CHAPTER -I
INTRODUCTION

1. Women Education

Women's education in India has been one of the major issues of concern of the Government of India as well as the society. Today the educated women play very significant role in overall development and progress of the country. Hon'ble Speaker Lok sabha Smt. Meira Kumari delivered the Convocation Address at the 60th convocation of the SNDT Women's University, Mumbai on January 4th 2011, she said “women is the builder and molder of Nation’s Destiny”. Women's rights and issue have always been a subject of serious concern of academicians, intelligentsia and policy makers. From pastoral society to contemporary information and global society, the role of women has changed drastically. The role of a typical "Grihani" (house wife) who catered to all the requirements of the house holds including the rearing and upbringing of children in various sub roles of daughter, daughter-in-law, wife, mother, aunt etc. has been played quite efficiently. The continuity of changes in socio-economic and psycho-cultural aspects of human living has influenced the role of women. With the process of Industrialization, Modernization and Globalization showing its deep impact on the human society all over the world, the role and responsibilities of women has attained new definition and perspective. Further this has also led to addition of responsibilities and widened the role of women who also shares the financial responsibilities. The constitution of India empowers state to adopt positive discrimination and make special provisions in favour of India Article 51A (e) make it a fundamental Duty of every citizen to renounce practices which are derogatory to the dignity of women. We are one of the first democratic countries to give equal right to vote both men and women and our Constitution provides for 33% reservation in Local Bodies for women. Today we have over a million
women elected representatives in local bodies. Today, India is one of the world leaders in having professionally qualified women, from sports to literature to corporate sector to arts and entertainment. Indian women are excelling and making their mark in every field. But there is no denying the fact that we have made considerable progress, yet social evils like gender discrimination, female feticide, dowry system and domestic violence, poor progress of Literacy rate still exist. We must believe that education is an instrument of social change. It enhances knowledge, wisdom as well as skill. Education holds the key to the all round development of one's personality. Women's education in developing countries like India is increasingly being recognized as a fundamental right by international and national bodies. The benefits of educating women are manifold ranging from increased productivity, economic development, and increased female autonomy. According to the 2011 census report, male literary rate is more than 83.14% comparison to it; the female literary rate is just 65.46%. Although, mere girls and women are entering school still a huge gaps exist in women literacy. Women education in modern India is traced back to the years after the independence of the country. At present, the Constitution of India guarantees free and compulsory education for both boys and girls up to age 14. Education in India plays a vital role in the overall development of the country. Although literacy levels are low, there has been a progress in improving educational attainment for both sexes in India for the last several decades.

1.1 The Status of Women in India
The Constitution of India, adopted in November 1949, contains several articles mandating equality and non discrimination on the grounds of sex, however several laws that violate this principle continue to exist, particularly in the area of family law and personal law. So far there have been minor reforms in Hindu personal law, however, these changes have been motivated by political expediency and have resulted in the denial of women's equal rights.
Though the Government of India has signed the convention on the elimination of All Forms of Discrimination Against women (CEDAW) it also made a unilateral declaration that "with regard to articles 5(a) and 16(1) the Government of India declares that it shall abide by these provisions in conformity with its policy of non interference in the personal affairs of any community without its initiative and consent." The government ratified CEDAW on 9 July 1993 and is now obligated to implement the entire Convention. The policy of non-interference is incompatible with the objective of the Women's Convention, which is to improve the status of all women, regardless of cultural and religious dictates.

Fifty years after the adoption of the Constitution, people are curious about the extent to which the Constitution commitment to equality and freedom for women ahs been implemented. India has been one of the foremost leaders in ratifying the UN Conventions and the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action. In the last few years, as an outcome of affirmative policies and programs, women's position in Indian society has advance.

That said, insidious gender-based gaps persist within Indian culture. The status of women falls short of standards put forth by the Indian government and its Constitution. India's diversity is evident especially when examining the variation in health statistics across the country. For instance, the average life expectancy for women in Kerala is reported to be 75 years of age as compared to 57 in Madhya Pradesh. Life expectancy is determined by multiple factors, some of which include: level of income, access to education (literacy) and health care, urban vs. rural environment, nutritional status, prevalence of disease issues of human rights, relational dynamics, workplace issues, gender-based violence, and decision-making abilities.
The map depicts the female literacy in the country based on 2001 Census data. The literacy rate of the females is calculated as percentage of female literates, to total female population (excluding age-group 0-6 years). The district level data thus arrived are grouped into six ranges and their distribution is shown through choropleth technique as per the legend on the map.

The female literacy rate in the country is 53.67 per cent during Census 2001. Kerala (87.72%) has the highest female literacy rate followed by Mizoram (86.75%), Lakshadweep (80.47%), Chandigar (76.47%) and Goa (75.37%). It is observed that female literacy in Bihar (33.12%) preceded by Jharkhand (38.87%), Dadra & Nagar Haveli (40.23%), Uttar Pradesh (42.22%), Jammu & Kashmir (43.00%), Arunachal Pradesh (43.53%), Rajasthan (43.85%), Madhya Pradesh (50.29%), Andhra Pradesh(50.43%), Orissa (50.51%) and Chhattisgarh (51.85%) is below the national average of 53.67 per cent of the country where education for females are to be strengthen. Majority of the districts (310) of the country are below the national average whereas
only 282 districts are above this figure. Jaintia Hills district of Meghalaya is at par with the national average. The female literacy rate shows a wide variation among the districts. It varies from 96.26 per cent in the district Aizawl of Mizoram to 18.58 per cent in the district Shrawasti of Uttar Pradesh.

There are only 16 districts in the country where female literacy rate is 85.01 per cent and above. Out of these 16 districts, eleven are confined to Kerala only. The remaining districts are distributed in Mizoram (4) and Pondicherry (1). These districts account about three per cent of the total districts.

In the range of 70.01-85.00 per cent of female literates, 58 districts have been recorded which constitute around ten per cent of the total districts in the country. These districts are distributed mostly as composite clusters over different states in the country. Maharashtra (9) has the maximum number of such districts followed by Delhi (8), Himachal Pradesh, Karnataka, Punjab, Tamil Nadu (4 each), Kerala, Mizoram, Nagaland, West Bengal (3 each) and Goa, Pondicherry (2 each). Remaining districts are scattered in other states/union territories.

In the next range of 55.01-70.00 per cent of female literacy, 183 districts are found in the country, which constitute around 31 per cent of the total districts of the country. As visualized from the map, these districts are located in close proximity of the districts of the next higher range (70.01-85.00). These districts are mainly in the states of Tamil Nadu (22), Maharashtra (19), Gujarat (14), Madhya Pradesh (13), Orissa (12), Haryana (11), Assam (10), Karnataka (9), Punjab (8), West Bengal, Uttarachal, Himachal Pradesh (7 each), Andhra Pradesh (6) and Chhattisgarh, Uttar Pradesh (5 each). Manipur in the east and Rajasthan in the west have 4 districts each. In the remaining areas the number of districts is three or less.

The highest number of districts (201), which constitutes about 34 per cent of the total districts of the country, is noticed in the range of 40.01-55.00 per cent of female literacy rate. The national average of
53.67 per cent also falls within this range. The districts of this range are spread over in 26 states/union territories of the country. More than half (110) of the districts of this range are distributed in the six states, viz., Uttar Pradesh (36), Madhya Pradesh (24), Rajasthan (14), Assam (13), Andhra Pradesh (12) and Karnataka (11), whereas the remaining ninety-one districts are distributed in other states and union territories in a sporadic pattern.

There are 117 districts constituting nearly 20 per cent of the country's total districts, falling in the range of 25.01-40.00 per cent of female literacy rate. Geographically most of the districts of this range are located in the Northern plain of the country except few districts spread in the Deccan plateau. Uttar Pradesh (26), Bihar (24) Rajasthan (14), Jharkhand (11) and Madhya Pradesh (8) are BIMARU states which account for more than half of the districts recorded in this category of female literacy. The remaining districts are noticed in Orissa, Jammu & Kashmir (7 each), Arunachal Pradesh (6) Andhra Pradesh (4), Karnataka (3), Chhattisgarh, Gujarat and West Bengal (2 each) whereas Nagaland is the only state with one district, namely, Mon with low female literacy.

In the lowest range of 25.00 per cent and below of female literacy, there are only 18 districts in the country contributing three per cent of the total districts. Bihar (8) is the state with extremely low level of female literacy recorded in this range. The other districts in this range are located in Orissa (4), Uttar Pradesh (3), Jharkhand (2) and Chhattisgarh (1), Shara (18.59%) district located in the Tarai region of Uttar Pradesh has recorded the lowest female literacy during 2001 Census in the entire country.
Table-1.1: Number of Districts in Different Ranges Showing Female Literates to Total Female Population Excluding Age Group 0-6

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<th>Sl. No.</th>
<th>States / Union Territories</th>
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<th>70.01 to 85.00</th>
<th>55.01 to 65.00</th>
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According to the 2011 census report, male literary rate is more than 83.14% comparison to it; the female literacy rate is just 65.46%. Although, mere girls and women are entering school still a huge gaps exist in women literacy. Women education in modern India is traced back to the years after the independence of the country. At present, the Constitution of India guarantees free and compulsory education for both boys and girls up to age 14. Education in India plays a vital role in the overall development of the country. Although literacy levels are low, there has been a progress in improving educational attainment for both sexes in India for the last several decades. The trends in total literacy rates by sex in India between the years 1981 to 2001 are given in table as below:

Literacy rates by sex in India

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<td>Male</td>
<td>56.37</td>
<td>64.13</td>
<td>75.85</td>
<td>82.14</td>
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<tr>
<td>Female</td>
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<td>39.29</td>
<td>54.16</td>
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<td>Total</td>
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<td>Literacy Rate (2011 Census)</td>
<td>Literacy Rate-Male (2011 Census)</td>
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<tr>
<td>33</td>
<td>Uttar Pradesh</td>
<td>69.7%</td>
<td>79.2%</td>
<td>59.3%</td>
</tr>
<tr>
<td>34</td>
<td>Uttarakhand</td>
<td>76.6%</td>
<td>88.3%</td>
<td>70.7%</td>
</tr>
<tr>
<td>35</td>
<td>West Bengal</td>
<td>77.1%</td>
<td>82.7%</td>
<td>71.2%</td>
</tr>
<tr>
<td></td>
<td><strong>Whole INDIA</strong></td>
<td><strong>74.04%</strong></td>
<td><strong>82.14</strong></td>
<td><strong>65.46%</strong></td>
</tr>
</tbody>
</table>
India's effective literacy rate has recorded a 9.2 per cent rise to reach 74.04 per cent, according to provisional data of the 2011 census released today. Interestingly, literacy rate improved sharply among females as compared to males. While the effective literacy rate for males rose from 75.26 to 82.14 per cent marking a rise of 6.9 per cent, it increased by 11.8 per cent for females to go from 53.67 to 65.46 per cent. According to provisional totals of the latest census, literates constitute 74 per cent of total population aged seven and above.

