

# **SCHEDULED CASTES AND HUMAN RIGHTS IN INDIA**

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## **Abstract**

Despite 62 years of independence, the Dalit or Scheduled Castes, who make up 16–33% of India's population, remain one of the marginalised groups in the country and suffer from flagrant violations of their human rights. Even more concerning are the ongoing instances of such exploitation and humiliation, despite the Indian constitution's particular protections for them and the state's purported affirmative action policies.

From Gautam Buddha to Dr. Baba Sahib Ambedkar, a number of social reformers have started social and religious movements to uplift Indian society and safeguard the human rights of Scheduled Castes in India. But reactionary Hindu forces have left the reformers' social reform projects unfinished. The government of India also argued that caste based discrimination does not good of any society.

In this paper, an attempt has been made to draw attention to the constitutional protections for Scheduled Castes. Additionally, an effort has been made to investigate the root reasons of India's untouchability policy and flagrant violations of the Dalits' human rights. The article concludes with some recommendations for stopping crimes against Scheduled Castes.

## **Introduction**

The significant degree of intergroup inequality in Indian society is shown in the differences between males and females, low and high castes, tribal and non-tribal, and poor and non-poor. Castes, however, blatantly display discrimination. Each caste also held a particular position in the social hierarchy, and many castes have historically been linked to a particular profession. Examples of these include the upper-class Brahmins; middle-class farmer and craftsmen, including potters, barbers, and carpenters; and the lowest-class "Untouchable" leatherworkers, butchers, launderers, and latrine cleaners. There exists a certain relationship between economic prosperity and ritual rank within the caste structure. In general, those belonging to upper castes tend to have greater prosperity than those belonging to lower castes. Many members of lower castes experience extreme poverty and social marginalisation. Many members of lower castes experience extreme poverty and social marginalisation. Therefore, the Dalits, who represent the underprivileged segment of society, make up the lowest caste.

## **The Origin of Scheduled Caste:**

Dalits are people who belong to the castes listed in the statutory schedule created by the Government of India Act 1935, which was passed by the British Indian Government. Previously, the government referred to them as the depressed classes. The word "Dalita" is derived from the Sanskrit/Hindi word "Dalita," which means divided, split, broken, and scattered. The term "scheduled castes" was first used in 1935 by the Simon Commission. The Government of India Act of 1935 gave the untouchable castes, all of which were included in the 1931 Indian Census, the name "Scheduled Castes" (SCs). However, the term "scheduled castes" was coined after 1935 and entered common usage following independence.

Gandhi called those who were untouchables "Harijans." "Hari" denotes "God," and "Jan" denotes "People," or "People of God." This word means "a child, whose father's identity is unknown" in Hindi, Marathi, and other languages. The untouchables therefore detested and disliked the appellation "Harijan." Dr. Ambedkar, a social reformer who fought for the advancement of the dalit community, popularised the word dalit in everyday speech.

## **Status of Schedule Caste: Past & Present:**

The backward castes in India were historically deprived of all social and economic privileges. They were required to remain outside the village. As a result, they had been falling behind in the development process. Scheduled Castes had experienced the greatest prevalence of social and economic deprivation both before and after independence. They were prohibited from entering Hindu temples and were not allowed to use public roads or wells until the end of the 1800s. It was also forbidden for them to wear shoes or carry umbrellas. It was forbidden for their women to conceal their chests with upper clothing. Dalits are still barred from entering police stations and ration shops in over 25% of the villages surveyed, even in the twenty-first century in India (the percentage of 27.6% for police stations represents 109 out of 395 villages, and the percentage of 25.7% for ration shops represents 129 out of 502 villages) (Shah 2006). The police force was complicit in the crime despite being legally required by statutes and governmental mechanisms to provide victims with basic support. They were also expected to assist Dalits who wanted to oppose discriminatory practises. Because they are untouchable, Dalits in nearly 28% of the villages surveyed are not even allowed to enter the police station. Similarly, food is the most fundamental necessity for the impoverished, and all data sources that are currently accessible indicate that Dalits make up a disproportionate share of the lowest of the poor and are not even allowed to enter Public Distribution System ration shops. It is more agonising, even though it is encouraging that "Entry into polling booth" is the form with the lowest frequency of untouchability.

