



Research article

Bridging the Gap: The Constitution of India and the Unfinished Promise of Adivasi Rights

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Abstract

The Constitution of India provides an extensive legal framework to protect and empower Adivasi (Scheduled Tribes) communities through fundamental rights, affirmative action, and special provisions like the Fifth and Sixth Schedules. Despite these safeguards, a persistent gap exists between constitutional guarantees and their practical implementation. This paper critically examines the effectiveness of constitutional provisions, judicial interpretations, and policy measures in safeguarding the rights of Adivasis. By analyzing landmark Supreme Court rulings, legislative frameworks, and socio-economic challenges, the study highlights systemic barriers—such as land alienation, cultural erosion, and administrative inefficiencies—that continue to hinder the realization of these rights. A comparative analysis with global indigenous rights frameworks underscores the need for adaptive policy measures, robust enforcement mechanisms, and genuine community participation. The findings suggest that bridging this gap requires legal reforms, decentralized governance, and a holistic approach integrating legal, economic, and cultural dimensions to ensure meaningful justice and empowerment for Adivasi communities.

Keywords: The Constitution of India, Adivasi rights, Scheduled Tribes, land alienation, cultural erosion.

Introduction

Historically, Adivasi communities have been a significant stake in Indian demography and culture. However, they have long been excluded from mainstream development, according to the National Human Rights Commission Report 2021. The colonial policies made a heritage of labeling tribal cultures as "primitive" or "backward," whereby these titles legitimized

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exploitation and delayed the socio-political integration of these very communities. These were the reasons that led to the incorporation of many safeguards in the Constitution of India to protect the rights of tribal communities over land, culture, and livelihood, among other issues (Government of India, 2006). Articles 14, 15, 16, and 19(5), which uphold equality and safeguard property rights, are identified by the Directive Principles of State Policy as warranting affirmative action. Apart from these Articles of the Constitution of India, laws such as the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA), and the Forest Rights Act, 2006, which empower tribal people through self-governance and the legal recognition of their traditional rights, are also in place. All these exist as a complete framework, but many constitutional safeguards have not been realized to the same level practically for many Adivasi communities. Several of these communities remain alienated from their ancestral lands, are culturally eroded, and continue to live in poverty and deprivation (Singh, 2022). This research aims to evaluate the implementation of constitutional provisions regarding promises to protect the rights of Adivasi communities. It traverses historical, administrative, and socio-economic propositions that interact diversely and inhibit actualization.

Historical Review

A comprehensive body of academic work on Adivasi rights in India has been exhaustively reviewed through the lens of the constitutional, judicial, and socio-economic aspects of the matter. The initial academic work, however, was intended to promote the revelation of constitutional guarantees and the doctrine of positive action, seeking to redress historical injustices (Das & Sanskar, 2023). According to NHRC's 2021 survey, these actions also brought about long-lasting changes to the plight of the people; however, further empirical investigations could not fully address the gap between their actual status and the law in practice. Several research studies have revealed that even though there is a solid legal framework in place, Adivasi communities still experience land dispossession, a lack of quality education, and poverty that has been deeply rooted for a long time. Notable court cases, like the ones in *Samatha v. State of Andhra Pradesh* (1997) and the *Niyamgiri Case* (2013), are proof of the judiciary's involvement in defending aboriginal people; however, such measures are habitually hampered by administrative issues and political influences (Supreme Court of India, 1997; Supreme Court of India, 2013). The parallel studies also indicate that India's indigenous rights are likely the strongest among the constitutional systems in the world; however, their execution mechanisms fall short compared to countries such as Australia, Canada, and Brazil (Ghai, 2018). This is the basis on which we discuss the prospect of constitutional protection for Adivasis and the questions we confront when promises are made but not translated into the well-being of the communities.

Research Methodology

A range of constitutional provisions protects Indigenous rights in India. Keeping this in perspective, one area of concern in Adivasi rights protection is that, while the Constitution contains strong provisions for their protection, the on-the-ground application of these rights and their realization is often a different story. Therefore, the second pillar views the socio-economic ills of widespread poverty, limited access to education, and systemic dysfunctions as significant impediments to the realization of these constitutional guarantees. From this standpoint, the general socio-economic context poses barriers to Adivasi communities in fully exploiting the legal guarantees conferred on them. In mitigation of these core issues, even

the most far-reaching legal framework will remain unable to render a tangible difference in the field.

