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A Critical Analysis of Scheduled Castes in India

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ABSTRACT

This study attempts to chart the development of the status of India's scheduled castes from ancient times to the present day. Traditional caste hierarchy and the functionalism that goes with it are consistently maintained in modern Indian society. However, untouchability has largely been eradicated from Indian society, although horrific cases of caste discrimination still occur. However in India caste systems are persistent because of the country's political, economic, and social welfare systems' integration with them. This article has made an attempt to assess the different human development factors like literacy and socio economic status of the Scheduled Caste population in India. For this purpose, secondary data have been collected. The population- and literacy-related information has been obtained from the Census 2011 Report.

Keywords: untouchability, scheduled caste, Indian society, literacy, status, population, discrimination.

I. INTRODUCTION

(A) What is Scheduled Castes?

The word 'Caste' comes from the Portuguese word, 'casta', signifying 'breed, race, or kind'. The Portuguese of the eleventh century applied the term erratically to the diverse social and occupational groups found in the subcontinent and it has since continued. the term is used to describe in the broadest sense, the total system of stratification of society in India it is used to denote three or four more or less distinct aspects of this system of stratification, that is varna, jati and gotra.

The term 'scheduled castes' was coined by the Simon commission (1927). the expressions, 'depressed class,' 'exterior caste' and 'untouchables' were commonly used for the scheduled castes during the colonial period. Ganhiji called them 'harijans' the better-known scheduled castes include chamar and Bhangi, (UP, BIHAR, PUNJAB), adi Karnataka,madiga.harijan (Karnataka) mala and madiga (Andhra).

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(B) Scheduled Castes under Indian Constitution

"Scheduled Castes' is a **constitutional and not a sociological concept**. Scheduled Castes are the ex-untouchables, who continue to follow the Hindu faith. The term, "Scheduled Castes" was **first incorporated** into the Government of India **Act of 1935.** Scheduled Castes are those castes named in the Scheduled Castes order of the Government of India promulgated in **August 1950**. Hence, a person is considered to be a member of a Scheduled Caste, if he or she belongs to a caste which under the constitution has been declared to be **a Scheduled Caste for the area for which he or she is a resident. A caste can be specified as a Scheduled Caste only by the President of India once specified any inclusion or exclusion to the list can be made only through an act of the parliament**.

• Constitutional definition of SC:

The "Scheduled Castes" and "Scheduled Tribes" have been defined under clauses (24) and (25) of Article 366 of the Constitution of India."The Article 366 (24) of the Constitution of India defines Scheduled Castes as under: -"Scheduled Castes" means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes for the purpose of this Constitution. Under article 341. Scheduled Castes: - 1.The President may with respect to any State or Union Territory and where it is a State after consultation with the Governor thereof by

public notification specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union Territory, as the case may be. 2. Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or parts of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification."

(C) Objectives of the Study

This article critically sets the following objectives:

1. To study population and literacy status of Scheduled Castes in India;

2. To compare the effectiveness of different programmes for schedule caste and their impact on Scheduled Caste population.

3. socio-economic conditions of the scheduled caste in India.

II. DISCUSSION ABOUT SCHEDULE CASTES IN INDIA

The Scheduled Castes (SC) occupy the bottom level of the social ladder. They form the majority of the depressed classes. Scheduled Caste signifies those groups of people who were out of the caste system or varna hierarchy in the past. These castes have been discriminated against by the upper castes for ages and they never had any kind of social acceptance from the majority of the people who belonged to the upper caste. They are distributed throughout India. According to the 1941 Census Report, their population was about 48 million and it increased to 1,028,610,328 as per 2011 Census Report. This would constitute 16.6 per cent of the total population of India. They have very few assets and are generally dependent on agricultural labour, leather work and other lower-income occupations. like sweeping, scavenging and tanning among them good number of leather workers, weavers, fishermen, toddy-tappers, basket/rope makers, washermen, scavengers, artisans, fruit vegetable sellers, shoe makers, liquor manufacturers, drummers, carpenters, iron smiths and some others following petty occupations (About 71 per cent of Scheduled Caste farmers are agricultural labourers they work for wages on land they do not own. That figure is much lower among other groups 47 per cent for Scheduled Tribe farmers and 41 per cent for non-SC/ST farmers (Hindustan times, 2018). The few cultivators amongst Scheduled Castes are share-croppers or subsistence farmers. Others mostly pursue traditional occupations and are unable to avail themselves of the new employment opportunities. Most bonded labourers are Scheduled Castes. Their literacy level is only 66.1 per cent as compared to the all India level of 73 per cent. Female literacy among them is as low as 56.5 per cent against all-India female literacy level of 64.6 per cent (Census Report, 2011). In spite of their adverse conditions they contribute significantly to the sustenance and growth of the production system of the country.