Ten states and union territories, including Kerala, Lakshadweep, Mizoram, Tripura, Goa, Daman and Diu, Puducherry, Chandigarh, National Capital Territory of Delhi and the Andaman and Nicobar Islands, have attained literacy rate of above 85 percent, the target set by the Planning Commission to be achieved by 2011-12. Kerala has the highest literacy rate at 93.91 per cent followed by Lakshadweep at 92.28 per cent. Bihar is at the bottom of the ladder with literacy rate of 63.82 followed by Arunachal Pradesh at 66.95. Literacy rate of Rajasthan rise to 67% from 60%.

1.1.1 Empowering Women

**Land-policy:** Equality has been guaranteed recently in distribution of surplus land (through land reforms) by the government. A recent policy directive states that it should be distributed only in the name of women. However, policies are not in place to ensure implementation of basic legislation guaranteeing equal rights to ownership of self-acquired property. As a result, land is very much owned by men in India.

**Education:** A variety of programmes have come in the 1990's one of whose objectives is promoting gender-equality in access to education. They include:
i. Shikshakarmi Project of the Government come Rajasthan, where in shikshankarmies (education workers) from the local community are listed for promoting children’s education, reducing gender-disparity and running schools wherein they are not functioning;

ii. The District Primary Education Programme: Which deals more with the quality of education, it is in place in only selected districts and states in India;

iii. Mahila or Smakhya programme which is in operation in few states of India, whose overall objective is women’s empowerment, but also seeks to strengthen education of girls children and women;

iv. Lok-Jhumbish in Rajasthan.

However, very few education programmes are in place which deals with the economic causes of gender-inequalities in education: the intermesh between poverty, gender-inequalities and access to education, except Mahila Samakhya none address the social gender-specific barriers effectively (son-preference, double burden of girls and women, dowry demands, and violence). The supply side gender-specific barriers to girl children’s education have also been ignored. Many new programmes have emerged with respect to micro credit for women (SGSY, IFAD, TNWDP, RMK, IRY, and so on). However, very few mechanisms are in place to ensure that women have control over credit, are able to covert credit to income, and have control over income so that their ultimate well being is improved.

1.1.2 Women Human Rights in India

The background information on the ‘status of women in India, we also look at the context of violence against marginalized groups of women, demonstrating the vulnerability of certain groups of women to violence in the context of gender as well as caste and other forms of social and racial discrimination. It then looks in some detail at the problems these groups have in obtaining access to justice and sets the theory of safeguards and judicial process against practices of non
implementation, inaction and discrimination that are a reality for man victims.

While recognizing that violence against women in India takes many serious forms including trafficking and sexual exploitation, this report is limited to crimes of rape and other violent acts, such as assault (including stripping) in the community, and also violence against women in the home and the state’s response.

In addition, we explore examples of empowering women’s rights, from around the country, identifying legal and social obstacles towards such empowerment, as well as what can be done to overcome these hurdles.

1.1.3 The Status of Women

The Constitution of India, adopted in November 1949, contains several articles mandating equality and non-discrimination on the grounds of sex, however several laws that violate this principle continue to exist, particularly in the area of family law and personal law. So far there have been minor reforms in Hindu personal law, however, these changes have been motivated by political expediency and have resulted in the denial of women’s equal rights.

Though the Government of India has signed the convention on the elimination of All Forms of Discrimination Against women (CEDAW) it also made a unilateral declaration that “with regard to articles 5(a) and 16(1) the Government of India declares that it shall abide by these provisions in conformity with its policy of non-interference in the personal affairs of any community without its initiative and consent.” The government ratified CEDAW on 9 July 1993 and is now obligated to implement the entire Convention. The policy of non-interference is incompatible with the objective of the Women’s Convention, which is to improve the status of all women, regardless of cultural and religious dictates.

Fifty years after the adoption of the Constitution, people are curious about the extent to which the Constitution commitment to equality and freedom for women has been implemented. India has been one of
the foremost leaders in ratifying the UN Conventions and the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action. In the last few years, as an outcome of affirmative policies and programs, women's position in Indian society has advanced.

That said, insidious gender-based gaps persist within Indian culture. The status of women falls short of standards put forth by the Indian government and its Constitution. India's diversity is evident especially when examining the variation in health statistics across the country. For instance, the average life expectancy for women in Kerala is reported to be 75 years of age as compared to 57 in Madhya Pradesh. Life expectancy is determined by multiple factors, some of which include: level of income, access to education (literacy) and health care, urban vs. rural environment, nutritional status, prevalence of disease issues of human rights, relational dynamics, workplace issues, gender-based violence, and decision-making abilities.

1.1.4 Empowering Women

Land-policy: Equality has been guaranteed recently in distribution of surplus land (through land reforms) by the government. A recent policy directive states that it should be distributed only in the name of women. However, policies are not in place to ensure implementation of basic legislation guaranteeing equal rights to ownership of self-acquired property. As a result, land is very much owned by men in India.

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b. In what ways have these changes affected the lives of women and girls living in conditions of poverty?

The programmes and policies have only addressed the symptoms of poverty and not the underlying causes. These include:

i. Gender-disparity in distribution of land;

ii. Gender based division of labour, and unequal valuation of women’s work.

iii. Patrilocal kinship structures, and inheritance structures;

iv. Presence of few women in decision making posts;

v. Barriers to women’s participation in markets;

vi. Restrictions on women’s mobility and interaction;
vii. Mtra-household inequalities in distribution of food, health care and education.

viii. Addition some of the following measures have also been suggested by women and other advocacy groups.

Linking agriculture loans through banks for men or women, with transfer of land from male ownership to joint ownership; Linking housing loans to joint ownership of houses on the names of men and women;

Supply of gas stoves at cheap rates;

Change in Cooperative Acts in different states along the AP model, and 50% reservation for women in these;

Increase in minimum wages for tasks which poor women do along the lines of the recommendation of the National Labour Institute and ensuring that they are implemented;

Greater role of NGO's in formation of women’s groups, and encouraging their participation in Gram Sabha meetings of local self governance institutions;

Extension of schemes like the Mahila Samakhya and the TNWDP to other states in India;

Government’s organizing stakeholders meetings bringing together women’s groups. NGO’s, Panchayats and other representatives have together to plan and monitor their programmes.

c. Obstacles to changing laws

Mixing of religion with personal laws, rise in fundamentalism;

Division within the women's movements and social movements on the basis of caste, class and religion;

Lack of gender-sensitivity amongst the bureaucracy;

Little role accorded to NGO’s in policy formulation;

Very little powers accorded to Panchayats are cooperatives in most states;

Too much attention being paid to less crucial issue by development organizations: e.g., Water management AIDS, etc.

d. Steps that can be taken
Changing education curriculum so that it is most poverty sensitive and gender sensitive;
Media campaign amongst the next generation;
Strengthening women's movement from local state to national level-with eldership from marginalized sections;
Right to information campaign and stakeholder meetings at different levels.

1.1.5 Convention on the Elimination of all Forms of Discrimination Against Women

India's Declaration

i. With regard to articles 5(a) and 16(1) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it shall abide by and ensure these provisions in conformity with its policy on non-interference in the personal affairs of any Community without its initiative and consent.

ii. With regard to article 16(2) of the Convention on the Elimination of all Forms of Discrimination Against Women, the Government of the Republic of India declares that though in principle it fully supports the principle of compulsory registration of marriages, it is not practical in a vast country like India with its variety of customs, religions and level of literacy.

India's Reservation

"With regard to article 29 of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it does not consider itself bound by paragraph 1 of this article."

The Convention defines the term 'discrimination' and the obligations of states that are party to it. It defines appropriate measures to be taken to implement policies to end rights and freedom set forth therein, without distinction of any kind, including distinction based on sex.
Nothing that the States Parties to the International Covenants' on Human Rights have the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights.

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women.

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women.

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist.

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the fully development of the Potentialities of women in the service of their countries and of humanity.

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs.

Convinced that the establishment of the new international economic order based on equality and justice will contribute significantly towards the promotion of equality between men and women.

Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neocolonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women.

Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual cooperation among all States irrespective of their social and economic systems, general and
complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the mutual benefit in relations among countries and the realization of the right of people under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women. Convinced that the full and compete development of a country, the welfare of the world and the cause of peace require the maximum participation women in equal terms with men in all fields. Bearing in mind the great contribution of women the welfare of the family and to the development society. So far not fully recognized, the some significance of maternity and the role of by parents in the family and in the upbringing children and aware that the role of women procreation should not be a basis for discriminate but that the upbringing of children require sharing of responsibility between men and society as a whole. Aware that a change in the traditional role of as well as the role of women in society and the family ns needed to achieve full equality between men and women. Determined to implement the principles set up the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt measures required for the elimination of discrimination in all its forms and manifestation. Have agreed on the following articles. **Part I**  
**Article 1**  
For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect of purpose of impairing or nullifying the recognition, enjoy exercise by women, irrespective of their status, on a basis of equality of men and with human rights and
fundamental freedom political, economic, social, cultural, civil or a field.