Building upon this, the third pillar adds the comparative angle by saying that while the legal framework for the rights of the Adivasis in India is, arguably, one of the most advanced, its implementation at the level of its realization in the ground does not meet even the bare minimum standards encountered in countries with more pr front-line indigenous rights policies (Ghai, 2018). This juxtaposition of standards highlights the need for India to strengthen its enforcement agencies for Adivasi rights while learning from its national experience in bridging the gap between theory and practice. Thus, the researchers highlight the complexities involved in effectively protecting Adivasi rights and underscore the pressing need for a combination of holistic approaches that focus on legal reforms, socio-economic development, and comparative policies.

Constitutional Framework and Implementation of Challenges

The Indian Constitution is extensively valued for its vision of social justice. Articles 14, 15, and 16 form the foundation of equality and non-discrimination, ensuring the equal treatment of all citizens without distinction of caste, religion, or sex. Affirmative action in the form of reservations in schools and colleges, and government jobs was introduced to overcome the historical handicaps to which Adivasi communities were subjected. Article 19(5) guarantees the right to property, which is especially relevant to Adivasis, whose ancestral land is both an economic lifeline and a storehouse of cultural heritage. Additionally, the protection of the right to life under Article 21 gives a climate in which tribal people can live with dignity. To address the unique challenges of tribal areas, the Constitution incorporated the Fifth and Sixth Schedules. These schedules empower both state and central governments to demarcate Scheduled Areas and establish Tribal Advisory Councils, theoretically enabling tribal self-governance and the management of local resources in accordance with traditional customs (Government of India, 2006). However, the practical implementation of these provisions is hindered by bureaucratic inertia, political interference, and chronic underfunding. For instance, although the Forest Rights Act of 2006 was designed to restore traditional rights over forest lands, its benefits are often negated by complex administrative procedures and low levels of legal literacy among tribal populations (National Human Rights Commission, 2021). Historical evidence from regions such as Orissa and Jharkhand demonstrates how vague promises of “development” have led to the systematic alienation of tribal lands, leaving Adivasi communities in a state of persistent vulnerability and economic marginalization (Singh, 2022).

Apart from this, even when the constitutional provisions are framed in unambiguous language, the enforcing machinery at the grassroots level fails to operate in harmony with them. The grassroots administrative machinery is neither capable nor politically motivated to enforce such policies strictly, and hence, an enormous gap is created between the high-flying aspirations of constitutional guarantees and the ground realities. It is this persistent gap that underscores the urgent need for effective administrative reforms, as well as increased allocations of resources, so that the rights enshrined in the Constitution receive tangible expressions for tribal people.

Constitutional Framework

Under British colonial rule, the authorities were less interested in fostering the socioeconomic progress of Adivasi communities and more focused on preserving order both among these indigenous groups and between them and nontribal populations. A notable early instance of this policy was the engagement with the Paharias in the Rajmahal Hills—a region now located in parts of Jharkhand and Bihar. In 1782, in reaction to repeated violent incidents involving the Paharias, the British government removed the Rajmahal Hills from the jurisdiction of local courts and instituted the Hill Assembly. This administrative shift effectively subordinated the Paharias by converting their land into a government estate. Over time, similar policies were applied to various tribes across India, gradually evolving into a system that bore a resemblance to serfdom. In this arrangement, Adivasis were compelled to borrow money from moneylenders in return for labor. Instead of earning wages, these workers were compensated with food and occasionally clothing, creating a cyclical indebtedness. Judicial decisions even mandated that if a debtor died before clearing his debt, his heirs or close relatives had to continue the labor until the debt was fully repaid (Ghurye, 1980, pp. 70–75). After India achieved independence in 1947, government policies underwent considerable transformation. The new constitutional framework addressed numerous issues related to Adivasi welfare. For example, Article 46 establishes a broad regulatory and developmental framework for protecting these communities. While Articles 23 and 24 do not explicitly mention Adivasis, they include significant social safeguards: Article 23 outlaws human trafficking and forced labor, and Article 24 prohibits child labor (for children under fourteen) in factories, mines, and other hazardous industries (The Ministry of Law and Justice, 2007, p. 13; National Commission for Scheduled Tribes, 2007, p. 4).