III. SCHEDULED CASTE POPULATION

Table 1 shows the Scheduled Caste to total population in comparison with percentage. As per the 2011 Census, Scheduled Caste total population is 16.6. Out of total rural population, 18.5 per cent of SCs are living in rural areas and in case of total urban population 12.6 per cent of SCs are living in urban areas. Four states account for nearly half of the country's Scheduled Caste population, reveals the 2011Census. Uttar Pradesh stands first with 20.5 per cent of the total Scheduled Caste (SC) population followed by West Bengal with 10.7 per cent, Bihar with 8.2 per cent and Tamil Nadu with 7.2 per cent come third and fourth.

ABSOLUTE						PERCENTAGE	
	2001			2011		2011	
INDICAT OR	SC	OVERALL	SC 201,378,0	OVERALL 1,210,569,	16.2/1 00	16.6/1 00	
TOTAL	166,635,7 00	1,028,610, 328	86	573 833,463,44	17.9/1 00	18.5/1 00	
RURAL	133,010,8 78	742,302,53 7	62 47,527,52	8 377,106,12	11.7/1 00	12.6/1 00	
URBAN	33,624,82 2	286,307,79 1	4	5			
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Source: Primary census abstract for total population, Scheduled Caste 2011: Census Report (2011).

IV. LITERACY STATUS OF SCHEDULED CASTES

Across the country, literacy rates have risen significantly since the early 1990s. According to the 2011 census, the literacy rate for Scheduled Castes is shown in Table 2. The literacy rate has increased from 54.7 percent in 2001 to 66.1 percent in 2011, although it is still below the national literacy rate of 73.0 percent in 2011. Again, the literary rate of Scheduled Castes is higher in urban areas than in rural population as suggested in the table below. According to the 2011 census, the top five states for SC literacy are Daman and Diu (92.6 percent); Mizoram (92.4 percent); Tripura (89.4 percent); Dadra and Nagar Haveli (89.4 percent); and Kerala (88.7 percent). The bottom five states for SC literacy are Bihar (48.5 percent); Jharkhand (55.9 percent); Rajasthan (59.7 percent); Uttar Pradesh (60.9 percent); and Andhra Pradesh (62.3 percent).

	Effective Literacy Rate				
	2001		2011		
	SCs	Overall Population	SCs	Overall Population	
Total	54.7	64.8	66.1	73.0	
Rural	51.2	58.7	62.8	67.8	
Urban	68.1	79.9	76.2	84.1	

Table 2: Literacy Rates of Scheduled Castes (2011 Census).

V. SOCIO ECONOMIC STATUS OF THE SCHEDULED CASTES

Primary and secondary data were used to examine the socio economic status of scheduled castes in Udhampur district of Jammu and Kashmir. The first four villages with the highest concentration of scheduled caste were selected using census data from 2011. Four villages, including Lehair, Panjar, Ladda, and Sownather, each had about 40, 30, 20, and 10 respondents. As a result, to gather primary data, a random sample of 100 households was used.

Particulars	Numbers	Percentage	
Agriculture	40	40	
Daily wage	51	51	
Government Job	5	5	
Private Job	1	1	
Self employed	3	3	
Total	100	100	

Table 3: Scheduled Caste Households by Primary Occupation (Survey data)

Table 4. Annual income level of scheduled caste households in the study area

Particulars	Numbers	Percentage	
Less than 50,000	43	43	
50,001- 1,00,000	42	42	
1,00,001- 150,000	8	8	
1,50,001- 2,00,000	2 2		
2,00,001- 3,00,000	3	3	
Above 3,00,000	2	2	
Total	100	100	

Source- Field Survey

VI. PROBLEM AND DISCRIMINATION FACED BY SC IN INDIA

1. Lowest Status in the Hierarchy:

In the Caste hierarchy the Scheduled Castes are ascribed the lowest status. They are considered to be **'unholy', 'inferior' and 'low'** and are looked down upon by the other castes. They have been suffering from the stigma of 'untouchability'. Their very touch is considered to be polluting for the higher caste people.

2. Education Discrimination:

These SC were forbidden from taking up to education during the early days. Sanskrit education was denied for them. Public schools and other educational institutions were closed for them. Even today majority of them are illiterate and ignorant.