**Article 2**

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

a) To embody the principle of the equality of men and women in their national Constitution s or other appropriate legislation's if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

d) To retrain from engaging in any act or practice for discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulation, customs and practices which constitute discrimination against women;

g) To repeal all national penal provisions which constitute discrimination against women.

**Article 3**

States Parties shall take in all fields, particular in the political, social, education, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and
enjoyment of human rights and fundamental freedoms on a basis of equality with men.

**Article 4**

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption of States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate stands; these measures shall be discontinues when the objectives of equality of opportunity and treatment have been achieved.

**Article 5**

States Parties shall take all appropriate measures:

a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

**Article 6**

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.
**Part II**

**Article 7**
States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

c) Participate in non-governmental organizations and associations concerned with the public and political life of the country.

**Article 8**
States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent, their Governments at the international level and to participate in the work of international organizations.

**Article 9**
1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, tender her stateless or force upon her the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

**Part III**

**Article 10**
States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights
with men in the field of education and in particular to ensure, on a basis of equality of men and women.

a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in preschool, general, technical, professional and higher technical education, as well as in all types of vocational training;

b) Access to the same curricula, the same examination, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular by the revision of textbooks and school programmes and the adaptation of teaching methods;

d) The same opportunities to benefit from scholarships and other study grants;

e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

g) The same opportunities to participate actively in sports and physical education;

h) Access to specific educational information to help to ensure the health the health and well-being of families, including information and advice on family planning.

**Article 11**

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order
to ensure, on a basis of equality of men and women, the same rights, in particular:

a. The right to work as an inalienable right of all human beings;
b. The right to the same criteria for selection in matters of employment;
c. The right to free choice of profession and employment the right to promotion, job security an all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships. Advancement vocational training and recurrent training;
d. The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
e. The right to social security, particularly in cases of retirement, unemployment, sickness invalidity and old age and other incapacity to work, as well as the right to paid leave;
f. The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity leave are discrimination in dismissals on the basis marital status;

a) To prohibit, subject to the imposition sanctions, dismissal on the grounds pregnancy or of maternity leave are discrimination in dismissals on the basis marital status;
b) To introduce maternity leave with pay or with comparable social benefit without loss of former employment, seniority or social allowances;
c) To encourage the provision of he necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of children facilities.
d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

**Article 12**

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care service, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

**Article 13**

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women the same rights, in particular:

- a) The right to family benefits;
- b) The right to bank loans, mortgages and other forms of financial credit;
- c) The right to participate in creational activities, sports and all aspects of cultural life.

**Article 14**

1. State Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in their non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.
2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

a. To participate in the elaboration and implementation of development planning at all levels;

b. To have access to adequate health-care facilities, including information, counseling and services in family planning;

c. To benefit directly from social security programmes;

d. To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency:

e. To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;

f. To participate in all community activities;

g. To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

h. To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communication.

Part IV
Article 15
1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall
treat them equally in all states of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with to the law relating to the movement of persons and the freedom to choose their residence and domicile.

**Article 16**

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure.

   a. The same right to enter into marriage:
   
   b. The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
   
   c. The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
   
   d. The same rights to decide freely and responsibly as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
   
   e. The same rights to decide freely and responsibly on the number and spacing of their children, and to have access to the information, education and means to enable them to exercise these rights;
   
   f. The same rights an responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases' the interests of the children shall b paramount;
g. The same personal right to choose a family name, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration;

2. The betrothal and the marriage of child shall have no legal effect and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

**Part V**

**Article 17**

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their national and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms' of civilization as well as the principal legal systems.

2. The member of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each States Parties may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons
thus nominated, indicating the States Parties which have nominated
them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held a meeting
of States Parties convened by the Secretary-General at United
Nations Headquarters. At that meeting, for which two thirds of the
States Parties shall constitute a quorum, the persons elected to the
Committee shall be those nominees who obtain the largest number
of the votes and an absolute majority of the votes of the
representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four
years. However, the terms of nine of the members elected at the
first election shall expire at the end of two years; immediately after
the first-election the names of these nine members shall be chosen
by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall
be held in accordance with the provisions of paragraphs 2, 3 and 4
of this article, following the thirty-fifth ratification of accession. The
terms of two of the additional members elected on this occasion
shall expire at the end of two years, the names of these two
members having been chosen by lot by the Chairman of the
Committee.

7. For the filling of casual vacancies, the States Parties whose expert
has ceased to function as a member of the Committee shall appoint
another expert from among its nationals, subject to the
approval of the Committee.

8. The members of the Committee shall, with the approval of the
General Assembly, receive emoluments from United Nations
resources on such terms and conditions as the Assembly may
decide having regard to the importance of the Committee's
responsibilities.

9. The Secretary-General of the United Nations shall provide the
necessary staff and facilities for the effective performance of the
functions of the Committee under the present Convention.
**Article 18**

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:
   a. Within one year after the entry into force for the State concerned;
   b. Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfillment of obligations under the present Convention.

**Article 19**

1. The Committee shall adopt its own rules of procedure
2. The Committee shall elect its officers for a term of two years

**Article 20**

1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.

2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

**Article 21**

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary-General of the United Nations shall transmit the reports of the Committee to the commission on the Status of Women for its information.

**Article 22**

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present
Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the convention in areas falling within the scope of their activities.

Part VI
Article 23
Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:
  a) In the legislation of a States Parties; or
  b) In any other international convention, treaty or agreement in forces that State.

Article 24
States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Article 25
  1. The present Convention shall be open for signature by all States.
  2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.
  3. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of instruments of accession with the Secretary-General of the United Nations.

Article 26
  1. A request for the revision of the present convention may be made at any time by the state party by means of a notification in writing addressed to the Secretary-General of the United Nations.
  2. The General Assembly of the United Nations shall decide upon the steps, if any, to be Taken in respect to such a request.

Article 27
  1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28

1. The Secretary-General of the United Nations shall receive and circulate to all states the text of reservations made states at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all states thereof. Such notification shall take effect on the date on which it is received.

Article 29

1. any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of the, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.
**Article 30**

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations. In Witness whereof the undersigned, duly authorized, have signed the present Convention.

1.1.6 Development of Women Education in India

We have known the early history of the education of women in India was influenced chiefly by religious and social factors. Since in Vedic times Upanayana was to be performed for all children and they had to recite Vedic mantras and rituals. This tradition continued into the later Vedic period but began to decline as girls contracted marriage at an increasingly early age. The status of women was as its lowest in Muslim rule.

At the beginning of the 19th when British rule was established in India. A survey of the educational system was undertaken. Few of survey of the reports made any mention of female scholars attending school. Infact a William Adam pointed out. A strong feeling existed amongst the people in Bengal that education was contractry to the modesty of women and that a girl taught to read and write would after marriage become a widow. Missionaries from the west worked to break down this prejudice and opened the first of many schools for girls in 1818.

It was at this stage Raja Ram Mohan Roy took up the cause of the emancipation of Indian women. He was perhaps the first influential Indian to do so; the efforts of those pressing for the expansion of education of women could only have been frustrated without such men.

A start had been made, but it was a late start and subsequent progress was slow despite the observation in Wood’s Dispatch that the importance of female education in India cannot be over rated, the recommendations of the Hunter commission and Lard Carzon’s interest in the education of women. Failure to convert theory in to
practice is an old and sad tale. As H.M. Jones put the weakness of educational only, as any publisher of textbooks will, in his confidential moments admit. Men afterwards and think they have changed things. Not until the turn of the country" did Indian women really awaken to their situation once they had done. So, the campaigns for emancipation and for the improvement of educational facilities gained impetus through national movements. Mahatma Gandhi became one of the foremost champions of women's emancipation. While 1901 the census recorded a literacy rate among women of one in 144, by 1921 the rate was 1.8 percent; and educational institutions for girls grew rapidly in number and size.

Diarchy with the consequent transfer of responsibility for the education Department to an Indian minister in 1921 was a landmark in the history of Indian education. The movement in political citizenship for women grew in strength and effectiveness and for the first time women granted doctoral enfranchisement by the provincial legislatures. These events so influenced the trend of feeling on the subject that unprecedented progress was made in the 1920's.

Upon the advent of autonomous provincial government in 1937 (Government of India Act 1935), women had achieved such a degree of emancipation that soon they were to hold important ministerial posts. A woman was appointed to the post of speaker. Naturally, considerable attention was now being paid to education firstly because the ambitions of intelligent women knew no founds. But more particularly because those who held responsible posts were acutely aware of the inadequacy of the educational system.

Two educational schemes were launched the first was known as 'Basic Education' the object of which was to lay more emphasis on practice and less on mere theory during primary education; the second was the establishment of adult education schemes and ambitious literacy campaigns were launched in most provinces during congress rule.
Unfortunately the resignation of the congress minister and the out
break of the world War – II were temporarily to thwart this progress.
Perhaps the most crucial landmark in the history of education in
India, and in fact in modern history of India as a nation, was
Independence 1947 was a time for thinking on a large scale. The
emancipation of women competed schools could not extend fast
enough to keep pace with the growing number of women aware of
their new opportunities and eager to grasp them.
The literacy rate for women in 1961 was 12.8%. This figure may
appear insignificant when were remember that India is the cradle of
civilization as old as that of Egypt or Babylonia but if we compare it
with the literacy rate for women in previous years, it is clearly a
staggering achievement; 1901 – 0.9%, 1911 – 1.1%, 1921 – 1.8%,
1931 – 2.9%, 1941 – 3.4% and 1951 – 7.9% and now it is 54.16%.