Economic provisions for the welfare of Scheduled Tribes in India are stipulated in various constitutional articles. For example, Article 275(1) designates annual financial grants from the Consolidated Fund of India to states to support the welfare of local Scheduled Tribes. The Fifth Schedule outlines government oversight for Scheduled Areas and Tribes, except Assam, Meghalaya, Mizoram, and Tripura. It empowers states to set up Tribe Advisory Councils and grants the governors special authorities for regulating land transfers within these communities, controlling moneylending practices, and overseeing land allotments. In contrast, the Sixth Schedule applies to Assam, Mizoram, Meghalaya, and Tripura, where it allows the establishment of Autonomous District Councils and Autonomous Regional Councils. These autonomous bodies are responsible for development activities and have legislative authority over matters such as shifting cultivation, public health, sanitation, land and forest management, and village customs. (The Ministry of Law and Justice, 2007, p. 15–165; National Commission for Scheduled Tribes, 2007, p. 5)

The Constitution of India incorporates several educational safeguards to support marginalized communities, including Scheduled Tribes (STs). One such provision is Article 15's Section 4, amended by the Constitution (First Amendment) Act of 1951, which allows the state to reserve seats in educational institutions, like medical and engineering colleges, specifically for individuals from the Scheduled Tribes and Scheduled Castes. In addition, Article 350 stipulates that states must make efforts to provide instruction in the primary language of linguistic minority groups, including the Adivasis, who speak a range of dialects and languages. Articles 330 and 332 also reserve seats for Scheduled Tribes and Scheduled Castes in legislative bodies, such as the House of the People, State Legislative Assemblies, and various local governing bodies, including panchayats. The Constitution further guarantees reserved positions in civil services and posts for the Adivasis and, by extension, for other

underrepresented communities, such as Scheduled Castes and Other Backward Classes (The Ministry of Law and Justice, 2007, pp. 7–217; National Commission for Scheduled Tribes, 2007, p. 6).

Since the inception of the First Five-Year Plan in 1951, the Planning Commission of India has focused on development policies aimed at addressing the welfare of Adivasis, often referred to by Govinda Chandra Rath as the "welfare model of development" (Rath, 2006, pp. 32–41). These plans are designed to promote empowerment and ensure that modern development initiatives reach Adivasi communities. Part of this includes implementing the Tribal Sub-Plan, which coordinates financial resources across various sectors to improve the situation of Adivasis. Nevertheless, the Eleventh Five-Year Plan acknowledges that the execution of the Tribal Sub-Plan has been less than successful (Planning Commission, Government of India, 2008, p. 104). To further emphasize progress, the Ministry of Tribal Affairs was created in October 1999 to oversee the integrated development of Adivasis. However, it has been criticized for not delivering as effectively as intended.

Ways to Deal with Challenges

To address the unique challenges of tribal areas, the Constitution incorporates the Fifth and Sixth Schedules. These schedules empower both state and central governments to demarcate Scheduled Areas and establish Tribal Advisory Councils, theoretically enabling tribal self-governance and the management of local resources in accordance with traditional customs (Government of India, 2006). However, the practical implementation of these provisions is hindered by bureaucratic inertia, political interference, and chronic underfunding. For instance, although the Forest Rights Act of 2006 was designed to restore traditional rights over forest lands, its benefits are often negated by complex administrative procedures and low levels of legal literacy among tribal populations (National Human Rights Commission, 2021). Historical evidence from regions such as Orissa and Jharkhand demonstrates how vague promises of "development" have led to the systematic alienation of tribal lands, leaving Adivasi communities in a state of persistent vulnerability and economic marginalization (Singh, 2024).

Furthermore, even when legal provisions are articulated, the enforcement mechanisms at the local level often fail to meet expectations. Administrative bodies responsible for implementing these policies frequently lack the capacity or political will to enforce them rigorously, resulting in a significant disconnect between the high ideals of constitutional guarantees and the on-ground reality. This persistent gap highlights the urgent need for comprehensive administrative reforms and increased resource allocation to ensure that the rights enshrined in the Constitution are translated into tangible benefits for tribal communities.