**Demographic Classification:**

1. The Scheduled Castes make up a sizeable portion of India's population. Around 5 crores were estimated for the Scheduled Castes in 1935; 10.475 crores were estimated in 1981; 13.822 crores were estimated in 1991 (i.e., 16.48% of the total population); and 20.13 crores were estimated in 2011 (i.e., 16.63% of the total population).
2. Between 2001 and 2011, the Scheduled Castes in India experienced a decadal growth rate of 20.8 percent, surpassing the 17.64% increase of the general population.
3. A total of 76% of Scheduled Castes reside in rural areas. Ten states in India are home to about 81% of the country's scheduled caste population. Uttar Pradesh tops the list with 20.70% of the state's total population; the other states on the list are West Bengal (23.51%), Bihar (15.91%), Maharashtra (11.81%), Tamil Nadu (20.01%), Madhya Pradesh (15.62%), Rajasthan (17.83%), Karnataka (17.15%), and Punjab (31.94%). In 2011, the Scheduled Caste population of 13878078 in the undivided Andhra Pradesh accounted for 16.41% of the state's total population.
4. India's Scheduled Caste population is estimated to be 201,378,086 as per the 2011 Census, making up 16.63 percent of the nation's total population. Since they are predominantly rural, 76.4 percent of them reside in rural areas, with the remaining 23.6 percent residing in urban areas.
5. V Uttar Pradesh (21.1%) has the largest percentage of Scheduled Caste residents compared to the entire country (11.1%), followed by West Bengal (11.1%), Bihar (7.8%), Andhra Pradesh (7.4%), and Tamil Nadu (7.1%). In actuality, these five States are home to over 57% of the nation's Scheduled Caste population. Comparatively speaking, Punjab has the highest percentage of Scheduled Castes (31.4%) of the State's total population, followed by Himachal Pradesh (25.19%) and West Bengal (23.51%). The percentage of SC people in Andhra Pradesh and the National Capital Territory of Delhi is roughly 16.63 percent, which is the national average. The smallest concentration of the Scheduled Caste population is in the North-Eastern tribal States such as Mizoram (with negligible or only 1218 persons) followed by Meghalaya (0.5 per cent or 17355 persons).

**Historical Movement of Dalits for their Human Right:**

Dalits have historically not only been portrayed as victims but also as groups that are fighting for their human rights. Dalit uprisings, demonstrations, and declarations against injustice and oppression have happened across the nation and throughout history. From Gautam Buddha to Dr. Baba Sahib Ambedkar, a number of social reformers spoke out against caste-based prejudice and the abuse of Dalits' rights in India.

- The Bhakti movement, which opposed Brahmanical rites and expanded over various parts of India between the tenth and thirteenth centuries, is most recognised for its opposition to caste injustice. The revolutionary poet who campaigned against caste divisions and the double standards of Brahminical rites that had taken over the Hindu region is its most famous attribute. The Bhakti saint emphasised that everyone possesses the divine, and that everyone can achieve spiritual enlightenment by leading an ethical life, regardless of where they were born. Bhakti saints such as Kabir, Tukaram, and Basavanna popularised their teachings through songs and popular folklore that frequently tackled injustices related to caste.
- And in the early 1920s, Gandhiji gave rise to Gandhism, a philosophy that acted as a vehicle for political and social change in India. Through the Harijan sevak sangh, he set up several welfare initiatives to educate Dalit children and create cooperative societies for Dalit craftsmen in Gujarat and Maharashtra, including weavers and cobblers.
- Although the Arya Samaj movement had begun earlier, it really picked up steam around 1930, especially in Northern India. At that time, it opened schools for Dalit children and began campaigns against the upper caste's practise of untouchability in some areas.
- Dr. Bhimrao Ramji Ambedkar started and led a significant radical anti-untouchability movement that had a significant impact on Dalit mobilisation in the 20th century. Ambedkar first organised the Dalit community in Maharashtra to gain admittance to temples and to demand access to public drinking water tanks. He urged Dalits to organise, educate themselves, and fight for their rights. He maintained that only political action could bring about social and economic equality.
- In addition to running for office, Ambedkar started a movement for spiritual enlightenment among all people. He assured other Dalits that as long as they stayed in the Hindu community, they would continue to be untouchables. Hinduism was the source of inequity and untouchability, thus they had to give it up. He felt that Buddhism was an emancipator religion that promoted equality, therefore he decided to pursue it as an alternative. "God and soul" have no place in Buddhism. Even though the majority of Dalits did not become Buddhists, its philosophy had a huge impact. Dalits have accepted the Buddha as one of their gods in addition to their customary Hindu deities. Buddha statues coexist with images of Ganesh, Krishna, Durga, Jesus, and Mahatma Gandhi in many Dalit homes. The emergence of Buddha as the god of equality and emancipation gave Dalit a new culture identity irrespective of their religious persuasion

