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## **VARIOUS DISABILITIES AND CONSTITUTIONAL PROVISIONS FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN INDIA**

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### **Abstract:**

In India, the Scheduled castes, and Scheduled Tribes (STs) are the most disadvantaged groups in the Indian Society. They constitute 16.63 percent and 8.6 per cent out of the total population of the country as per the 2011 Census. Advancement of SC and STs in India may be a protected commitment. Laws have been sanctioned with respect to the security, defend and advancement of STs and these have been put into hone. Right from the freedom, huge number of programs has been embraced by the Government of India for the improvement of SCs and STs to guarantee superior quality of life for them and uncommon arrangements are made for assurance of Scheduled Tribes from misuse for their improvement. Thousands of millions of rupees have been spent for developing these people ever since Five-Year Plans. Special programs are formulated and the central government extends adequate resources for developmental programmes in the tribal habitations. Despite the various efforts made by the central government, the results show that the quality and quantum of development achieved is far from being satisfactory. STs are still facing the problems of hunger, malnutrition, poverty, illiteracy, ill health and deprivation from natural resources. Though the Government of India provides special attention for the development of these sections, still a majority of the people in these categories are excluded from the development programmes. The present study is an attempt to analysis the social change among scheduled castes and scheduled tribes due to various schemes and efforts taken by governments for the welfare of these deprived sections of the society.

**Key Words:** SC, ST, social change, Constitutional Provisions, literacy.



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## **Introduction:**

Besides the four traditional castes there was another group of persons even during the early days of Chaturvarnya, who came to be described as untouchables because they were of darker skin and were engaged in unclean occupations. As the lowest strata in the society, the untouchables formed the fifth Varna Panchamas/ Chandals or the 5th caste. They were assigned a position very much lower than that of the Sudras. Their hereditary occupations were street sweeping, scavenging, weaving, tanning, flaying and the like. They were expected to do all the dirty jobs in society, which others were restrained from doing. The Scheduled Tribes can also be generally ascertained by the fact that they live apart in hills and even where they live in plains, they lead a separate and excluded existence, and are not fully assimilated in the main body of the people. The Scheduled Tribes may belong to any religion. They are listed as Scheduled Tribes because of the kind of life led by them. The Advisory Committee on the Revision of the lists of Scheduled Castes and Scheduled Tribes, popularly known as the 'Lokur Committee' has taken primitive traits, distinctive culture, geographical isolation, shyness of contact with the society at large and backwardness as the important criteria for testing the eligibility of a tribe as Scheduled Tribe.

## **Objectives of the Study:**

- To analyze the various disabilities of SCs and STs.
- To Know the different rights of SCs and STs.
- To know the Initiatives taken by the Government for welfare of SCs and STs.

## **Review of literature:**

Several writers have worked on scheduled caste and scheduled tribes. Pradip Kumar Singh (2004) found that even though many schemes have been conceived and implemented for over five decades by the governments most of them have failed. In most cases, the tribal life worsened. He argued that the existence of a scheme does not ensure its utility to all.



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Avinash Kumar Singh (2008) opined that the tribal people are those groups that remained isolated from the mainstream culture for a long time and have a well-developed knowledge system based on their livelihood and culture. Anupam Hazra (2010) concluded that more than half of the tribal population is found to be living below the poverty line and they constitute a larger proportion of agricultural labourers, casual labourers, plantation labourers and industrial labourers.

Gadadhara Mohapatra and Kiran Sharma (2013) argued that inclusive paradigm of growth is highly essential to promote development of weaker sections of the society and there is necessity of a better governance and deeper involvement of the local people in the development programs. Snehalata Panda (2015) found that Five Year Plans since independence have a major health component for tribes with huge fund allocated for human resource and infrastructure development. Trivedi & Vyas (2018) analyzed the factors responsible for migration and explained that younger people migrate from TSP Area in search of better opportunity of job and education, family reasons and living conditions.

Rana & Verma (2017) found that tribal youth lack guidance, educational qualification & opportunities to develop themselves. The condition of tribal youth is vulnerable. The researcher found that the rate of unemployment is more among ST and OBC. Meena (2017) evaluated various welfare schemes and programmes implemented for tribal development such as establishment of tribal research institutes, vocational training centres, tribal co-operative marketing federation on India and Rajiv Gandhi National Fellowship schemes for PhD scholars etc. With the implementation of these schemes the literacy rate, lifestyle of tribals has improved. Charan & Sharma (2016) concluded that the Meena community is the oldest tribe in the world which resides in Rajasthan particularly in Dholpur, Karauli, Dausa, Jaipur, Ajmer and Sawai Madhopur districts etc. Meena tribe is hard working but they are still lagging behind in the race of economic development due to illiteracy, ignorance and many more reasons. Various schemes related to education; health & job have been started by Indian government for uplifting the status of Meena tribe.