1.1.7 Aims of Women Education
In our Hindu culture we respect women as Goddess. As Swamy
Vivekananda said “Where women are respected, there the Gods delight
and where they are not, there all work efforts come to naught. There is
no hope of rise for that family of country, where there is no estimation
of women, where they live in sadness. For these reason they have to
be raised first.”
Female education is not newly born it came from olden days. A girl
was not entitled to marry until she compete her student life
Brahmacharya. It is expressly laid down in the sacred literature that
husband and wife should perform the Yajnas or sacrifices together.
This clearly enjoins that woman was to be educated as much as the
man. So many names of lady scholars appear in the sacred literature,
that it shows that the number of women receiving general literacy and
cultural education in those times must have been fairly large.
Today’s girl is tomorrow’s women so every type of education open to
men should also be open to women. Now the place that women occupy
in public life. They point out that greatly needs the services of women
outside the four walls of their homes.
The importance of women education in modern India is very significant; women have the same intellectual and moral powers as men. Their bodies are in certain secondary respects differently made from those of men, they are on the whole less strong, but in some respects more enduring and capable of more sustained small sufferings.

The championship of women's education is therefore unnecessary at this time of day. It has been ably undertaken by Indian women themselves who have proved the usefulness of their education by becoming not only better wives and mothers but also no less able doctors, lawyers, members of legislature.

What is more important is to discuss what kind of education Indian women require. As to the subjects to be taught in primary schools, there is no difference between needs of boys and those of a more important aspect of the problem of women's education, however is co-education probably the most urgent and baffling question of female educational policy in India today. Signor Pestalozzi's authority is often invoked for the theory that co-education is the best form of education since home where boys and girls live together and play, work together. What Pestalozzi said was that since school is a preparation of life it should be fast as possible, be natural and resemble as closely as it can of healthy unself-conscious home life.

Dr. S. Herbert says "If education is a preparation for life, then co-education would seem one of the best means of attaining that end."

Neither is there more value in the argument that co-education rises woman to the same level as men. On the contrary co-education proceeds from the assumptions that women are inferior to men. Separate schools do not show that girls are inferior to boys but that they are different. The progress of biology and psychology has, in recent years, shown that they are different at every stage of life.

1.1.8 Importance of Women Education in Modern India

India now recognizes in her woman as an invaluable natural resources, the development of which is an investment in her future.
The contemporary Indian woman is both a citizen and a home maker and in order that she may perform both these functions efficiently and responsibly. She must be provided with at least a general education and where intelligence and particular aptitudes are revealed a professional and vocational education. Even where exceptional ability is not revealed, a good general education should be provided.

K. Natarajan once said that, if a person who died a hundred years ago came of life today, the first and foremost important change that would strike him is the revolution, the literary rate for women is depressingly low. We might perhaps indicate at this stage a few of the factors responsible for this, which are best illustrated by drawing the following comparisons. Educational institutions for men and boy out number those for girls and women by twelve to one.

During 1960-61, where as 28.6 million boys were enrolled only 13.06 millions girls were enrolled. At the end of the 3rd Five Year Plan (1965-66), while the enrolment of boys at the stage 6-14 years is likely to rise to 40.02 millions, that of girls is likely to be only 22.88 million. In addition there is a scarcity of women teachers and a general lack of understanding concerning the special needs of girls.

1.1.9 Constitutional Provisions for Women Education

"Our women have more rights than women of other countries but there are large areas wherein women are suffering, where may be they are not conscious of their rights." (Gulshan, 1975) A constitution embodies the legal framework of a nation state. (MacIhvain, 1947) It constitutes and establishes the high institution of the national life and does the structuring of the government of the state. It establishes the apparatus, organization and system of government; lays down the organic and basic rules which must regulate the composition and functions of the principal organs of state, the government and its agencies, (Where 1966), authorities ad instrumentalities – the executive, the legislature and the judiciary; and maps down their powers, spheres of their activities and interrelations.

The Constitution of India, unlike that of Britain, is a written one. "The Constitution is a self contained code, except with a mention of the Indian Interpretation Act, 1897. Divided into XXII parts, it originally contained 395 Articles grouped in many Chapters. The form of the constitution is as described by Dr. Ambedkar, in his speech in the assembly, federal, and the nature of government prescribed under it is parliamentary.

The Constitution of India opens with a preamble. The preamble was drafted by B.N. Rau in his memorandum of May 30, 1945 and later it was reproduced in the Draft of October 7, 1947. The Drafting committee considered it formally and decided that it should be restricted to defining the special features and the basic socioeconomic objectives of the Republic.

**Preamble**

"We, the people of India, having solemnly resolved to constitute India into a Sovereign Socialist Secular Democratic Republic and to secure to all its citizens;

Justice – Social, economics and political;
Liberty – of thought, expression, belief, faith and worship;
Equality - of status and of opportunity, and to promote among them all;
Fraternity – assuring the dignity of the individual and the unity and integrity of the Nation.

In our Constituent Assembly this twenty – sixth day of 26th November, 1949, do hereby adopt, enact and give to ourselves this constitution (Kagzi 1984).

In the Indian Constitution, education is both a Union and a State subject. It means that both the center and the state are responsible for its expansions and progress. Our Constitution has guaranteed free
and compulsory education to every child up to the age of 14 years. It is the responsibility of the Centre and the States to see that every individual is equipped with the necessary knowledge, skills and attitudes to discharge his duties as a responsible and comparative citizen so that the proper functioning of democracy in the Nation and also at the international level can be maintained with its limited resources in all aspects like social, economic, political, educational and familial, etc.

There are a number of Articles and Clauses in the Constitution which directly or indirectly make provision for education and apportion educational responsibilities to the Centre and the States. Briefly speaking the Constitution of India makes the following provisions for education:

1. **Article 15(1):**
   “The state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”

2. **Article 15(3):**
   “Nothing in this article shall prevent the State from making any special provision for women and children.”

3. **Article 16(1):**
   “There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state.”

4. **Article 28(1):**
   “No religious institution shall be provided in any educational institution wholly maintained out of state funds.”

5. **Article 29(2):**
   No citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds only of religion, race, caste, language or any of them.”
6. Article 30(1):
"All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice."

7. Article 30(1A):
"In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in Clause (1), the state shall ensure that the amount fixed by or determined under such law for the acquisition of property is such as would not restrict or abrogate the right guaranteed under the clause."

8. Article 30(2):
"The State shall, in particular, direct its policy towards securing that the citizens, men and women, equally have the right to an adequate means of livelihood."

9. Article 39(a):
"The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of minority, whether based on religion or language."

10. Article 39(d):
"That there is equal pay for equal work for both men and women."

11. Article 39(e):
"That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength."

12. Article 45:
"The state shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years."
13. Article 46:
"This State shall promote with special care the educational and economic interests of the weaker section of the people and, in particularly, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

14. Article 257(1):
"The executive power of every state shall be so exercised as not to impede or prejudice the exercise of the executive power of the Union, and the executive power of the Union shall extend to the giving of such directions to a state as may appear to the Government of India to be necessary for that purpose."

15. Article 282:
"The Union or a State may make any grants for any public purpose, nitwits ding that the purpose is not one with respect to which parliamentary or the legislature of the State, as the case may be may make laws."

16. Seventh Schedule (Article 246):
A-list I – Union List: (iii) Entry 62:
The institutions known at the commencement of this Constitution as the National Library, Indian Museum, the Imperial War Museum, the Victoria Memorial and the Indian War Memorial, and any other like institution financed by the Government India wholly or in part and declared by parliament by law to be an institution of national importance."

(iv) Entry 63:
"The institutions known at the commencement of this Constitution as the Aligarh Muslim University, the Banaras Hindu University and Delhi University, the Banaras establishment in pursuance of Article 371 E: any other institution declared by parliament by law to be an institution of national importance."
(v) Entry 64:
"Institution for scientific or technical education financed by the Government of India wholly or in part and declared by parliament by law to be institution of National Importance."

(v) Entry 64:
"Union agencies and institutions for:
a. professional, vocational or technical training, including the training of police officers; or
b. the promotion of special studies or research; or
c. scientific or technical assistance in the institution or detection of crime."

(vii) Entry 66:
"Coordination and determination of standards in institutions for higher education or research and scientific and technical institutions."

B. List II – State List:

(l) Entry 14:
"Agriculture, including agricultural education and research, protection against pests and prevention of plant diseases."

C. List 111 – Concurrent List:

(l) Entry 25:
"Education, including technical education, medical education and universities, subject to the provisions of entries 63, 64, 65 and 66 of list 1; Vocational and Technical training of labour."

1.1.10 Comments on Constitutional Provisions Regarding Women Education

Women complain that they make the largest minority in India and yet they suffer from a variety of social and economic disabilities which prevent them from fully exercising their human rights and freedoms in the society. Though the circumstances have now changed but only up to some time ago child-marriage, especially of female children, was common. Widow marriage, especially of female children, was common. Widow marriage was prohibited, even if the widow succeeded in escaping from the funeral pyre of her deceased husband where she
was expected to be burnt alive. A divorce was generally looked down upon and the remarriage of a divorcee was socially disapproved. If some of these problems still persist in varying degrees it is not due to any lacunae in the Constitutional provisions against them. For out Constitution has made explicit provisions against these social discriminations and evils against women and as been playing an important role in changing deeply rooted social attitudes. During the last three decades a number of laws have been registered with a view to ensuring equality of status and opportunity for women. The following articles in the Constitution of India make specific provisions for the education of women:

**Article 15 (1) States:** “The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”

**Article 15 (3) States:** “Nothing in this article shall prevent the State from making a special provision for women and children.”