**Involvement of Indian Constitution:**

Although Indian constitution, preamble, fundamental rights, directive principles of state policy and specific section.

- The Indian Constitution's Articles 38, 39, and 46 attest to the state's dedication to the welfare of its citizens, particularly with regard to the safeguarding of the schedule castes.

- The Indian constitution, specifically articles 15(4) and 29, provides for reservations for underprivileged classes in educational institutions.
- The Indian Constitution provides reservations for Scheduled Castes and Scheduled Tribes in government jobs under Articles 16(4), 320(4), 333, and 335.
- Articles 15(2), 17(2), and 29(2) deem the act of untouchability as a criminal crime.
- Article 35 stipulates that Parliament possesses the authority to enact laws that specify penalties for actions deemed unlawful under this section (i.e., Fundamental Rights), whereas state legislation is precluded from doing so.
- In 1955, Parliament used its sole authority to enact the Untouchability (Offences) Act. Later, on November 19, 1976, the Protection of Civil Rights (Amendment) Act—originally known as the Untouchability (Offences) Amendment Bill—went into effect. The statute stipulates that offences pertaining to untouchability would result in more severe penalties, including collective fines

**Roots of Untouchability:**

Notwithstanding these fundamental protections, Dalits continue to be exploited and subjected to humiliation at a startlingly high rate. The following factors are primarily to blame for India's flagrant violations of human rights and the practise of untouchability:

**➤ Socio Cultural and religious factor:-**

First and foremost, a Dalit woman who has suffered from social, religious, and cultural customs such as Jogins and Devdasis. Village girls are forced into marriage to god by their defenceless parents on the pretext of these practises. Rich males and upper-class landlords then use these girls for their own sexual advantage, pushing them into prostitution and human trafficking.

**➤ Educational States :-**

Historically, official education of all kinds—from learning to read and write to receiving specialised technical training of all kinds—has been closed off to Shudras and anti-Shudras. Students from Dalit communities are being discouraged or denied access to education due to their caste status. According to the NSSO data, there is not a significant educational difference between Dalits and other communities in rural India due to the generally low level of education in these areas. Less than 1% of Dalit women in rural areas have graduated, compared to 1.2% of Dalit men, or about half of the 2.3% average for all Dalits. However, in the urban sector—where there are more graduates—the disparity is becoming more pronounced. The lowest percentages of any category are again seen among urban Dalit women, with less than 2% and men, with only 3.5%, respectively, having graduated. Inadequate education is a problem unto itself and is the root cause of numerous other issues. Due to widespread discrimination based on casteism, there is a significant difference in the literacy rate.

**➤ Caste system in India**

The caste system is an unwelcome, unsightly, and inhumane institution that is part of India's rich traditions, culture, and natural beauty. It is the most pitiful of these traditions. The caste system divides people into distinct groups and discriminates against them, which is why it is impossible not to feel embarrassed of it. Outside of India, no such inflexible structure exists. An individual's caste status is fixed and predetermined once they are born into it. In a similar vein, a person's job or activity of choice is defined by the circumstances surrounding his birth. Surprisingly, the majority of Hindus still adhere to the caste system today.

**➤ Human Rights against Dalits in India**

Hinduism's "All Humans Are Not Born Equal" doctrine leads to caste-based prejudice against Dalits and, thus, exposes them to a range of violent acts, such as beatings, torture, rapes, public humiliation, and even murder. The foundation of violence and crimes is untouchability.