The SC and STs together constituted 23.6 per cent of the total population as per 1981 census and 25.2 per cent as per 2011 census. The share of SC population was 15.8 per cent in 1981 which was increased to 16.6 per cent in 2011. Proportion of the ST population, which has 7.8 per cent in 1981 increased to 8.6 per cent in 2011. The population of SC and STs increased during the various Census periods (Table 1).

**Table 1: Proportion of SC and ST Population**

Year	SC	ST	Total
1981	15.8	7.8	23.6
1991	16.5	8.1	24.6
2001	16.2	8.2	24.4
2011	16.6	8.6	25.2

Source: Census of India, 2011.

**Table 2: SC and ST Population, 2011**

States	SC Population	SC (%)	ST Population	ST (%)
Andhra Pradesh	13,878,078	16.41	5,920,654	7.00
Arunachal Pradesh	0	0	951,865	68.79
Assam	2,231,321	7.15	3,885,094	12.45
Bihar	16,567,325	15.91	1,332,472	1.28
Chhattisgarh	3,274,269	12.82	7,821,939	30.62
Goa	25,449	1.74	148,917	10.21
Gujarat	4,074,447	6.74	8,914,854	14.75



Haryana	5,113,615	20.17	0	0
Himachal Pradesh	1,729,252	25.19	391,968	5.71
Jammu & Kashmir	924,991	7.38	1,492,414	11.90
Jharkhand	3,985,644	12.08	8,646,189	26.21
Karnataka	10,474,992	17.15	4,246,123	6.95
Kerala	3,039,573	9.10	484,387	1.45
Madhya Pradesh	11,342,320	15.62	15,316,994	21.09
Maharashtra	13,275,898	11.81	10,507,000	9.35
Manipur	97,042	3.78	903,235	35.14
Meghalaya	17,355	0.58	2,555,974	86.15
Mizoram	1,218	0.11	1,036,201	94.44
Nagaland	0	0	1,710,612	86.46
Odissa	7,190,184	17.13	9,591,108	22.85
Punjab	8,860,179	31.94	0	0
Rajasthan	12,221,593	17.83	9,240,329	13.48
Sikkim	28,275	4.63	205,886	33.72
Tamilnadu	14,438,445	20.01	793,617	1.10
Tripura	654,918	17.83	1,166,836	31.76
Uttar Pradesh	41,357,608	20.70	1,138,930	0.57
Uttarakhand	1,892,516	18.76	292,502	2.90



West Bengal	21,463,270	32.51	5,294,014	5.80
<b>India</b>	<b>201,378,086</b>	<b>16.63</b>	<b>104,254,613</b>	<b>8.61</b>

Source: Census of India, 2011

Majority of STs is in Madhya Pradesh (14.7%), Maharashtra (10.1%), Odisha (9.2%), Rajasthan (8.9%), Gujarat (8.6%) and Jharkhand (8.3%). There is no ST population in 2 states i.e. Punjab & Haryana and 3 Union Territories i.e. Chandigarh, NCT of Delhi & Puducherry because the area is not notified as Scheduled Area. States with least ST population are Goa (0.1%), Sikkim (0.2%), Himachal Pradesh (0.4%) and Kerala (0.5%) & Union Territories are A & N Island (0.03%), Daman & Diu (0.01%), Lakshadweep (0.1%) and D & N Haveli (0.2%). In terms of spatial distribution of scheduled caste population, Punjab has the highest percentage of SC population(31.9%) followed by Himachal Pradesh(25.2%0, West Bengal (23.5%0 and Uttar Pradesh(23.2%).On the other hand, Goa, Manipur, Meghalaya, Mizoram, Dadra and Nagar Haveli, Daman and Diu have less than 5 % SC population. Union territories such as Andaman and Nicobar, Lakshadweep and the state of Nagaland have no SC population.

The Scheduled Castes and Tribes suffered for centuries from a number of social disabilities among which the following may be noted.