**Article 16 (1) States:** “There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.”

**Article 39 (a) States:** “The citizen, men and women equally have the right to an adequate means of livelihood.”

In the Indian Constitution it is assured that no one is discriminated against on the basis of sex. But in reality social taboos have historically been retarding the progress of women, especially in the field of education. The following table shows the slow educational progress of women during 1921 and 1931.

**Article 6 (1)** of the Constitution provides that there shall be equality of opportunity for women not only in the field of education but also in the field of employment. But the following table (Table 2) Presents a dismal picture of male-female ration in different employment fields. It is observed from the table that at the time of India becoming a Republic, the bulk of the women workers were engaged in cultivation. The condition of women peasants was miserable beyond description.
In trade and commerce the sex ratio was even more dismal. There were in this field only 2.8 per cent women workers in comparison to 6.1% of men workers in view of the deploring low status and representation of women in various walks of Indian life and society, at the dawn of Independence and at the time of the drafting and promulgation of the Indian Constitution, it was felt necessary to make certain specific provisions in the constitutions and also to take certain practical measures, to rectify the discriminations and injustices of the past. And, thereby to uplift women to the parity with men. The decades since independence have been singular progress of women in various fields. The framers of our Constitution and the Members of Constitution Assembly have shown tremendous insight and farsight in making suitable constitutional provisions for safeguarding the educational and other interests of women who have had suffered centuries of neglect.

1.2 Concept of Minorities
The expression “minority” has been derived from the Latin word ‘minor’ and the Suffix it which means “small in number”.
According to Encyclopedia Britannica ‘minorities’ means group held together by ties of common descent, language or repeats from the majority of the inhabitants of a given political entity’, J.A. Laponce in his book “The Protection to Minority” describes “minority” as a group of persons having different race language or religion from that of majority inhabitants. In the year book on Human Rights U.N. Publication 1950 ed. Minority has been described as non-dominant group having different religion or linguistic traditions than the majority population.
The concept of minorities as given by various authorities and authentic sources are resented below:
1. The word ‘minority’ has not been defend in the Constitution, The Motilal Nehru Report (1928) showed a prominent desire to afford protection to minorities. But did not define the expression. The
Sapru Report (1945) also proposed inter alia, Minorities Commission but did not define minority.

2. The Year Book Human Rights (1950) page 490, the U. N. Sub-Commission on Prevention of Discrimination and Protection of Minorities has defined ‘minority’ (by an inclusive definition) as under: The term ‘minority’ includes only those non dominant group in a population which possess and wish to preserve stable ethnic, religious or linguistic tradition or characteristics markedly different from those of the rest of the population;

Such minorities should properly include a number of persons sufficient by themselves to reserve such traditions or characteristics; and

Such minorities must be loyal to the state of which they are Nationals.

3. Article 27 of the International Convention on Civil and Political Rights does not define the expression but gives the following rights to them:

   In those states in which ethnic religious or linguistic minorities exist persons belonging to such minorities shall not be defined the right a community with the other members of the group. To enjoy their own culture, to prefers and practice their own religion or to use their own language.

4. P.M. Bakshi (2002), has explained the concept of minority as follows;

The back word classes are not minorities within article 30 as K.M. Munshi (C.A.D. page 227) pointed out, “The Harijans generally known as the scheduled castes are neither a racial minority nor a linguistic minority ...... the Harijans are part and parcel of Hindu community,” following judicial decisions are relevant as to the concept of ‘minorities’:

i. Kerla Education bill. In Re, Air 1958 SC 956, 976, 977

ii. Shri Krishna V. Gujarat University, AIR 1962 GVI 88 (Shelat, C. 3)
iii. Aldo Mana Pathroni V.E.C. Keshavan, AIR 1965 Kar. 75 (M.S. Menson, C.J.)


vii. D.A.V. College V. State of Punjab AIR 1971 SC 1731


Although the word ‘minorities’ occurs in marginal not to article 29, it does not occur in the text. The original proposal of the advisory committee in the constituent assembly recommended the following:

1. Minorities in every unit shall be protected in respect of their language, script and culture and no laws or reputations may be enacted that may operate oppressively or prejudicially in their respect.” (B. Siva Rao, “Select Documents” (1957) Vol.2, page 281)

But after the drafting committee considered the clause on 1st November 1947, it emerged with substitute of ‘section of citizens’, (B. Siva Rao, Select documents (1957), Vol. 3 pages 525-26. clause 23, draft constitution). It was explained that the intention had always been to use minority in a wide sense, so as to include Bengal. (7 C.A.D. Pages 522-23).

5. Basu, D.D. (2001) has delineated the concept of minorities as follows;

i. The word ‘minority’ is not defined in the constitution according to the popular sense of community, which is numerically less than 50 percent of the population of the state concerned.

ii. When the law, which is impugned as violating article 30, is a state law. Applicable to the territory of the state as whole and not only particular reason thereof conversely, if it is a state law. A minority community of the state would be entitled to the
protection of article 30 (1) even through it may not constitute a minority in relation to the whole India.

iii. The 'minority' referred to in article 30 must be a minority based either on religion or language need not be both.

iv. Again for me purpose of article 30(1) a community may constitute a minority based on language even though they may not have a separate script; it would be enough if they have separate spoken language.

v. It has been held that Ramkrishna and his disciple Swami Vivekananda Preached Hindu religion and not a minority religion called Ramakrishna Religion district and separate from Hindu religion.

vi. A school which other wise a minority school would continue to be so whether the government declared it as such or not government declaration is out the best may recognition of a guessing teach.

6. Dictionary of the Social Sciences, (2002) has defined a minority group as a social group or category of people who are stigmatized and or discriminated against on the basis of the identity. The term generally refers to situations in which such groups are numerical minorities will respect to dominant culture or ethnic majorities yet it sometimes includes all groups that suffer from disparities of power or unequal treatment, such as women who constitute a numerical majority in the United Nations.

7. According The Concise Oxford Dictionary of Sociology, (1994) since the 1930s the term minority has been applied to social groups that are oppressed or stigmatized on the basis of racial, ethnic, biological or other. For example defines a minority group as "A group of people who, because of their cultural characteristics are singled only from the others in the society in which they live for differential and unequal treatment and who therefore regard themselves as objects of collective discrimination, however, been in these, a minority group could in fact constitute a numerical majority in any society for example blacks in South Africa it might
be more useful. Therefore, to distinguish between groups which are actually a minority in numbers and those, which are marginal in terms of their access to power. The study of minorities has recently been linked to the study of deviance labeling stigma, racism. The authoritarian personality Homophobia, and Sexism.

8. The New International Webster’s Student Dictionary of the English Language, (2000)- (International Encyclopedia Edition), defines a minority Group as “A group comprising less than half of a population and differently from the others and esp. from a larger predominant group. As in race religion, political affiliation etc.”

9. A Dictionary of the Social Sciences, (1965) defines a Minority Group as “The term minority group sometimes minority, is often used as a synonym for ethnic, racial, and religious groups. There appears to be a tendency to utilize the term ethnic group when invidious distinctions are not under consideration and to use the term minority group to imply invidious distinctions. Both terms have physical, religious, racial, and other cultural characteristics or referents. It would appear that a modification of RA Schermerhom’s discussion would cover the essential characteristics of minority groups as observed both in American and non American societies”.

Minorities are subgroups within a culture, which are distinguishable from the dominant group in power by reason of differences in physical features language, customs or cultural patterns (including any one or combination of these factors). Such sub-groups regarded (or regard themselves) inherently different from the dominant power group; for this reason they withdraw from or are consciously or unconsciously excluded from full participation in the life of the culture, such a definition would include groups with secessionist, pluralist, or assimilations orientations.

There is a wide consensus among sociologists that the term should not be regarded as a statistical concept the classical definition is that of low worth who said; is we may define a minority as a group of
people who because of their physical or cultural characteristics, are
singled out from the others in the society in which they live for
differential and in especial treatment, and who therefore regard
themselves as objects of collective discrimination .....minority status
carries with it the exclusion from full participation in the life of the
society" (the problem of minority group; in R. Linon (ed.), The science
of man in the world crisis New York: Columbia University press 1945,
P. 347).
While Wirth placed the minority group in opposition to the majority
group, A.M. and C.B. Bose, Rejecting any purely numerical definition,
give special emphasis to this opposition in their definition: 'the mere
fact of being generally hated and being hated because of religious,
racial or natural background Vs. what defines a minority group'
(America Divided, New York: KNOPF, 1948, p.3).
Unlike Wirth and Rose, R.A. Schemerhom gives a definition of
minority group which does not require a conscious application of
differential treatment of minority group on the part of the dominant or
majority group. Schermerhom says 'minorities are sub-groups within
a culture which are distinguished from the dominant group by reason
of differences in physiognomy, language, customs or cultural patterns
(including any combination of these factors) such sub-groups are
regarded as inherently different and "not belonging" to the dominant
group; for this reason they are consciously or unconsciously excluded
from full participation in the life of the culture' (these our people
Boston: Health, 1949, p. 5).
Minority as the term “minority” refers to any group that constitutes
less than a numerical majority of a population or membership of an
organized body. Thus Negroes and Scheduled Tribes are an ethnic
minority in general population respectively of U.S. and India, Jews
and Muslims are religious minorities in America and India
respectively. In legal sense the term minority refers to age limits too
certain legal purpose, for example citizen under the age of 18 are minors and may not vote.