Judicial Interventions: Landmark Cases and Their Implications

Judicial activism has played a significant role in interpreting and applying constitutional provisions related to the rights of the Adivasi people. One critical judgment in this regard by the Supreme Court was in *Samatha v. State of Andhra Pradesh* (1997), in which the Supreme Court established the concept of possessing an inherent interest in tribal lands (Supreme Court of India, 1997). The alienation of Adivasi land will not be allowed for commercial or industrial purposes unless such alienation is with the unequivocal, expressed consent of the Adivasi population and, in addition, subject to government oversight.

This judgment has reaffirmed the historical significance of Adivasi land, recognizing that it is not merely an economic resource but rather embodies life itself as the essence of Adivasi culture and social existence. Another landmark case, the Niyamgiri Case (2013), also brought this issue to the forefront. Thus, the Supreme Court of India held that any developmental project that would encroach upon the sacred land of the Dongria Kondh tribe would require rigorous scrutiny and approval from the informed tribal community (Marshal & Samantha, 2016). This ruling reiterated that economic development should never come at the cost of eroding cultural and spiritual foundations. There have also been further judicial pronouncements regarding reservations and local self-government, reemphasizing that Adivasi communities deserve proportional representation and underlining the necessity of empowering tribes in legislative and administrative affairs (Singh, 2022). Nevertheless, while such judicial pronouncements have been progressive, the ground reality in terms of enforcement often defeats their practical effect, as political pressures and a shortage of resources have made the full enforcement of court orders impossible. The judiciary plays a very complex role in addressing the dynamic character of tribal identity. The recent controversies regarding conversion to other religions or the influence of culturally assimilated practices on the rights of tribes have raised demands for judicial pronouncement based on social changes. Although the judiciary has made significant strides in safeguarding tribal rights, these schemes are more effectively implemented through local administrative mechanisms. This is one of the central issues in the larger context of Adivasi rights protection.

Socio-Economic Realities, Historical Perspectives, and Global Comparisons

The socio-economic status of Adivasis is the direct opposite of the promises enshrined in the Constitution and what has been seen on the ground. Colonial policies set the stage for the systematic marginalization of tribal communities by stigmatizing them as ‘backward’ or ‘primitive’ and hence legitimizing exploitative expropriation and eviction of tribal lands (Kumar, 2023). After independence, rural modernization development strategies often led to mass displacement and forced alienation of traditional lands. In regions like Jharkhand, Orissa, and central India, mass-scale mining and infrastructure development used to lead to forced displacement of tribal groups with usually meager compensation and minimal rehabilitation (Singh, 2022).

Economic challenges in tribal areas are multifaceted. The majority of Adivasi areas are poorly served when it comes to infrastructure, where quality education is almost inaccessible, and inferior medical attention leads to persistent poverty and social marginalization. The outpouring of administrative inefficiency and corruption has acted as an additional force, siphoning away crucial resources meant for tribal development. The situation of tribal women is especially dire: antiquated customs have often deprived them of what legitimately belonged to them in terms of ancestral property, thereby damaging any potential for providing a means of subsistence to their families (National Human Rights Commission, 2021). These developments notwithstanding, the legal reforms carried out in the form of the Hindu Succession Act have proven inadequate, as their inconsistent application has meant that thousands of tribal women remain trapped in a chronic state of disenfranchisement.

A comparative analysis with international indigenous rights frameworks offers additional insights. For countries like Australia, Canada, and Brazil, there are well-developed legal mechanisms in place that enable indigenous people to secure their land rights and participate in governance. Australia's Native Title Act provides a structured process that allows

Indigenous communities to reclaim their ancestral lands, while treaty rights in Canada enable significant Indigenous involvement in law-making. The Brazilian Constitution contains safeguards for Indigenous people and underscores the relevance of cultural preservation and territorial integrity. Above all, these international models demonstrate that adequate protection of Indigenous rights can be guaranteed through progressive legal frameworks, strong institutional support, and transparent administrative practices, including active engagement of those communities concerned (Ghai, 2018). Compared to other countries, although India has an elaborate legal framework, its enforcement mechanisms are inadequate, necessitating reform at the systemic level.