- 1) Lowest Status in the Society: In the Caste hierarchy the Scheduled Castes are ascribed the lowest status. They are 'unholy,' 'inferior' and 'low' and are looked down upon by the other castes. They have been suffering from the stigma of 'untouchability.' Hence, they have been treated as the servants of the other caste people. The Scheduled Castes have always served the other castes, but the attitude of other castes is of total indifference and contempt.
- 2) Education Disabilities: These SC/STs 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 Disabilities:** 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, dharmshalas etc. They were forced to live on the outskirts of the towns and villages during the early days. In South India, restrictions were imposed on the mode of construction of their houses, types of dresses and patterns of their ornamentation.
- 4) **Religious Disabilities:** These SC/STs also suffer from religious disabilities even today as they are not allowed to enter temples in many places. The Vedic mantras which are purer could not be listened to and chanted by the Harijans because of the taboos. They were only permitted to make use of the upanishadic mantras which are less pure. Burial grounds were also denied for them in many places.
- 5) **Economic Disabilities:** These are economically backward and have been suffering from various economic disabilities also.
  - a. **No Right of Property Ownership:** For centuries these were not allowed to have own land and business. It is only recently their ownership to the property has become recognized. The propertied people are comparatively less in them. Majority of them depend upon agriculture but only a few of them own land.
  - b. **Selection of Occupations Limited:** 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. They were forced to stick on to the traditional inferior occupations such as curing hides, removing the human wastes, sweeping, scavenging, oil grinding, tanning, shoemaking, leather works, carrying the dead animals, etc. These occupations were regarded as degraded and inferior.
  - c. **Landless Labourers:** Majority of 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. A large number of SC/ Sts families are in debts. The Harijans/ Tribals are economically exploited by the upper caste people. Even today they are the lowest paid workers.



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Some of them continue to suffer as bonded labourers at the hands of the higher caste people.

- d. Political Disabilities: The untouchables hardly participated in the political matters. They were not given any place in the politics, administration, and the general governance of India, .Political rights and representation were denied for them. Under the British rule, they were given the right to vote for the first time. After independence equal political opportunities and rights have been provided for the Harijans/Tribles also.

### **Constitutional provisions for Scheduled castes and scheduled tribes and other weaker sections:**

In ancient India, many social reformers such as Raja Ram Mohan Roy, Kesav Chandra Sen, Sreeramakrishna, Swami Vivekananda, Vagbhadananda and Aagamananda and the social works of Thanthei Periyor, Sri Narayana Guru, and Ayyankali all had one common aim to purify Hinduism from the evils of caste and to raise the status of the lower caste communities. Moreover, Indian National Congress which crystallized the social thinking of the time officially took up the work of uplifting the depressed classes on a national scale.

The architects who drafted the Constitution were well aware that many groups in India lag far behind in terms of social, educational, and economic development. They need special attention in order to defend their interests and contribute to the growth of their society and economy. Scheduled castes and scheduled tribes constitute a sizable proportion of India's total population. It is an aspect of Indian culture that contributes to our civilization's cultural diversity. So, In constitution, many provisions have been made for development of these social groups

#### **A. Social safeguards:**

- Article 17- It related to the abolition of untouchability practiced in society,
- Article 23- This prohibits human trafficking and beggar and other similar form of forced labour.
- Article 25(2) (b)-It provides that Hindu religious institutions of a public character should be opened to all classes.





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### **B. Economic safeguards:**

- Article 46- The states shall promote the educational and economic interests of the scheduled castes and scheduled tribes and shall protect them from social injustice Educational and cultural safeguards,
- Article 15(4)-It empowers the state to make special provisions for the advancement of any socially or economically backward class,
- Article 335- It allows relaxation of in qualifying marks for admission in educational institutions or promotion for SC's or ST's.

### **C. Political safeguards:**

- Article 243 D- Reservation of seats for the scheduled castes and scheduled tribes in every panchayat,
- Article 243 T- Reservation of seats for the scheduled castes and scheduled tribes in every Municipality.
- Article 330- Reservation of seats for the scheduled castes and scheduled tribes in the house of the people.
- Article 332- Reservation of seats for the scheduled castes and scheduled tribes in the Legislative assemblies of the states.
- Article 334-Reservation of seats and the special representation to cease after sixty years

### **D. Service safeguards:**

- Article 16(4)-It allows the state to reserve vacancies in public services for any backward class of the state,
- Article 16 (4A) - This allows the state to implement reservation in the matter of promotion for SC and STs,
- Article 16(4B) - This allows the state to consider unfilled vacancies reserved for backward classes as a separate class

### **E. Other safeguards:**

- Article 164- Appoint special minister for tribal welfare in the states of Madhya Pradesh, Bihar and Odissa,
- Article 275- Allows special grants in aids to states for tribal welfare,



- Article 338/338A/339- Establishes a national commission of SC and STs. Article 339 allows the central government to direct states to implement and execute plans for the betterment of SC/STs,
- Article 340- It allows the President to appoint a commission to investigate the condition of socially and economically backward classes and table the report in parliament