**➤ Human right violation against the Dalit Children**

The National Commission for SC and STs estimates that 115 million children are projected to be involved in child labour; of them, 80–90% are Dalit who are forced into bonded service in order to pay off debts.

**➤ Lack of political will**

Political will is lacking in relation to the advancement of Scheduled Castes. There are growing populist movements to win over Scheduled Caste voters, but there aren't many real attempts to further their advancement. The political process has frequently caused division among the Scheduled Castes. Although the social programmes are yet being implemented on paper, it is noted that the higher castes are reacting negatively to the measures.

**➤ Poverty**

Their economic standing is the clearest indication of the centuries-long prejudice and mistreatment that the Dalits have endured. Dalits were historically prohibited from owning property, particularly land. Dalits make up around 36% of the population in rural India that is below the poverty line (BPL), which is significantly higher than the 27% of the general population. Since nearly 46% of scheduled tribe members live below the poverty line, they actually have it worse than Dalit people.

**Suggestions for progression of Schedule Caste:**

Some remedies for the prevention of atrocities on Scheduled Castes are as follows: -

**❖ Need of Political Education**

In an anti-democratic society, we have come to embrace a democratic system of governance. Therefore, political education regarding the origins and necessity of welfare policies for the weakest segments of society is imperative. Political education entails learning about the structure, operations, and features of the political system you live in. The leaders and elites in the political process had this responsibility. Regretfully, neither has done well at all in their assignments. Social tensions arise from this lack of awareness of the issues facing the poorer segments of society.

**❖ Demand for change in the Education System**

"Educate, agitate, and organise" was the message conveyed by Dr. Ambedkar. However, what sort of schooling? Education as it exists now is quickly becoming outdated in light of evolving needs. It must be acknowledged that the current educational system is a legacy of colonial control, and that little has been done to alter it by governments since independence. Our demand should be to make the education system more meaningful and relevant to the shifting requirements of society, in addition to expanding educational options. In a sense, it may be recalled that the majority of unemployment today is false.

**❖ Reservation policy**

It is best to think of the reserve policy as a component of the overall development policy. It is important to make an effort to ensure that it is carried out in an honest and true manner. It would be prudent to remind us, nevertheless, that the reservation would not cover the entire development. As previously mentioned, multifaceted growth would be necessary.

**❖ Awareness and Assertion**

Dalits are aware of their legal rights, particularly those of the younger age. They are aware that when their rights are violated, they have legal options and that discrimination is not only unfair but also illegal. They also understand that the police must file a report and bring charges against those found guilty. Raising Dalit awareness of their rights and the potential for upward mobility via education, career change, and lifestyle adoption—including assuming upper caste customs—is not accepted by those in positions of authority.

"Increasing awareness and empowerment of SCs, manifested in resistance to suppression, also result in clashes," the commission on SC/ST report from 1998 noted. It is encouraging to see how society is changing and how strong and self-assured Dalits are becoming in their demands for equality, justice, and dignity.

**❖ Political Participation**

Notwithstanding all of its shortcomings, Dalits see the democratic political system—which includes elections, political parties, and political reservations—as a crucial institutional tool for reclaiming the rights they gained during independence. Compared to Hindus of the caste system, they take part in state assembly and parliamentary elections with more vigour and numbers. They have changed their allegiance to various parties in various states over time. They have founded their own political parties, such as the Bahujan Samaj Party and the Republican Party of India. Dalit started a focused campaign in the northern Indian states of UP and Bihar in the 1990s. Following the democratic decentralisation provisions of the 73rd and 74th amendments to the Constitution, a number of Dalits have joined village panchayats and some have even attained the positions of sarpanch and uppsarpanch.

**❖ Government initiatives for the welfare of SC/STs:**

a) The main schemes which were introduced during the Tenth Five Year Plan are as follows:-

The Swablamban Yojana offers a 5% interest subsidy to underprivileged youngsters from Southern California who have completed their primary education and have interest in starting their own business.

Anuprati Yojana: This programme provides SC/ST students preparing for the Civil Services Examination with financial help up to Rs. 75,000 for main and up to Rs. 25,000 for interview preparation.

Sahayog Scheme: This programme was introduced in 2005–2006 with the intention of giving Below Poverty Line SC households financial support for their daughter's marriage. The scheme provides for a total of Rs. 5000/-.

