

Criminalised by Law, Forgotten by Welfare: De-Notified Tribes in Odisha

In 1871, the British colonial government passed the Criminal Tribes Act — legislation that designated entire communities as "criminal tribes," meaning that every member of these communities, by birth, was presumed to be a criminal. The designated communities were required to regi...

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The Act was repealed in 1952, five years after independence. The communities it had designated were "de-notified" — removed from the list of criminal tribes. In official language, they became the "De-Notified Tribes" (DNTs).

The repeal changed their legal status. It did not change the social memory, the community-level stigma, or the institutional suspicion that had been baked into local police, district administration, and community relations across the country over eighty years of colonial enforcement. The police habit of treating DNT communities as suspected criminals persisted long after the law changed. The social habit of communities excluding DNT families from normal village life persisted. The economic marginalization — the exclusion from settled land, from regular employment, from formal institutions — accumulated over generations.

In 2024, the Renke Commission's analysis (the first National Commission for De-Notified, Nomadic and Semi-Nomadic Tribes, which reported in 2008) remains the most cited data point: an estimated 10 crore people across approximately 1,200 communities in India belong to the NTDNT (Nomadic Tribes and De-Notified Tribes) grouping. The Idate Commission (2017) identified these communities in detail: 1,200 communities were already classified within SC, ST, or OBC lists; 269 communities remained unclassified — outside any reservation or welfare category.

Critically: 50 percent of NTDNTs across India lacked any kind of identity documents. 98 percent were landless.

DNTs in Odisha: Who Are They?

Odisha's DNT population is not as large or as well-documented as in states like Maharashtra,

Rajasthan, or Gujarat, but it is real and it is substantially invisible to the welfare system. Several communities in Odisha that were historically notified under the Criminal Tribes Act — and subsequently de-notified — continue to face the legacy of that designation.

The specific challenge in the Odisha context is categorisation. Some communities that were once designated criminal tribes are now listed as Scheduled Castes, some as Scheduled Tribes (including some PVTGs), and some remain in OBC lists. The legal rights and welfare entitlements available to them therefore vary depending on which category they fall under — and some communities exist in a classification gap, where their status in one district or state differs from their status in neighbouring areas.

A 2024 Parliament bill — the Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Bill, 2024 — specifically addressed discrepancies in Odisha's SC and ST lists, adding PVTGs Pauri Bhuyan, Chuktia Bhunjia, and the Bondo community to the Scheduled Tribes list. This kind of amendment addresses some categorisation gaps for PVTG communities; communities that fall under the DNT/NT umbrella but not PVTG status remain in the grey zone.

The social profile of DNT communities in Odisha overlaps significantly with other marginalised populations but has distinctive features:

Nomadic or semi-nomadic occupational history. Many DNT communities have historical livelihoods based on movement — itinerant traders, performers, snake charmers, entertainers, semi-nomadic herders. In contemporary Odisha, these livelihoods are partially or entirely lost (snake charming was banned under the Wildlife Protection Act 1972; itinerant performance has been largely displaced by electronic entertainment). Communities that depended on these livelihoods have been pushed into casual labour, begging, or small-scale informal trade without the land or property base that settled communities use as economic anchor.

Absence of land and permanent structures. Ninety-eight percent landlessness is not just a poverty statistic. It is a structural condition that means these families cannot access PMAY housing (which requires documented land), cannot use agricultural schemes (which require land records), and are often settled in encroachments or temporary structures that local authorities can demolish without legal consequence.

Documentation deficit. Without permanent address, without land records, without ancestral property documents, many DNT families find it extremely difficult to obtain the foundational documents — ration card, voter ID, Aadhaar with current address — that are required as preconditions for virtually every welfare scheme. Only seven states in India issue community-specific DNT certificates; Odisha is not consistently among them, creating an additional access barrier for communities that might qualify for DNT-specific schemes.

Police harassment as ongoing experience. The legal framework that branded these communities as criminal was repealed in 1952. The practice of local police treating DNT

members as default suspects — stopping them for questioning, detaining them without cause, and charging them under "Habitual Offenders" statutes (state-level laws that effectively replaced the Criminal Tribes Act in many states) — has continued in various forms. The 2025 calls by civil society organisations for repeal of remaining "Habitual Offender" laws are part of a long-running advocacy effort that is only partially resolved at the national level.