### **Initiatives of the Government for welfare of SC and ST:**

1. Scheduled Tribes and other traditional forest Dwellers (Recognition of Forest Rights) Act, 2006- This act not only recognize the tribal rights to hold and live in these forest land but also grants several other rights to ensure their control over forest resources like right of ownership, access to collect, use and dispose of minor forest produce, community rights, habitat rights for primitive tribal groups.
2. Development of particularly Vulnerable Tribal groups-The Ministry of tribal affairs is implementing a scheme namely Development of PVTG's which covers the 75 identified PVTG's among scheduled tribes in 18 states/UT's .It gives funds for activities like housing, land distribution, agricultural development, animal husbandry, construction of link roads etc.
3. Education related programmes- The ministry of Tribal Affairs offers pre- matric and post metric scholarship for needy scheduled tribe students with a purpose to minimize the incidence of drop outs. Scholarships and reservations in education and government employment have created a new educated middle class among scheduled casted and scheduled tribes in post-independence India. The literacy rates among scheduled tribes has increased from 8.53 percent in 1961 to 58.96 percent in 2011 while in case of scheduled castes, it has increased from 10.27 percent in 1961 to 66.07 percent in 2011.However the gender disparity among all social groups particularly among SC and St remains a serious issue.ST and SC women have lower literacy rates than their male counterparts (Table 3).



**Table 3: Literacy rates (%)**

Year	All social groups			SC			ST		
	M	F	T	M	F	T	M	F	T
1961	40.4	15.35	28.3	16.96	3.29	10.27	13.83	3.16	8.53
1971	45.96	21.97	34.45	22.36	6.44	14.67	17.63	4.85	11.30
1981	56.38	29.76	43.57	31.12	10.93	21.38	24.52	8.04	16.35
1991	64.13	39.29	52.21	49.91	23.76	37.41	40.65	18.19	29.60
2001	72.26	53.67	64.84	66.64	41.6	54.69	59.17	34.76	47.10
2011	80.89	64.64	72.99	75.17	56.46	66.07	68.53	49.35	58.96

Source: Census of India, 2011

- Monitoring of funds for Tribal Development- Special Central Assistance to Tribal Sub Scheme is a hundred percent grant from government of India. With objective to bridge the gap between scheduled tribe population and others by providing the support for education, health, sanitation, water supply, livelihood, skill development and minor infrastructure.

In case of employment in rural sector, we find that the condition of SC and ST is not satisfactory Table 4).In case of ST, only 4.36 percent rural households are employed in government sector and in private sector , it is only 1.48 percent. Moreover, the jobs in government sector have shrunk and are not expanding as a result of growing trends of privatization in post liberalization. Second, there is no reservation policy in private sector which makes the process of empowerment of educated SC and STs slow or even stunted.



**Table 4: Total proportion of SC and ST rural households employed in different sectors**

	SC	ST
Total no of rural households	33164085	19737399
Government	3.95 %	4.36 %
Public	0.93 %	0.58 %
Private	2.42 %	1.48 %

Note- Percentage is to be the total no of households in the respective category

(Source – Ministry of Rural Development, 2011)

- Pradhan Mantri Mudra Yojana: This was launched I in April 2015 for providing loans up to 10 lakhs to the non-corporate, non- farm small enterprises. Loans are given by commercial banks, Small Finance banks, Cooperative banks, NBFC’s. The borrower can apply online through MUDRA portal. During this scheme, the percentage share of borrowers for SC was 17.82 percent and share of ST was 5.05 percent during 2015 to 2018 (Table 5).

**Table 5: Social group wise achievements under PMMY from April 2015 to June 2018**

Category	No of A/Cs	Sanctioned Amount ( In Crore)	Category wise borrowers percentage
General	59233552	395056.94	45.20 percent
SC	23357466	62982.95	17.82 percent
ST	6620737	20035.25	5.05 Percent
OBC	41834204	137084.29	31.92 percent
Total	131045959	615159.43	

Source- Mudra Mission



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### **Suggestions:**

- I. Government should implement educational development schemes for better attainment of education on par with general population.
- II. There is need to create more employment generation for better standard of living of SCs and STs in the country.
- III. There is need to effective implementation of family programmes to control growing population of SCs and STs in the country
- IV. The government should provide work participation for both main, marginal, and cultivators and agricultural labourers and industry and other workers in the country.
- V. Government should effectively implement housing scheme and water facility, Electricity facility, and toilet facility for better standard of living of STs in the Country.
- VI. We should provide sanitation facility for tribal areas in the country.

### **Conclusion:**

The scheduled castes and scheduled tribes are the most disadvantaged groups in the Indian society. They are suffering several basic amenities such are health, education, sanitation, and pure drinking water facilities. After independence, both the Central and State governments have been undertaken several measures for better standard of living of SC and STs. Therefore, the lot of SCs and STs has improved significantly over the last few decades. But as compared to general population, the status of SC's and ST population is unsatisfactory. So, there is urgent need to provide basic amenities such health, pure drinking water facility, educational facility, housing, electricity, assets, for the better standard of living of these communities in the Country. We can say that access to and retention in good quality education and subsequent opportunities for secure employment are clear means of social empowerment among these marginalized groups.



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