In recent works, innovative policy interventions can finally close the gap between constitutional guarantees and practical benefits. Legal literacy programs and participatory monitoring systems have shown promise in localized settings but have remained isolated in small settings. An even greater distance from reality is the aspiration of tribal self-determination—the management of resources and cultural heritage by tribal communities. The increasingly close integration of tribal communities with mainstream society introduces complications related to cultural assimilation, conversion, and changes in tribal identity, further complicating the legal scenario. New emerging issues mandate a flexible and dynamic legal framework to address these new realities while preserving the core rights of Indigenous groups. Historical case studies further reinforce the magnitude of these challenges. Areas of Kalahandi in Orissa and some regions of central India bear documents of forced alienation of land under the vague promises of "development," resulting in the long and slow impoverishment of tribal communities. Such historical lines beg for speedy reforms to strengthen legal protections and address the socio-economic underpinnings of the marginalization of tribes.

Impact of Development on Adivasi Culture

The rapid modernizing pace of India has significantly changed and reshaped the economy and culture of the Adivasi communities (Akta, 2009, p. 3). Whereas the constitutional norms should have protected them by recognizing them as Scheduled Tribes, this instead triggered a surge of development initiatives that facilitated opportunities and disruptive changes. The other enormous impacts pertain to the changes in traditional economic practices. Historically, Adivasi communities maintained subsistence economies that were linked to their ancestral lands, which they depended upon for economic security and cultural identity. The modern development-induced path toward industrialization and market integration has increasingly left communities with no choice but to switch over to cash economies. According to Akta, "chronic indebtedness and coercive credit practices" (Akta, 2009, p. 31) have compelled many Adivasis to mortgage their ancestral lands, depriving them not only of economic independence but also of the cultural ties that these lands represented.

Alongside economic changes, development has led to cultural erosion, a significant consequence of its own. Traditional ritual, language, and social customs that have been the foundation of Adivasi identity for centuries are increasingly being replaced by modernity and its homogenization. Akta notes that "traditional modes of life, rituals, and even language are gradually being supplanted by a modern, homogenized cultural forms process that leads to an identity crisis for the younger generation caught up trying to stabilize contemporary influences on the one hand and their ancestral heritage on the other." (Akta, 2009, p. 47) Within these gloomy features, Adivasi societies still demonstrate resilience and adaptability,

incorporating aspects of modernism into their traditional practices without compromising their core cultures. As mentioned by Akta (2009, p. 61), these steps toward adoption mirror the balance sought to achieve in terms of development advantages.

In summary, the development and cultural nexus within an Adivasi community is quite a complex one. As with economic dislocation in the future, one aspect of social advancement and infrastructure improvement may be overshadowed by the erosion of culture itself. Hence, the integrative, holistic policy that entails economic development to measure all necessary actions towards preserving and rejuvenating indigenous cultural practices should ensure that the promises of modernization do not come at the price of a rich Adivasi cultural heritage (Akta, 2009, p. 66).

Policy Recommendations and Future Directions

Along this trajectory, some reformative policy suggestions have been made. Changes must be instituted in administration to make enforcement easier, thereby realizing the legal protections under the Constitution. Important measures in such efforts include streamlining even procedures under the Forest Rights Act 2006 and endowing Tribal Advisory Councils with sufficient resources. Furthermore, the devolution of administration through empowering local administrative institutions could also make policy implementation more adaptable to the local contexts of the tribal populations. Second, specialized legal literacy initiatives assume a huge priority. Awareness of constitutional rights among Adivasi communities through community legal clinics, workshops, and locally available legal manuals can be leveraged to facilitate the realization of rights for tribal members. Such initiatives must be integrated into the national platform so that even the most remote tribal community forms a clear perception of its rights. Thirdly, social-economic development should be complemented with a protection mechanism for the rights of the Adivasis. Enormous investments into infrastructure- educational and health systems should help counteract depraved poverty and ingrained social marginalization, inflicting havoc in tribal areas. Development programs should be designed in consultation with tribal communities to ensure they are culturally sensitive and address the genuine needs of the people. Special measures to empower tribal women—including the strict enforcement of inheritance rights and programs to promote their leadership in local self-governance—are also necessary to achieve gender equality and economic security.