It is very clear from the above definitions that a minority means

i. 'Group held together by ties of common descent, language or repeats from the majority of the inhabitants of a given political entity'.

ii. The term 'Minority' includes only those non-dominant group in a population which posses and wish to preserve stable ethnic, religious or linguistic, tradition or characteristics markedly different from those of the rest of the population.

iii. The work 'Minority' is not defined in the constitution. According to the popular sense of community, which is numerically (all mericauy) less than 50 percent of the population of the state concerned.

iv. Minority group as a group comprising less than half of a population and differently form the others and esp. from a larger predominant group, as in race, religion, political affiliation etc.,

v. The term “Minority” refers to any group that constitutes less than a numerical majority of a population or membership of an organized body.

1.2.1 State Wise Minority Communities (Population) in India

The erstwhile Ministry of Welfare now Ministry of Social Justice and Empowerment, Government of India issued Notification dated 23rd October, 1993. The Notification is reproduced below: “In exercise of powers conferred by Clause of section 2 of the National Commission for Minorities Act, 1992 (19 of 1992), the Central Government hereby notifies the following communities as “the minority communities” for the purposes of the said Act, namely:

1. Muslims
2. Christians
3. Sikhs
4. Buddhists
5. Zoroastrians (Parsis)
1.2.2 Minorities and United Nations Organization (UNO):

On Defining Minority: One of the hotly debated issues in UN for the question of defining what constitutes a 'minority' besides considering many proposed question. The UN and two authoritative definitions before it. One, the PCIJ (In an Advisory Opinion of 31 July 1930) had defined a community (in the Greco-Bulgarian communities case) as:

By tradition, the community is a group of person living in a given country or locality, having a race, religion, language and traditions of their own and united by this identity of race, religion, language and traditions in a sentiment of solidarity with a view to preserving their traditions. Maintaining their form of worship, ensuring the instruction and upbringing of their children in accordance with the superior traditions of their race and rendering mutual assistance to each other. The second definition was given by Capotorti’s study on minorities as follows:

A group numerically inferior to the rest of the population of a state in a non-dominant position, whose members being nationals of the state posses ethnic, religious or linguistic characteristics differing from those of the rest of the population and show if only implicitly. A sense of solidarity, directed towards preserving their culture, traditions, religion of language.

Un Declaration on Rights of Minorities – 1992

The UN had promulgated the “universal declaration of rights” on 10 December 1948 and a “declaration on the elimination of all forms of intolerance and discrimination based on religion or belief” on 25 November, 1981.

Not finding the general provisions of the two earlier declarations for equality and non-discrimination groups to safeguard the rights and the interests of the minorities and realizing that it was necessary to clarify and specify the rights of the minorities in an outright and straight forward way. The UN promulgated the “declaration on the rights of minorities” on 18 December, 1992.

1st December, 1998
UN Declaration on the rights of persons belonging to national religious and linguistic minority.

The general assembly reaffirming: That one of the main purpose of United Nations as proclaimed in the character of the United Nations is to achieve international co-operation. In promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

Noting the importance of the even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic and linguistic minorities.

Welcoming the increased attention given by human rights treaty bodies to the non-discrimination and protection of minorities.

Aware of the provision of article 27 of the international covenant on civil and political rights concerning the rights of persons belonging to ethnic, religious, or linguistic minorities.

Considering that the United Nations has an increasingly important role to play regarding the protection of minorities.

Bearing in mind the work done so far within the United Nations system, in particular through the relevant mechanism of the commission on human rights and the sub-commission on prevention of discrimination and protection of minorities in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities.

Recognizing the important achievements in this regard in regional, sub-regional and bilateral frame works. Which can provide a useful source of inspiration for future united nation activities.

Stressing the need to ensure for all without discrimination of any kind. Full enjoyment and exercise of human rights and fundamental freedoms and emphasizing the importance of the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities in this regard.

Commission on Human Rights resolution 1992/16 of 21 February 1992 by which the commission approved the ext of the draft declaration on the rights of persons belonging to national or ethnic religious and linguistic minorities and economic and social council resolution 1992/4 of 20 July 1992 by which the council recommended it to the general assembly for adoption and further action.

Having considered the note by the general secretary

Adopts the declaration on the rights of persons belonging to national or ethnic religious and linguistic minorities. The text of which is annexed to the present resolution.

Requests the Secretary-General to ensure the distribution of the declaration as widely as possible and to include the text of the declaration in the next edition of human rights. A computation of international instruments.

Invites United Nations agencies and organization and inter-governmental and non-governmental organization to intensify their efforts with a view to disseminating information on the declaration and to promoting understanding thereof.

Invites the relevant organs and bodies and representatives of the commission of human rights and the sub-commission discrimination and protection of minorities. To give due to regard to the declaration within their mandates.

Requests the secretary general to consider appropriate ways for the effective promotion of the declaration and to make possible thereon.

Requests the secretary general to report to the general assembly at its forty-eighth session on the implementation of the present resolution under the item entitled human rights questions.

1.2.3 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities


The general assembly.

Reaffirming that one of the basic aims of the United Nations as proclaimed in its charter is to promote and encourage respect for
human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.
Reaffirming forth in fundamental human rights, in the deputy and worth of the human person in the equal rights of men and women and nations large and small.
Desiring to promote the realization of the principles contained in the charter of the United Nations. The universal declaration of human rights, the convention on the prevention and punishment convention on the elimination of all forms of racial discrimination of internal covenant on economic social and cultural rights. The declaration on the elimination of all forms on religion or belief, and the convention on the rights of the child as well as other relevant international instruments other have been adopted at the universal or regional level and those concluded between individual states members of the United Nations.
Inspired by the provisions of article 27 of the international covenant on civil and political rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities.
Considering that the promotion and protection of the rights of persons belonging to National or ethnic religious and linguistic minorities contribute to the political and social stability of states in which they live.
Emphasizing that the constant promotion and realization of the rights of persons belonging to National or ethnic religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law would contribute to the strengthening of friendship and co-operation among peoples and states.
Considering that the United Nations has an important me to play regarding the protection of minorities.
Bearing in mind that was done so far within the United Nations system. In particular the commission on human rights the sub-commission on prevention of discrimination and protection of
minorities and the bodies establish pursuant to the international covenants on human rights and other relevant international human rights. Instruments on promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities. Taking into account the important work which is carried out by inter-governmental and non-governmental organizations. In protecting minorities and in promoting and protecting rights of persons belonging to national or ethnic, religious and linguistic minorities. Recognizing the need to ensure even more effective implementation of international instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities. Proclaims this declaration on the rights of the persons belonging to national or ethnic religious and linguistic minorities.

**Article – 1**

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity.

2. States shall adopt appropriate legislative and other measures to achieve those ends.

**Article 2**

1. Persons belonging to national or ethnic religious and linguistic minorities (here in after referred to as persons belonging to minorities) have the rights to enjoy their own culture. To prefers and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.

2. Persons belonging to minorities have the right to participate effectively in culture, religious, social, economic and public life.

3. Persons belonging to minorities have the right to participate effectively. In taking decision on the national and where appropriate regional level concerning the minority to which they
belong or the regions. In which they live in a manner not incompatible with national legislation.

4. Person belonging to the minorities have the right to establish and maintain their own associations.

5. Persons belonging to the minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other states to whom they are related by national or ethnic, religious or linguistic ties.

**Article 3**

1. Persons belonging to minorities may exercise their rights, including those set forth in this declaration, individually as well as in community with other members of their group without any discrimination.

2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights set forth in this declaration.

**Article 4**

1. State shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. States shall take measure to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, tradition and customs. Except where specific practices are violation of national law and contrary to international standards.

3. States should take appropriate measures so that wherever possible. Persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.
4. States should where appropriate take measures in the field of education. In order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. State should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

**Article 5**

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

2. Programmes of co-operation and assistance among states should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

**Article 6**

States should co-operate on questions to persons belonging to minorities, including exchange of information and experience in order to promote mutual understanding with confidence.

**Article 7**

States should co-operate in order to promote respects for the rights set forth in this declaration.

**Article 8**

1. Nothing in this declaration shall prevent the fulfillment of international obligations of states in relation to persons belonging to minorities. In particular states shall fulfill in good faith the obligations and commitments. They have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in his declaration shall not prejudice the enjoyment of all persons of university recognized human rights and fundamental freedoms.

3. Measures taken by states to ensure the effective enjoyment of the rights set forth in this declaration shall not prima facie be
considered contrary’ to the principle of equality contained in the universal declaration of human rights.

4. Nothing in this declaration may be construed as permitting any activity contrary to the purposes and principles of United Nations. Including sovereign equality territorial integrity and political independence of stats.

Article 9
The specialized agencies and other organization of the United Nations system shall contribute to the full realization of the rights and principal set forth in this declaration within their respective fields of competence.

1.2.4 Constitutional Provisions for Minorities in India:
In India, the National constitution of 1950 or any other constitutional document does not define the word ‘minority’. The constitution only refers to minorities and speaks of there ‘based on religion or language. In the constitution of India the preamble (as amended in 1976) declares the state to be ‘secular’, and this is of special relevance for the religious minorities. Equally relevant for them, especially, is the prefatory declaration of the constitution in its preamble that all citizens of India are to be secured “liberty of though, expression, belief, faith and worship and equality of status and of opportunity”.
Part III of the constitution of India, on fundamental rights contains the following principles relating to or having a bearing on the rights of the minorities.
Article 14 peoples’ right to “quality before the law” and “equal protection of the laws”.
Article 15 provisions of discrimination against citizens on grounds of religion, race, sex or place of birth;
Authority of state to make “any special provision for the advancement of any socially and educationally backward classes of citizens” (besides the scheduled castes and scheduled tribes);
Citizens right to “equality of opportunity” in the matters relating to employment or appointment to any office under the state and
prohibition in this regard of discrimination on grounds of religion, race, caste, sex or place of birth.

Authority of state to make "any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the state, is not adequately represented in the services under the state";

Sikh community's right of "wearing and carrying of Kirpans"; Right of every religious denomination or any section thereof subject to public order, moralizing and health – to establish and maintain.