The SEED Scheme: The Primary National Response

The Scheme for Economic Empowerment of DNTs (SEED), launched by the Ministry of Social Justice and Empowerment on February 15, 2022, is the most significant national policy response to DNT exclusion since independence. With a budget of Rs 200 crore over five years (2021–26), SEED has four components:

1. Free coaching for competitive exams: Free coaching for students from DNT/NT communities for competitive exams for professional courses (engineering, medicine, MBA) and government jobs. This addresses the educational gap at the transition from schooling to higher education and professional careers.

2. Health insurance: Coverage of Rs 5 lakh per family per year through Ayushman Bharat PMJAY. As of November 2024, approximately 7,000 Ayushman cards had been distributed to DNT/NT families under SEED — a beginning, given that the community population runs into the crore range nationally.

3. Livelihood initiatives: Through NRLM/SRLM at the community level. This provides a pathway for DNT communities to access SHG formation, microfinance, and livelihood mission support — the same architecture that Mission Shakti uses in Odisha for rural women.

4. Housing assistance: Financial assistance for housing construction. As of November 2024, approximately 3,000 housing applications had received sanctions — again, a beginning relative to the 98 percent landlessness figure that the Renke Commission documented.

The implementation gaps are significant:

Registration barrier: An online portal for SEED registration has been launched, but many DNT/NT community members cannot navigate the digital system independently. Registration camps conducted by the Development and Welfare Board for DNTs (DWBDNC) have been held across India, but geographic coverage remains incomplete.

Community identification gaps: The SEED scheme requires individuals to identify themselves as belonging to a DNT community. In states where DNT community certificates are not issued, individuals must rely on SC/ST/OBC certificates that may or may not correctly reflect their DNT identity. The standardisation of community certificates — currently issued in only seven states

— is a prerequisite for scheme reach.

Budget relative to population: Rs 200 crore over five years for an estimated 10-crore-person population (at national level) is approximately Rs 2 per person per year. The budget is symbolic in intent and inadequate in scale.

The Development and Welfare Board for DNTs (DWBDNC)

The DWBDNC was constituted in 2019 under the Ministry of Social Justice and Empowerment to address the welfare concerns of DNT, NT, and SNT communities. It lacks statutory backing — it is a board, not a commission — and therefore cannot compel state governments or enforce policy. It can recommend, facilitate, and coordinate.

The DWBDNC has called for:

- Upgrading to a permanent statutory commission with enforcement powers (as originally recommended by the Idate Commission 2017)
- Dedicated budget allocations at central and state levels
- Standardised community certificates nationwide
- Modification of SEED scheme to include housing purchase assistance and NOC for families in kutcha homes for more than 20 years
- Educational benefits for DNT students at par with SC/ST students

None of these recommendations has been fully implemented. The National Commission for DNTs, reconstituted for a three-year term in 2024, has renewed these advocacy positions.

Habitual Offenders Legislation: The Unfinished Legal Reform

When the Criminal Tribes Act was repealed in 1952, several states replaced it with "Habitual Offenders" legislation — laws that effectively preserved the power to register, surveil, and detain individuals deemed to be "habitual offenders," with these populations defined in ways that mapped onto former Criminal Tribes communities.

Odisha has had its own Habitual Offenders legislation. Legal reform advocates, including ActionAid India, Human Rights Watch, and state civil society organisations, have consistently called for the repeal of these laws — arguing that they perpetuate the stigmatisation and criminalisation of DNT communities under different statutory language.

The legal complexity is real: "habitual offender" provisions exist within multiple pieces of state

legislation, not just standalone acts, making comprehensive repeal a detailed legislative exercise. Progress has been slow. The practical consequence for DNT families in Odisha is that encounters with local police continue to carry risk disproportionate to any actual behaviour.

