

## **Grants under Article 275(1) of the Constitution of India**

Grants under Article 275(1) of the Constitution of India provides such sums as Parliament may by law provide shall be charged on the consolidated Fund of India in each year as grants-in-aid of the revenues of such States as Parliament may determine to be in need of assistance, and different sums may be fixed for different States:

Provided that there shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of a State such capital and recurring sums as may be necessary to enable that State to meet the costs of such schemes of development as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare of Scheduled Tribes in that State or raising the level of administration of the Scheduled Areas therein to that of the administration of the rest of the areas of that State”.

Funding Pattern:

This is a Central Sector Scheme and 100% grants are provided to the States.

Coverage:

The scheme covers States namely Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand and West Bengal having Scheduled Tribe Population..

Features

The grants are provided to the States on the basis of ST population percentage in the State to the total tribal population of the Country.

The funds are released to the State Governments against specific projects for the welfare of Scheduled Tribes and strengthening of administration of tribal areas from the year 2000- 2001. A part of funds are also utilised to establish Eklavya Model residential Schools to provide quality education to ST students from class VI to XII

The Ministry of Tribal Affairs issued revised guidelines, in super session of the earlier circulars/ letters/ guidelines on the subject, under No.14011/ 9/ 2001-SG&C dated 2.7.2002 for adoption during 10th Five Year Plan. There was a minor modification in the guidelines in January, 2008.

#### Main Features of the Revised Guidelines dated 2.7.2002

The following are the main features of the revised guidelines issued by this Ministry on 2.7.2002.

Grant under Article 275(1) is additionally to Normal Central Assistance to the State Plan.

Adoption of the project approach and prior approval of the Ministry is necessary.

The projects under the first proviso to Article 275(1) are part of the overall TSP and the Annual State Plans.

Micro-plans for each ITDA/ MADA are to be prepared through multi-disciplinary teams.

Thrust areas are to be identified so that resources are better targeted rather than spreading too thin.

Provision for utilization of 2% of the funds for project management has been made.

Provision of expenditure up to 10% of the funds for maintenance and infrastructure with prior approval of the Ministry has also been made.

Proportionate, at least 30% coverage of women is necessary.

TSP Component of the Annual State Plan is to be put in a separate budget head under the administrative control of their respective Tribal Development Department.

Earmarking of 10% of funds out of the overall allocation under the first proviso to Article 275(1) for innovative projects has been provided which will be sanctioned amongst only those States who provide TSP in the State Plan in proportion to the ST population of the State in a single budget head and then have spent at least 75% in previous three years on an average

#### Proposed Activities

States can take up activities for strengthening the infrastructure in the sectors critical to enhancement of human development indices such as education, income generation, health irrigation, roads, bridges, forests, forests villages, electrification, communication, rural marketing, agriculture, animal husbandry, food processing, processing of MFPs, human resource development in technical and vocational spheres, water harvesting, resettlement of displaced persons, tribal land management, sports promotion. Generation of community welfare assets like residential schools, Maintenance of schools, Providing skilled teaching including in tribal language, Nutritional support to needy: children, mothers and elderly people, Community Grain Storage, Assured Drinking Water, and Other activities meant for welfare of Tribal population different from conventional development etc.

#### Provision under Article 275 of the Constitution of India

275. Grants from the Union to certain States. – (1) Such sums as Parliament may by

law provide shall be charged on the Consolidated Fund of India in each year as grants-in-aid of the revenues of such States as Parliament may determine to be in need of assistance, and different sums may be fixed for different states:

Provided that there shall be paid out of the consolidated fund of India as grants-in-aid of the revenues of a state such capital and recurring sums as may be necessary to enable that state to meet the costs of such schemes of development as may be undertaken by the State with the approval of the government of India for the purpose of promoting the welfare of the scheduled tribes in that state or raising the level of scheduled tribes in that state or raising the level of administration of the scheduled areas therein to that of the administration of the rest of the areas of that state:

Provided further that there shall be paid out of the consolidated fund of India as grants-in-aid of the revenues of the state of Assam sums, capital and recurring, equivalent to –

the average excess of expenditure over the revenues during the two years immediately preceding the commencement of this constitution in respect of the administration of the tribal areas specified in Part I of the table appended to paragraph 20 of the sixth schedule and

The costs of such schemes of development as may be undertaken by that state with the approval of the Government of India for the Purpose of raising the level of administration of the said areas to that of the administration of the rest of the areas of that state.

[(1A) on and from the formation of the autonomous state under article 244A, -

(i) Any sums payable under clause (a) of the second provision to clause (1) shall, if the autonomous state comprises all the tribal areas referred to therein, be paid to the autonomous State, and, if the autonomous State comprises only some of those tribal areas, be apportioned between the state of Assam and the autonomous state as the President may, by order, specify.

(ii) There shall be paid out of the consolidated fund of India a grants-in-aid of the revenues of the autonomous state sums, capital and recurring equivalent to the costs of such schemes of development as may be undertaken by the autonomous state with the approval of the Government of India for the purpose of raising the level of administration of the rest of the state of Assam.]

(2) Until provision is made by Parliament under clause (1), the powers conferred on Parliament under the clause shall be exercisable by the President by order and any order made by the President under this clause shall have effect subject to any provision so made by Parliament:

Provided that after Finance commission has been constituted no order shall be made under this clause by the president except after considering the recommendations of the Finance Commission.