- b) Some new schemes are introduced during Eleventh Plan with more focused objectives.
- The field of education has an impact on all facets of tribal development. In order to raise the standard of education and encourage parents to keep their children in school longer, efforts will be undertaken to build new educational facilities.
  - Financial aid is offered to cover a portion of the costs associated with continuing education in order to guarantee retention following enrollment and to lower the dropout rate. During the XI Plan era, all of these initiatives will be strengthened.
  - Hostels are managed to offer boarding and lodging to students who live in remote locations. The department offers free housing, meals, books, clothing, stationery, tutoring, and educational trips to hostel inmates. Fifteen ashram school buildings and fifty hostel buildings will be built during the XI plan period. Four 250-person sports hostels—three inside scheduled areas and one outside—are proposed for the XI plan period.
  - Separate hostels are being operated to help the tribal youth get ready for national and international sporting events. Although these kids receive special food and nutrition, all educational facilities are provided in the same manner as regular dorms. These students receive instruction in archery and athletics from sports council professionals.
  - Fourteen model residential schools are suggested in order to give tribal youngsters a high-quality education. Training for General Nursing and Midwifery (G.N.M.) will be provided to ST youths. Sixty ST adolescents will receive culinary arts training annually in order to fulfil the growing need for labour in the hotel and tourism industries.
  - Teachers are in more demand in tribal regions since there is a larger need for educational infrastructure. In light of this, unique B.Ed. course batches will be held. Through the operation of Industrial Training Institutes (I.T.I.), the Department of Technical Education is providing craftsman training to equip tribal youngsters for employment and self-employment. Throughout the XI plan period, a specialised training course for 640 ST students will also be held annually. During the Eleventh Plan period, ST students will continue to receive computer training.
  - Another key area of focus for tribal development is irrigation. The Eleventh Plan calls for the construction of 252 lifts and 776 anicuts. In a similar vein, it is planned to deepen 5790 wells over the plan period. It is also suggested that 4927 pump sets be given to farmers from tribes.
  - Despite the village's electrification, the tribal residents of the isolated Dhanis and Fallas live in dispersed communities that are far from the main revenue villages. As a result, these families are unable to obtain domestic electricity connections because they cannot afford the expense of an electric distribution system. Eleventh Plan period: electrification of these 48 basties is envisioned.
  - The "Free Distribution of Iodised Salt" project aims to enhance the well-being of all Saharia and Antyoday families, as well as BPL families in scheduled areas, by giving them access to one kilogramme of high-quality, twice-refined iodised salt per household each month via fair pricing stores. The plan will stay in place for the duration of the Eleventh Plan.
  - The purpose of Sahariya's "Maa Badi Scheme" is to raise and enhance the educational status of the community. Children between the ages of 6 and 12 get elementary education in these institutions, along with subsidised school supplies and midday meals. They can easily transfer to conventional schools to continue their education after spending two years at these institutes. In the Sahariya region, there are 130 Maa Badi Centres in operation, providing education to 3900 Sahariya youngsters. The plan will stay in place for the duration of the Eleventh Plan.

### **Conclusion**

The goal of this article is to draw attention to the status of Dalits in India. It explains the causes of this practice's occurrence or prevalence. Millions of Indians are greatly impacted by the practise of untouchability, which we feel affects all people and calls for immediate action from the government and civil society. Even though untouchability was outlawed by the Indian Constitution, many laws have been passed designating it as a crime, and there have been several "affirmative" measures to improve the socioeconomic status and opportunities for those who have been subjected to it. Nevertheless, untouchability still exists and has even taken on new forms.

Lastly, we have also talked about the several ways to end discrimination. Most importantly, I believe that education is a crucial component in eradicating discrimination in our society. This ought to be supported by:

- a) The general public's awareness of the rights of dalits has resulted in both individual and group claims against discrimination and the practise of untouchability.
- b) Fighting injustice through political participation: the Indian Constitution assigns political responsibility.
- c) Political willingness.
- d) Reservation policy.
- e) Education system reform.
- f) Government participation through policies.

Even while it could take some time to realise Ambedkar's political and social utopia of eliminating caste, there is no reason why the worst perversions of untouchability cannot be eradicated from our society in the near future.

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