Future Challenges and the Way Forward with Some Key Ideas

Going forward, it will be complex and constantly evolving, with all the challenges associated with Adivasi rights in India. Age-long bureaucratic inefficiency and political interference will necessitate addressing structural reforms and a shift in political culture toward the rights and well-being of tribal communities. Scalable, innovative policy initiatives in policy and practice, such as community legal clinics and participatory governance models, will also ensure that the voice of tribal communities is heard and respected at all levels of government. The future, indeed, belongs to technology and is increasingly being used to make the case for closing the gap between the ideal and the real, between what is constitutional and what is practical. Digital means will include documenting land rights, allocate resources, and make policies transparent, allowing for the use of monitoring tools that can radically empower tribal communities and reorient accountability within administrative processes.

Adapting to the changing socio-cultural dynamics will also determine the future of Adivasi rights. Issues such as religious conversions and cultural assimilation would need to be addressed through a re-examination and updating of legal frameworks to guard against the evolving identities of tribal communities. This should be approached by bringing together legal experts, policymakers, community leaders, and scholars from different disciplines to engage in continuous dialogue and research. Experiences from other countries are also very informative. Progressive frameworks of Indigenous rights have demonstrated that adequate protection of Indigenous peoples requires robust legal provisions and effective, coordinated strategies to address their economic, social, and cultural dimensions for comprehensive protection. India would also enrich itself by adopting integrated approaches that incorporate laws with practical effectiveness, rather than relying on abstract or ineffective policies, to prevent development that undermines tribal rights. The bridging of gaps between constitutional ideals and practical outcomes would require a truly concerted, multi-dimensional effort. Reforms must be jointly developed and implemented by policymakers in collaboration with tribal communities to address grievances rooted in historical injustices and those emerging in contemporary contexts. Only then shall the constitutional promise of social justice be fully realized for India's Adivasi communities, with active participation, transparency, and accountability.

Social Safety Nets: Addressing Economic Vulnerability Among Adivasis

Thus, the economic risks that Adivasis face when dealing with socioeconomic modifications, which accompany cultural identity changes and financial interventions, are significant. However, broader policy intervention would also de facto lessen their vulnerability. Implementing a social safety net is another methodology among these. The concept of social safety nets entered mainstream development discussions in the 1990s with the release of the World Development Report on Poverty. This report defines social safety nets as mechanisms of income support designed to save individuals from temporary economic distress and crisis. In the context of this report, the programs to be developed were made a key component of a three-pronged strategy for poverty alleviation. By the end of the 1990s, social safety nets expanded to address the stipulations of chronic and short-term poverty.

Although important, social safety nets have often been criticized as short-term welfare programs with limited impact on sustainable development. People argue that these programs comfort the usual conditions of living, yet they do not create conditions for sustainable, long-term economic self-sufficiency. By the early 2000s, the World Bank's Consultations with the Poor report stated that income instability incentivized people with low incomes to adopt risk management strategies rather than focusing entirely on maximizing welfare gains. It highlights the necessity of formulating social safety programs that strike a balance between immediate economic relief and long-term resilience-building mechanisms for marginalized groups, such as the Adivasis.

The Role of Safety Net Transfers in Poverty Reduction

Contrary to common perceptions, safety net transfers have the potential to significantly improve the living conditions of impoverished communities, particularly by facilitating asset creation. According to research from the Institute of Development Studies at the University of Sussex, these transfers contribute to capital formation, with one of the most direct benefits being improved efficiency through hunger reduction. Food-based safety net initiatives can

take various forms, including supplementary feeding programs, food-for-work schemes, and food stamp systems. These programs are particularly prevalent in developing economies across South Asia, where many nations have attained food self-sufficiency due to the agricultural advancements of the Green Revolution in the 1960s and 1970s. As a result, surplus food can be redistributed to support vulnerable populations.

