and cultural heritage. However, laws generally suffer from problems of bureaucratic bottlenecks and land use and development projects.

Global Perspective: The instrument most widely known around the world is the United Nations Declaration on the Rights of Indigenous Peoples adopted in 2007. UNDRIP establishes international standards relating to rights with respect to self-determination and land rights apart from cultural practices as well as free, prior, and informed consent regarding any project that will affect their lands or their ways of life. UNDRIP is much more elaborate on principles for countries, but the principles can't be implemented or adhered to because it does not have any legal standing. Other developed economies include Canada, Australia, and New Zealand, and recognition of indigenous lands and rights on self-governance now begin to appear in these places. Challenges in areas persist between the goal of economic progress and welfare improvement.

Cultural Preservation and Recognition

India: There is some form of protection extended to the PVTGs in regard to their distinct cultural practices, languages, and social organizations. Government schemes, in the form of the Tribal Sub-Plan, have extended education, health, etc., along with a reinforcement of culture preservation. However, modernity has begun, along with the tensions of industrialization and urbanization that have caused a loss of most of the traditional practices.

Global Outlook: Issues on retaining indigenous cultures cut across most nations on earth. Indigenous peoples' cultures were forced to be suppressed through assimilation policies in Australia and the US. However, within the last two decades, programs of education, the media, and legal protections, indigenous languages and practices have slowly begun to revive. An example is how Canada has come to apologize for the system of residential schools that sought to erase indigenous cultures. In contrast, while India can make some strides towards global frameworks like UNDRIP, more explicit actions are urged to protect cultural heritage and languages from erasure.

Land and Resource Rights

India: FRA explicitly recognizes ownership and control by PVTGs over forests and land held by them, with the state's record not uniform in areas of high economic value, development initiatives often conflict with land rights of indigenous peoples with mining and other industrial infrastructure displacing the PVTG, risking both poverty and alienation.

Global Perspective: The rights of indigenous people over their lands have been a concern globally. Countries such as Bolivia and Ecuador in Latin America have done much in including provisions for the rights of indigenous peoples to lands in their constitutions. More than that, the Inter-American Court of Human Rights has done much in the protection of indigenous land claims. However, across many countries, mostly in the Amazon or parts of Southeast Asia, indigenous peoples are still losing their lands to land grabs and commercial activities. Here, the Forest Rights Act is a step forward in the Indian legal regime, but their enforcement is very weak.

Health and Social Development

India: Geographical isolation and socio-economic marginalization make PVTGs have inadequate access to health care, education, and other social services. For such purposes, the government has also initiated focused programs in the scheme of larger improvements in living standards; however, they remain largely highly poverty-stricken, undernourished, and bereft of even the most basic services.

Global Perspective: Health and education indicators are also low in the indigenous communities in other parts of the world. However, focused dedicated health services and indigenous language education have created a positive impact in health conditions of indigenous people, even in countries like Canada and New Zealand. The inequality, however is more pronounced in significant parts of the world. UNDRIP calls for increasing access to essential services by indigenous peoples. Improvement in real terms, however, is very slow, especially in resource-poor regions.⁵

Political Representation and Autonomy (Empowering Particularly Vulnerable Tribal Groups (PVTGs): Recognition of Habitat Rights in Chhattisgarh, United Nations Development Programme

India: Political representation is provided to the tribes in the form of reserved seats in legislatures. Political autonomy at the grassroots level, however, is not present for PVTGs, as they hardly enjoy any power at the national or state level. Some political elites represent the tribes and not the grassroots leadership.

Global Perspective: All over the world, indigenous peoples are demanding greater autonomy and political rights. For instance, in Norway and Sweden, the indigenous Sami people have parliaments through which they enact laws related to their community's issues. In Bolivia, the indigenous communities enjoy considerable power within the Plurinational State model of that country. India is quite a contrast where PVTGs are less powerful compared to the cases above where the indigenous peoples play a role at various levels in governance.

Economic Development and Integration

India: India has at least tried to develop tribal people into the mainstream economy. This has largely been of a top-down development nature that does not have a direct bearing on the traditional ways of doing economics among PVTGs. They continue to remain largely outside the development process and benefits of economic growth and do not enjoy access to mainstream job markets or business opportunities.

Global Perspective: The struggle between indigenous economic development and culture preservation is prevalent across the world. Many countries, like Norway with Sami, try to integrate their indigenous people into the economy without compromising their cultural identities. Sustainable resource management is one such measure. However, in most places in India, economic development programs related to PVTGs have proven culturally destructive and there is a real fear of eroding identity.

Overall, to conclude, India's record on its PVTGs, though legally advanced in some spheres, say, land rights with the Forest Rights Act, remains a laggard compared to the rest of the world on indigenous rights broadly, especially political autonomy and cultural preservation, and balance between development and indigenous self-determination. The frameworks are there, but challenges to the implementations are very crucial as are the issues of socio-economic marginalization and political representation. So far, much has been achieved by indigenous peoples in the world to gain their rights, but there are still pending issues about land tenure, cultural heritage, and equitable political representation.

CONCLUSION

For India's social and economic fabric to be inclusive, it needs to go beyond tokenistic acknowledgment of its Particularly Vulnerable Tribal Groups (PVTGs) and adopt a model of integration that appreciates their distinctive cultural systems, ecological knowledge, and work ethics. Instead of folding them into the mainstream story of urbanisation by commercialising their traditions, hybrid spaces—both economic and social—need to be constructed where PVTG communities can interact with modern systems on their own terms. Picture inclusive markets that respect traditional crafts without commercialising them, or city ecosystems that enable forest knowledge to shape green planning and sustainability.

Recognition, while envisioned in policy documents and law reports, still remains symbolic in reality. Regardless of levels of classification and myriad welfare programs, the lived experience of most PVTGs continues to testify to ongoing marginalisation, displacement, and invisibility. What is required now is a visionary rethinking: recognition not as a frozen tag but as a dynamic, inclusive process. This would include participatory representation within local government, community-based models of development, and reframing what is deemed "productive work" within national imagination.

Though India has initiated legislative measures and identified vulnerable tribal groups through several frameworks, their inclusion is still more a wish than a fact. The adversities they have to confront—varying from systemic displacement to cultural erasure—indicate how limited the interventions of the state have been in tackling ground realities. The colonial legacy of criminalisation and the contemporary push of development-induced displacement only further consolidate their marginal status.

In substance, authentic recognition and incorporation of PVTGs are not in assimilating them into the mainstream framework but in reconstituting that framework to encompass diverse ways of living, working, and knowing. An equitable response has to enable these societies space to join economic and city life without dissolving their differential identities. It is only then that India can hold itself up as an economy—and a democracy—that leaves no one behind.