3. Civic Discrimination:

Prevention from the use of Public Places. For a long time the untouchable castes were not allowed to use public places and avail of civic facilities such as—village wells, ponds, temples, hostels, hotels, schools, hospitals, lecture, halls, dharamashalas, choultries, etc.

4. Religious Discrimination:

These SC/STs also suffer from religious disabilities even today. They are not allowed to enter temples in many places. The Brahmins who offer their priestly services to some lower castes, are not prepared to manage in the ceremonies of the 'untouchable' castes. They do not even bow down to the duties of these 'untouchable' castes.

5. Economic Discrimination:

These were economically backward and have been suffering from various economic disabilities Like:

a) No Right of Property Ownership:

For centuries these were not allowed to have land and business of their own. It is only recently their ownership to the property has become recognized.

b) Selection of Occupations Limited:

The Caste system imposes restrictions on the occupational choice of the members. The occupational choice was very much limited for the Sc/Sts. They were not allowed to take up to occupations which were reserved for the upper caste people.

c) Landless Labourers:

Majority of the these Communities were today forking as landless labourers. More than 90.1 of the agricultural labourers in India belong to the depressed classes which include the Scheduled Castes and Scheduled Tribes. More than 77.1% of the Sc/Sts were workers in rural areas are agricultural labourers.

6. Political Discrimination:

The untouchables hardly participated in the political matters. They were not given any place in the politics, administration and the general governance of India they were not allowed to hold any public post.

VII. CONSTITUTIONAL SAFEGUARD FOR SCHEDULE CASTES IN INDIA

- Article 13: Prohibit discrimination against any citizen on grounds of race, religion, caste etc but special provisions made by the state for the advancement of socially or educationally backward classes i.e. the scheduled castes and scheduled tribes.
- Article 16: of the Indian constitution confer on citizens' equal right in matters of employment under the state.But the state is fully within its rights to make special provisions for the employment of persons belonging to scheduled castes and scheduled tribes.
- Article 29: guarantee that all citizens have equal rights of admission in state or, stateaided educational institutions. But this does not prevent the state from making special provisions for the admissions of students belonging to the backward classes, i.e. the scheduled castes and scheduled tribes.
- Article 335: provides that consistent with the efficiency of the services, members of the scheduled castes and scheduled tribes shall be appointed in the services of the union and the state governments. Indeed seats are often kept reserved for such candidates.
- Article 338: The President is empowered to appoint a special officer to keep vigil over the interests of the scheduled castes and scheduled tribes.
- Article 46: of the Constitution states: "The State shall promote, with special care, the education and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of social exploitation". Articles 330, 332, 335, 338 to 342 and the entire Fifth and Sixth Schedules of the Constitution deal with special provisions for

implementation of the objectives set forth in Article 46.

• Article 17: of the Indian constitution prohibit and abolish untouchability in india.

VIII. GOVERNMENT SCHEMES FOR SCHEDULE CASTE

(A) Some Act for SC in India

The Protection of Civil Rights Act, 1955 - The Act provides punishment for the practice of untouchability. It is implemented by the respective State Governments and the Union Territory Administrations.

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 - Assistance is provided to the States/UTs for the implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Financial assistance is provided to the States/UTs for the implementation of these Acts. Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No. 1 of 2016) was notified in the Gazette of India (Extraordinary) on 01.01.2016. The Amended Act came into force w.e.f 26.01.2016.

The 'Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013' (*MS Act, 2013*) - This Act was passed by the Parliament in September, 2013 and has come into force from 6 December, 2013. This Act intends to end the practice of manual scavenging from the country.

(B) Educational Development Programmes

Pre Matric Scholarships - to support the parents of SC children for educating their wards, to minimize the incidence of drop outs.

Post Matric Scholarship for Scheduled Caste Students (PMS-SC) -single largest intervention by the Government of India for the educational empowerment of the scheduled caste students studying after matric.

Top Class Education for Scheduled Caste Students - to promote quality education by providing full financial support for pursuing studies beyond the 12th class, in notified institutes of excellence like IITs, NITs, IIMs, reputed Medical/Law and other institutions.

Free Coaching for SC and OBC Students - to provide coaching of good quality for the economically disadvantaged candidates to enable them to appear in the competitive examinations.

Upgradation of Merit of SC Students - The objective of the Scheme is to upgrade the merit of the Scheduled Caste students studying in Class IX to XII by providing them with facilities for

education in the residential /non-residential schools.