The connection between a country's economic progress and the nutritional well-being of its people is widely accepted. However, there are differing perspectives on this relationship. While some argue that reducing poverty is the key to addressing hunger, others suggest that improved nutrition itself contributes to economic growth. Research indicates that better nutrition enhances labor productivity and extends life expectancy, ultimately strengthening a nation's economic performance. Since marginalized communities often face the highest levels of malnutrition, disease susceptibility, and physical exertion due to labor-intensive work, targeted income and food assistance programs can serve not only as social welfare measures but also as valuable economic investments.

Public Work Programs and the Role of Cash Transfers in Reducing Vulnerability

A large number of social safety net programs consist of public works, which provide short-term income or food assistance while fostering long-term development through the creation of permanent assets. To alleviate poverty meaningfully, public works projects should have wage conditions that are in line with the prevailing wage rate in local communities. Preferably, the labor in public works should be more intensive because the people in such marginalized communities, for instance, Adivasis, usually have very low formal skills. The design of these programs initially assumed that the people receiving assistance were either unemployed or underemployed, resulting in an excess supply of labor. However, this assumption overlooked the fact that many of these individuals were seasonally unemployed, particularly agricultural laborers. To mitigate this conflict, most public works are currently scheduled during dry seasons, ensuring that interventions do not interfere with farm operations.

Studies from Namibia, Mozambique, and Zambia show that although modest cash transfers promote welfare, programs with moderate transfers provide far greater welfare benefits through a multiplier effect. Of course, whenever cash is in the hands of poor households, they spend the money on food or other necessities, and only after that do they invest in human capital-related activities, such as health and education. Only after fulfilling these necessities can they think about investing in opportunities and asset-building expenditures. Hence, for cash transfer programs to generate sustainable economic benefits for the Adivasis, cash transfer amounts should be sufficient to cover consumption and investment needs. An apprehensive participant from Zambia's cash-for-work program said aid is just 'the oil' that lubricates the movement and the progress. However, for sector programs to have a similar effect in rural India, they need to be designed in consideration of the region's sociocultural landscape and supported by adequately structured policies and institutions to foster the sustainability of their impact.

Strengthening Capabilities Through Education and Healthcare

Beyond welfare-based approaches to development, reducing the vulnerability of Adivasis requires a parallel focus on enhancing their capabilities, as outlined in Amartya Sen's capability approach. This framework emphasizes two key concepts: "functionings" and "capabilities." Functionings represent the various aspects of well-being that individuals value, such as proper

nutrition, good health, self-respect, and active participation in social life. Capabilities, on the other hand, refer to the range of possible functionings an individual has the freedom to achieve. To illustrate this distinction, Sen compares a person who voluntarily fasts to another who is forced into starvation due to poverty. While both individuals experience the same functioning (lack of food), their capabilities differ—one has the choice to eat, while the other does not. From this perspective, poverty is best understood not just as low income but as a deprivation of fundamental capabilities.

Enhancing the capabilities of Adivasis requires targeted policies that improve access to education and healthcare in rural India. Expanding these essential services directly strengthens human capital, enabling individuals to function more effectively while also contributing to economic productivity. Literacy and numeracy empower people to participate in economic activities, while better healthcare and nutrition improve workforce efficiency and earning potential. Education, in particular, offers more than just skill-building for employment—it enhances communication, decision-making, and self-confidence, increasing an individual's ability to engage meaningfully in society.

Moreover, there is a strong correlation between healthcare, education, and fertility rates in India. Southern states like Kerala and Tamil Nadu, which have emphasized voluntary family planning alongside robust healthcare and education systems, report lower fertility rates. In contrast, northern states such as Bihar, Madhya Pradesh, Uttar Pradesh, and Rajasthan, where healthcare and education are less developed, experience higher fertility rates despite stricter government interventions in family planning. This suggests that strengthening human capabilities through education and healthcare is a more effective approach to addressing social and economic challenges than coercive policy measures.

Bottom-Up Development Through Savings

A sustainable development approach with Adivasis would increase household savings, thereby facilitating capital accumulation. Some research suggests that savings are typically at very low levels in almost all developing economies, particularly in rural areas of India. Results from a field study conducted among the Vasava Bhils in southern Gujarat indicate that only a marginal number of participants save. This raises some crucial questions about why certain behavioral aspects influence savings and what measures can be adopted to increase savings and counter economic fragility, promoting grassroots development.