Institutions for religious and charitable propose. "Manage its own affairs of religion", and own and acquire movable immovable property and administer it "in accordance with law".

People's "freedom as to payment to taxes for promotion of any particular religion".

People's freedom as to attendance at religious instruction or religious worship in educational institutions" wholly maintained recognized, or aided by the state.

Right of "any Section of the citizens" to conserve its distinct language script or culture".

Restriction oh denial of admission to any citizen, to any educational institution maintained or aided by the state, "on grounds only of religion, race, caste, language or any of them".

Right of all religious and linguistic minorities to establish and administer educational institutions of their choice; and

Freedom of minority – managed educational institutions from discrimination in the matter of receiving aid from the state.

Part IV of the constitution of India, containing non-sustainable directive principles of state policy, includes the following provisions having significant implications for the minorities.

i. Obligation of the state "to endeavour to eliminate inequalities in status, facilities and opportunities" amongst individuals and groups of people residing in different areas or engaged in different vocations;
ii. Obligation of state to “endeavour to secure for the citizens a uniform civil code throughout the territory of India”;

iii. Obligation of state “to promote with special case” the educational and economic interests of the weaker sections of the people (besides scheduled castes and scheduled tribes); and

iv. Obligation of state to “take steps” for “prohibiting the slaughter of cows and calves and other mulch and draught cattle”.

Part IV – A of the constitution, relating to fundamental duties. Applies in full to all citizens, including those belonging to minorities and of special relevance for the minorities are the following provisions in this part.

i. Citizens’ duty to promote harmony and the spirit of common brotherhood amongst all the people of India” transcending religions, linguistic and regional or sectional diversities; and

ii. Citizens duty to “value and preserve the rich heritage of our composite culture”.

Some other provisions of the constitution having special relevance and implications for the minorities are;

i. Official obligation to pay out of the consolidated funds of the states of Kerala and Tamilnadu 46.5 and 13.5 lakh rupees respectively to the local “Devasom funds” for the maintenance of Hindu Temples and Shrines in the territories of the erstwhile state of Travancore-cochin,

ii. Special provision relating to the language spoken by a section of the population of any state;

iii. Provision for facilities for instruction in mother tongue at primary state;

iv. Provision for a special officer for linguistic minorities and his duties;

v. Special provision with, respect to Naga religious or social practices, customary law. And procedure and “administration of civil and criminal justice involving decisions according to Naga customary law”;

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vi. Identical special provision for the Migos; and vii Provision relating to constitution in force of pre-constitution law's “until altered or repealed or amended by a competent legislature or other competent authority”.

**Part III** of the constitution gives certain fundamental rights. Some of these rights are common to all the citizens of India including minorities, these rights are ensured in –

**Article 14:** Which ensures equality before law and equal protection of law.

**Article 15:** Which prohibits discrimination on any ground i.e., religion, race, caste, sex, place of birth.

**Article 21:** No person shall be deprived of his life or personal liberty except the procedure established by law.

**Article 25:** Which ensures freedom of conscience and the right freely to profess, practice and propagate religion.

**Article 26:** Which ensures a right to manage religious institutions religious affairs, subject to public order, morality and health.

**Article 29:** Gives minorities a right to conserve their language, script or culture.

**Article 30:** It provides for the protection of the interests of minorities by giving them a right to establish and administer educational institutions of their choice. The state is directly not to discriminate against minorities institutions in granting aid.

**Article 350 A:** Directs the state to provide facilities for instruction in the mother tongue at the primary state of education.

**1.2.5 Measures for Welfare of Minorities in India**

The central government has notified five religious communities namely Muslims, Christians, Sikh Buddhists and Zoroastrians (Parsis) as minorities. These five communities constitute about 17% of the country's population.

The educational and economic development of this section of the society and their mainstreaming is crucial for achieving the major national goals. It is deemed necessary to create conditions in which
the minorities are assured that their constitutional and legal rights are safeguarded, and educationally and economically they are at pay with the mainstream.

Following are the schemes related with welfare of minorities

Centrally sponsored scheme for coaching and allied assistance for weaker section including SC/ST other backward classes and minorities.

National Minorities Development and Finance Corporation (NMDFC)

15-point programme for the welfare of minorities.

National Commission for Minorities (NCM).

Maulana Azad Educational Foundation (MAEF).

Special officer for Linguistic Minorities.

Development of Urban Wakt Properties.

Each one of the above measures are discussed in brief below

1) Centrally sponsored scheme for coaching and allied assistance for weaker section including SC/ST other backward classes and minorities.

Objective:
The Scheme aims at assisting students belonging to weaker section. SCs, OBCs and minorities by way of special Coaching for:

a. Admission in to institution imparting technical, vocational courses such as in engineering, medical, agricultural, management, information technology and service related curses both in public and private sectors.

b. Recruitment to services under Groups A and B under the central and state governments public sector undertakings banks as well as in private sector.

Implementing Agency

Institutions of repute, both public and private, which are manning coaching courses and have achieved distinctions during the proceeding three years, in terms of success rate of candidates coached by such organizations will be eligible for assistance under the scheme. Institutions seeking assistance under the scheme shall submit details
in the proforma prescribed to the state government concerned. The state government shall inspect details given by the institution and forward the application to the ministry of social justice and empowerment along with their recommendation.

Eligibility of the Institutions/Student for Selection under the Scheme.
1. The institute should be either a trust company partnership firm or society registered under relevant law.
2. The institution should have experience of imparting coaching in the courses for which assistance under the scheme is being sought for a period not less than 3 years provided that institutions functioning for less than 3 years can be considered only for places, where there was no such facility earlier.
3. Only students belonging to SCs, OBCs and minorities having family income less than Rs. 1.00 Lakh annum will be eligible for assistance.

Finding

The selected institution will be paid based on the course and number of students per course as sanctioned on contractual basis, assistance to NGOs, universities and institutions running coaching programs will be borne on 90:10 basis, with the center bearing 90% of the expenditure and concerned state / UP bearing the remaining 10%, institutions run by state governments will be paid central assistance on 50:50 basis and 100% assistance will be provided to UTs. The grant may be released in two equal installments.

**ii) National Minorities Development and Finance Corporation**

NMDFC was set up by the government of India to provide a “special focus to economic development of minorities”. The people belonging to five communities i.e., Muslims, Christians, Sikhs, Buddhists and Parsis have been notified Act 1992. The finance to the minorities living below double the poverty line for self-employment control of the ministry justice empowerment, government of India.

The authorized share capital of NMDFC is Rs. 500 crores. The paid up share capital (till 31/03/2003) was Rs. 285.03 crores of which Rs. 62
241.26 crores has been contributed by the government of India and Rs. 43.77 crores by various state governments as well as union territory administrations.

NMDFC is a National level apex financing body it has two channels to reach the ultimate beneficiaries – one through the state channeling agencies (SCAS) Nominated by the State governments and the other, through SCAS. Individual beneficiaries are assisted under term loan and educational loan schemes and through NGOs. Micro credit is provided for the members of self help group (SHGs). Presently NMDFC has 34 operational state channelising agencies in 25 states and two union territories and a network of more than 10 NGOs across the country.

Newly created stated of Uttaranchal, Jharkhand and Chatisgarh have also operational over the years. The activities of NMDFC have yearly increased. It has been able to finance more than 469.50 crores for about 1.79 lakh beneficiaries under the twin schemes of term loan and micro-financing.

**Table-1.3: Financial Assistance Schemes of NMDFC**

<table>
<thead>
<tr>
<th><strong>Term Loan</strong></th>
<th>It is the main activity of NMDFC which is undertaken through the SCAS loans to individual beneficiaries are provided for projects with a maximum unit cost of Rs. 5.0 Lakh. The pattern of funding envisages 85% NMDFC share, and the SCA and beneficiary contribute the remaining 15% with minimum 5% share from the beneficiary. NMDFC provides loans to the SCAS at 3% rate of interest.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Micro Financing Scheme</strong></td>
<td>NMDFC has taken the lead to start a parallel channel of micro-financing. This initiative has been taken in order to reach the poorest among the target group. Specially the minority women scattered in remote villages and urban slums who are not able to take advantage of the formal banking credit as well</td>
</tr>
</tbody>
</table>
as NMDFC programme through its SCA under this scheme small loans up to a maximum of Rs. 10,000 per beneficiary are provided through the network of NGOs and SHGS funds are given to the NGOs at an interest rate 4% which further do the lending to the beneficiaries directly or through the SHGs at an interest rate of 10%.

<table>
<thead>
<tr>
<th>Educational Loan Scheme</th>
<th>NMDFC has recently introduced educational loan schema with the objective of facilitating job-oriented.</th>
</tr>
</thead>
<tbody>
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<td><strong>Educational Loan Scheme</strong></td>
<td><strong>NMDFC has recently introduced educational loan schema with the objective of facilitating job-oriented.</strong></td>
</tr>
<tr>
<td><strong>Education among the weaker section of minorities.</strong> The loan is available for professional and technical courses of short duration (up to a maximum of 2 years) having good employment potential maximum loan of Rs. 75,000 is given to the eligible persons belonging to minorities. The loan is available at 3% interest and is repayable in a period of 5 years after 6 months from completion of the course or getting employment, whichever is earlier. The scheme is implemented through the state channelising agencies of NMDFC.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Capacity Building of Targeted groups</th>
<th><strong>Vocational Training Scheme</strong> The vocational training scheme aims at imparting skill in the targeted beneficiaries leading to self/wage employment NMDFC provides 85% grants for conducting such vocational training programmes through the state channelising agencies. <strong>Manila Samridhi Yojana</strong> A unique scheme linking micro credit with the training to the women members to the formed in to SHGs in the trades such as tailoring cutting and embroidery etc., has been launched by NMDFC. The</th>
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</tr>
</tbody>
</table>
scheme is being implemented through the state channelising agencies of NMDFC.