(C) Economic Development

Major schemes providing credit facilities for generating employment to SCs are as follows:

National Scheduled Castes Finance and Development Corporation (NSFDC) - Set up under the Ministry of Social Justice and Empowerment, the purpose of the Corporation is to finance income generating activities of the Scheduled Caste beneficiaries living below the poverty line.

National Safai Karamcharis Finance and Development Corporation (NSKFDC) - It is another corporation under the Ministry which provides credit facilities to the beneficiaries amongst the Safai Karamcharis, manual scavengers and their dependants for income generating activities for socio-economic development through the State Channelizing Agencies

Special Central Assistance (SCA) to Scheduled Castes Sub-Plan (SCSP) - It is a policy initiative for the development of Scheduled Castes in which 100 % assistance is given as an additive to the SCSPs of the States/UTs on the basis of certain criteria such as the SC population of the States/UTs, relative backwardness of States/UTs, percentage of SC families in the States/UTs covered by the composite economic development programmes in the State Plan to enable them to cross the poverty line, etc.

Scheme of Assistance to Scheduled Castes Development Corporations (SCDCs) - Share Capital contribution is released to the State Scheduled Castes Development Corporations (SCDCs) under a Centrally Sponsored Scheme in the ratio of 49:51 between the Central Government and the State Governments for the benefit of the SC families.

(D) Other Schemes for development

Some other schemes which aims at the development of the Scheduled Castes are as follows:

Pradhan Mantri Adarsh Gram Yojana (PMAGY) - The Centrally Sponsored Pilot Scheme "Pradhan Mantri Adarsh Gram Yojana" (PMAGY) is being implemented for the integrated development of the Scheduled Castes (SC) majority villages having more than fifty percent SC Population concentration.

Babu Jagjivan Ram Chhatrawas Yojna - The primary objective of the Scheme is to attract the implementing agencies for undertaking hostel construction programme with a view to provide hostel facilities to the SC boys and girls studying in middle schools, higher secondary schools, colleges and universities.

Dr. Ambedkar Foundation - The primary object of setting up of the Foundation is to promote Dr. Ambedkar ideology and philosophy and also to administer some of the schemes which

emanated from the Centenary Celebration Committee"s recommendations.

Babu Jagjivan Ram National Foundation - The Babu Jagjivan Ram National Foundation was established by the Government of India as an autonomous organization under the Ministry of Social Justice & Empowerment. The main aim of the Foundation is to propagate the ideals of late Babu Jagjivan Ram, on social reforms as well as his ideology, philosophy of life, mission and vision to create a casteless and classless society.

IX. CONCLUSION

The Schedule Castes in India represent the most backward and deprived section in society. This article has discussed how the SCs cover behind in terms of a variety of human development indicators of literacy, and socio-economic status provided to them. They are at the bottom of society indicators, such as health and education, and they are exploited economically, socially and psychologically in every sphere. The government of India, knowing this, has adopted various positive actions and constitutional safeguards for their uplift. The various policies and actions adopted have seen positive results in various spheres and have led to the improvement of the conditions of this deprived group. But, the various provisions sometimes become a saga such that they face difficulty in accessing these provisions due to ignorance and sometimes due to social boundaries such as caste or race. However, in order for significant progress to be made in increasing the human development status of Scheduled Castes, development organizations must keep on exploring varying levels of incentives and following national social equality in India.

X. REFERENCES

- Singh, H. (2014), " A Study on SocioEconomic Status of Scheduled Caste People of Kangra", Asian Journal of Multidisciplinary Studies, Vol. 2, Issue 12, pp 118-132
- Census 2011, Govt. of India
- Singh, D. (2009), "Development of Scheduled Castes in India- A Review, Journal of Rural Development", Vol. 28, Issue 4, pp 529-542
- Borooah, V. K. (2005). Caste, inequality, and poverty in India. Review of Development Economics, 9(3),399–414.
- Ministry of Social Justice and Empowerment, Government of India (http://socialjustice.nic.in/UserView/index?mid=19536)
- Annual Report (2017-18), Ministry of Social Justice and Empowerment (http://socialjustice.nic.in/writereaddata/UploadFile/SJAR_2017_2018_ENG.pdf)
- PIB Release on Ministry of Social Justice and Empowerment (http://pib.nic.in/newsite/PrintRelease.aspx?relid=175343)
- http://www.jetir.org/papers/JETIR1805348.pdf
- www.jetir.org/papers/JETIR1805245.pdf