Some policymakers argue that poverty hinders one's ability to save, either due to a lack of financial discipline or a minimal income, leaving little room for future financial planning. History tells a different story, however. For example, a 1978 study analyzing household savings in rural financial markets found that rural Punjabi households saved at a lower rate than their counterparts in Taiwan, Japan, and Korea. However, their capacity to save increased in the late 1960s, thanks to the benefits of the Green Revolution. State-wise data during this time indicated that households of different farm size classes saved or reinvested between 12% and 37% of their income.

Economic theories of savings can be broadly classified into three major schools of thought: neoclassical economic theories, psychological and sociological states, and behavioral theories. Neoclassical economic theories assume that one acts rationally in a way to maximize one's utility in equilibrium with current and future consumption. The Life Cycle Hypothesis by Ando and Modigliani and the Permanent Income Hypothesis by Milton Friedman are the two significant complementary theories offered within this general argument. Both theories

suggest that, when making financial decisions, individuals act based on long-term expectations of earnings throughout their lives. While the Life Cycle Hypothesis predicts that individuals save during their working lives to provide for post-retirement consumption, the Permanent Income Hypothesis posits that households will respond to changes in income perceived as permanent, but not to those perceived as temporary. Apart from these traditional models, institutional theories of savings emphasize the structural factors that influence financial behavior. Key institutional factors are determinants for savings, which include access to financial services, awareness of savings techniques, attractive financial incentives, and mechanisms for savings organization. The extent of formal saving mechanisms available also affects the saving rate: households with an institutionalized saving club are more likely to accumulate wealth. Financial literacy is a crucial factor, as those who understand the benefits of saving are more likely to develop consistent saving habits. The role of incentives, such as tax deductions on savings, presents an interesting perspective given the conflicting impact of income and substitution.

Another important factor is the role of automatic saving mechanisms, such as payroll deductions, which limit discretionary spending and promote higher savings rates. Suppose this institutional framework applies to Adivasi communities. In that case, policies should focus on expanding access to formal financial institutions, increasing awareness of the benefits of savings, and introducing structured savings mechanisms tailored to their socioeconomic context. By fostering a savings-oriented culture within Adivasi households, they can build financial resilience while preserving their cultural heritage, ultimately contributing to sustainable socioeconomic development.

Conclusion

The Indian Constitution stands tall as a dynamic document, articulating the nation's commitment to social justice and egalitarianism, particularly concerning groups that have long been historically marginalized, such as the Adivasis. The provisions made, very broadly speaking, for variables such as fundamental rights and special measures under the Fifth and Sixth Schedules demonstrate the genuineness of intent to provide for the cultural, economic, and social well-being of the tribal people through these important legislative facilities. Judicial review involving landmark case laws further strengthened these protectors when they asserted that tribal lands and culture are inextricably linked to the survival and dignity of Adivasi people. However, immensely far from the standard leapfrog legal translations, one could find instances in practice where the application of the law in favor of Adivasi rights remains unfulfilled. The adverse effects of Adivasi rights performances arise from increasing socio-economic injustices and inefficiencies in administrative functioning, together with their being the very remnants of colonial exploitation.

The comparative study of international Indigenous rights frameworks accentuates moreover that adequate protection needs to be holistic—socially, with enforcement arrangements and enhanced socio-economic development schemes; a scheme that translates constitutional guarantees into real benefits would require multidimensional strategies such as administrative reforms for proper implementation, creating legal awareness, participatory policy development, and introducing systematic use of technology. Continued interactions and studies will be indispensable for the legal framework to keep pace with the socio-economic changes of tribal communities, while ensuring that the dynamism of tribal identity is endorsed and protected.

Thus, what the future holds for Adivasi rights in India would depend on how seriously the nation embraces the challenge of reconciling constitutional theory with on-ground realities. For the promises of the Constitution to be realised, an unrelenting approach will need to be pursued, involving various stakeholders: the government, the judiciary, and the community itself. The journey towards true social justice never ends and requires an untiring commitment from all stakeholders—the government, the judiciary, and the community—to work together towards an equitable future.

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