What NGOs Can Do: The Three Most Important Interventions

1. Documentation camps — the foundation of everything. For DNT families without foundational documents, a structured documentation camp that brings together a CSC operator (for Aadhaar, ration card), a revenue official (for domicile certificate), and a legal aid volunteer (to assist with community certificate applications) creates the documentary base from which every other welfare entitlement flows. This is the single highest-impact, lowest-cost intervention in the DNT space. It is also unglamorous and produces no photographs that translate easily to impact reports, which is why it is chronically underfunded.

2. SEED registration facilitation. The SEED portal is operational. An NGO with a trained worker who understands the registration process can facilitate community-level registration camps, assisting families with the SEED application that entitles them to Ayushman card, coaching access, and housing assistance. The gap between SEED's national rollout and actual beneficiary reach in Odisha is large; an NGO can be the bridge.

3. Advocacy for Habitual Offenders law reform and police sensitisation. This is slower-cycle work and requires partnership with legal organisations (DLSA, NALSA, law schools, human rights organisations). But for NGOs willing to engage at the advocacy level, the case for reform is both constitutionally clear and practically urgent.

For CSR Managers: The Case for Investing Where No One Else Is

DNT communities in Odisha represent the clearest case of a population that is deeply excluded, has significant unmet welfare entitlements, and is almost entirely absent from CSR programme portfolios. The reasons for their absence from CSR are the same reasons they are absent from welfare systems — they are hard to find, hard to count, and produce no clean enrollment metrics.

For CSR programmes with a genuine commitment to last-mile, hardest-to-reach populations — rather than programmes that fund existing schemes where the infrastructure already exists — DNT communities are the right investment. The metrics are entirely processual (community certificates issued, SEED registrations completed, Ayushman cards activated, housing

applications submitted) but they are verifiable, durable, and represent genuine change in access to the state.

Schemes at a Glance

Scheme	Relevance	Nodal Department
SEED Scheme	Coaching, Ayushman health insurance, livelihood, housing	Social Justice & Empowerment
DWBDNC Registration	Access to SEED and community identification	Social Justice & Empowerment
Ayushman Bharat PMJAY	Rs 5 lakh health cover (via SEED for DNTs)	Health & Family Welfare
NRLM / Mission Shakti	SHG formation, microfinance, livelihood	Rural Development
PMAY Gramin	Housing for landless/kutchha households (where land documented)	Rural Development
NALSA Legal Services	Free legal aid through DLSA	Justice / NALSA
E-Shram	Unorganised worker ID, accident insurance	Ministry of Labour
MGNREGS	Employment guarantee for settled DNT families	Panchayati Raj
Post-Matric Scholarship (SC/ST/OBC)	Education support (category-dependent)	Social Justice / Tribal Affairs

The Long Shadow of 1871

One hundred and fifty-three years after a colonial government decided that certain communities were criminals by birth, the communities that bore that designation are still navigating the consequences. Their children still face institutional suspicion. Their families still lack the land that would anchor them to welfare systems. Their identity documents — when they have them — may or may not correctly reflect the community classification that would entitle them to protection.

This is not a story of individual failure. It is a story of structural accumulation — of disadvantage layered on disadvantage over multiple generations, in a policy environment that has been slow to recognise the specific nature and depth of what was done.

The SEED scheme is a recognition that something is owed. The DWBDNC is an institutional acknowledgment that a gap exists. Neither is sufficient. What is needed is sustained NGO presence in DNT communities in Odisha — the kind of document-by-document, family-by-family work that converts legal entitlements into actual access. That work is unglamorous and invisible until it isn't. Until a family gets its ration card, its Ayushman card, its SEED-linked housing sanction, its child's scholarship. Then it becomes the difference between a family that is in the welfare system and a family that was never quite real enough for the system to see.

Sources: ActionAid India — “A Nomadic Tribes and De-Notified Tribes Agenda for Just Futures ” (2024); IMPRI India — SEED Scheme analysis (updated November 2024); PWOnlyIAS — Welfare Board for Nomadic and Denotified Tribes; Next IAS — Development and Welfare of DNTs (January 2025); CDPP — “Empowering Denotified and Nomadic Communities ” (2024); Drishti IAS — Bills to include PVTGs in Odisha ST list (2024); Renke Commission Report (2008); Idate Commission Report (2017).

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