*Marketing Assistance Programme*

NMDFC provides marketing support to the artisans belonging to minorities for undertaking marketing of their products through participation in various national as well as state level exhibitions.

**Table-1.4: Achievements of WMDFC**

**Term Loan (Year wise achievements) (Amount in Rs. Lakhs)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Funds Distributed among in Rs. Lakh</th>
<th>Beneficiaries Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994-95</td>
<td>3003.9</td>
<td>9570</td>
</tr>
<tr>
<td>1995-96</td>
<td>649.13</td>
<td>4797</td>
</tr>
<tr>
<td>1996-97</td>
<td>4423.4</td>
<td>10749</td>
</tr>
<tr>
<td>1997-98</td>
<td>2341.3</td>
<td>4932</td>
</tr>
<tr>
<td>1998-99</td>
<td>593.9</td>
<td>14333</td>
</tr>
<tr>
<td>1999-2000</td>
<td>6077.9</td>
<td>22510</td>
</tr>
<tr>
<td>2000-2001</td>
<td>7243.66</td>
<td>20274</td>
</tr>
<tr>
<td>2001-2002</td>
<td>92.06</td>
<td>21489</td>
</tr>
<tr>
<td>2002-2003</td>
<td>7103.71</td>
<td>16348</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>45,988.00</strong></td>
<td><strong>1,25,002.00</strong></td>
</tr>
</tbody>
</table>

State wise achievements (up to 31-03-2002)
Table 1.5: Micro Financing: Year wise Achievements
(up to 31-03-2002)

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount Distributed</th>
<th>Number of Beneficiaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998-99</td>
<td>43.08</td>
<td>3.281</td>
</tr>
<tr>
<td>1999-2000</td>
<td>52.41</td>
<td>7.359</td>
</tr>
<tr>
<td>2000-2001</td>
<td>100.15</td>
<td>11.418</td>
</tr>
<tr>
<td>2001-2002</td>
<td>477.67</td>
<td>24.529</td>
</tr>
<tr>
<td>2002-2003</td>
<td>290.44</td>
<td>7.540</td>
</tr>
<tr>
<td>Total</td>
<td>963.75</td>
<td>54.127</td>
</tr>
</tbody>
</table>

5) Commissioner for Linguistic Minorities

The office of the special officer for linguistic minorities (commonly known as the commissioner for linguistic minorities) was created in July 1957, in pursuance of the provision of Article 350 – B of the constitution.

The commissioner for linguistic minorities in India has his headquarters at Allahabad with three regional officers at Kolkata, Belgaum and Chennai. The CLM taken up all the matters pertaining to the grievances arising out of the non-implementation of the constitutional and National agreed scheme of state guards provided to linguistic minorities that come to its notice or are brought to its knowledge by the linguistic minority individuals groups association or organizations at the higher political and administrative levels of the state governments and UT administrations and recommends remedial actions to be taken.

The commission for linguistic minorities in India submits annual reports which are sent to the concerned ministries / departments of the central government and the government of various states/ UTs for follow up action after placing them in parliament. The CLM has submitted 38 annual report, so far.
6) Maulana Azad Education Foundation

Maulana Azad Education Foundation is a voluntary non-political, non-profit making organization established to promote education amongst the educationally backward minorities, the Maulana Azad Education Foundation was established in July 1989. As a society under the societies registration act and it is fully funded by the ministry of social justice of empowerment. Government of India presently the foundation has corpus found Rs. 70.01 crore. The Hon'ble minister for social justice of empowerment is ex-office president of the foundation.

The aim of the foundation is to formulate and implement educational schemes and plans for the benefit of the educationally backward minorities in particular and weaker sections in general, the foundation is providing financial assistance to NGOs for various educational activities.

Main Schemes

At present, the Maulana Azad Education Foundation is providing grant-in-aid to NGOs under following schemes.

i. Financial assistance for establishment/expansion of schools/residential schools/colleges.
ii. Financial assistance for purchase of lab equipments and furniture etc.,
iii. Financial assistance for setting-up/strengthening of vocational/technical training centers/institutes.
v. Financial assistance for remedial coaching.

Achievements

Up to 31st March 2003. The foundation has assisted 474 NGOs with a grant of Rs. 64.88 crore. Since inception apart from this the foundation arranges training programme for foundation. The foundation has provided free training to more than 3000 girls. Till now at the vocational training centers run by the foundation in collaboration with south Delhi polytechnic It Agmeri gate, Delhi in the
following trades Cutting and tailoring, textile designing, beauty culture, art and crafts and computers.
The following new schemes have been launched in the financial year Maulana Azad National scholarship for meritorious students belonging to minorities.
Maulana Azad Kalam Azad Literacy awards
Establishment of Maulana Azad Sadbhawana Kendras.
Procedure for Sanctioning Financial Assistance
The organizations/Institutions seeking financial assistance are required to apply in the prescribed proforma, the following points are taken into account while scrutinizing the project.
Educationally backward minority concentration areas are given preference for financial assistance under schemes of the foundation.
Only those societies/trusts, which are in existence for the last three years, are considered for assistance.
The record of service of the society/trust in the concerned field is the most important criterion for assistance under the schemes.
Audited financial statements of the society/trust for the last three years are required.
Details of accommodation available details of land of the assistance are required for construction of school/college/hostel buildings is required.

15 Point Programme for Welfare of Minorities

The 15 Point Programme for Welfare of Minorities was launched in May 1983. The programme is in the nature of guidelines to the state/UTs and aims at giving a sense of security and for ensuring rapid socioeconomic development of minority communities. The 15 point programme is based on a 3-pronged approach namely
i. To tackle the situation arising out of communal riot.
ii. Ensuring adequate state governments as well as public sector undertakings and
iii. Other measures, such as ensuring flow of benefits to the minority communities under various development programmes.
Maintenance and development of religious places. Wakf properties and redressal of grievances of the minorities.

The state governments/UTs and the concerned ministries/departments of government of India implement the programme and send half yearly reports to the ministry of social justice and empowerment which is monitoring progress of implementation of the 15-point programme at the National level. The ministry obtains reports in respects of points 11 to 8 from the ministry of home affairs, half – yearly reports in respect of point are obtained from the state government/departments the information received from concerned experiences is compiled analyzed reviewed and the deficiencies noticed in the implementation of the programme are brought to the notice of the authorities concerned for remedial action at the state level. The progress under the programme is monitored at the level of chief minister/chief secretary at the district level the programme is monitored by deputy commissioner/district magistrate.

1.2.6 Prime Minister's New 15-Point Programme for the Welfare of Minorities

A) Enhancing opportunities for Education:

i. Equitable availability of ICDS Services

The Integrated Child Development Services (ICDS) Schemes is aimed at holistic development of children and pregnant/ lactating mothers from disadvantaged sections, by providing services through Anganwadi Centres such as supplementary nutrition, immunization, health check-u, referral services, pre-school and non-formal education. A certain percentage of the ICDS projects and Anganwadi Centres will be located in blocks/villages with a substantial population of minority communities to ensure that the benefits of this scheme are equitably available to such communities also.

ii. Improving access to School Education:

Under the Sarva Shiksha Abhiyan, the Kasturba Gandhi Balika Vidyalaya Scheme, and other similar Government schemes, it will be
ensured that a certain percentage of such schools are located in villages/localities having a substantial population of minority communities.

**iii. Greater Resources of Teaching Urdu:**
Central assistance will be provided for recruitment and posting of Urdu language teachers in primary and upper primary schools that serve a population in which at least one-fourth belong to that language group.

**iv. Modernising Madarsa Education:**
The Central Plan Scheme of Area intensive and Madarsa Modernisation Programme provides basic education at infrastructure in areas of concentration of educationally backward minorities and resources for the modernization of Madarsa Education. Keeping in view the importance of addressing this need, this programme will be substantially strengthened and implemented effectively.

**v. Scholarship for Meritorious students from Minority communities**
Schemes for pre-matric and post-matric scholarships for students from minority communities will be formulated and implemented.

**vi. Improving Educational Infrastructure through the Maulana Azad Education Foundation:**
The government shall provide all possible assistance to Maulana Azad Education Foundation (MAEF) to strengthen and enable it to expand its activities more effectively.

**B) Equitable share in Economic Activities and Employment.**

**vii. Self-Employment for the poor**

a) The Swarnjayanti Gram Swarojgar Yojana (SGSY), the primary self-employment programme for rural areas, has the objective of bringing assisted poor rural families above the poverty line by providing them income generating assets through a mix of bank credit and Governmental subsidy.
A certain percentage of the physical and financial targets under the SGSY will be earmarked for beneficiaries belonging to the minority communities living below the poverty line in rural areas.

b) The Swarnjyanti Shahari Rojgar Yojana (SSRY) consists of two major components namely, the Urban Self-Employment Programme (USEP) and the Urban Wage Employment Programme (UWEP). A certain percentage of the physical and financial targets under USEP and UWEP will be earmarked to benefit people below the poverty line from the minority communities.

c) The Aampurna Grameen Rozgar Yojana (SGRY) is aimed at providing additional wage employment in rural areas alongside the creation of durable community, social and economic infrastructure. Since the National Rural Employment Guarantee Programme (NREGP) has been launched in 200 districts, and SGY has been merged with NREGP in these districts, in the remaining districts, a certain percentage of the allocation under SGRY will be earmarked for beneficiaries belonging to the minority communities living below the poverty line till these districts are taken up under NREGP. Simultaneously, a certain percentage of the allocation will be earmarked for the creation of infrastructure in such villages, which have a substantial population of minorities.

viii. Upgradation of skills through technical training

A very large proportion of the population of minority communities is engaged in low-level technical work or earns its living as handicraftsmen. Provision of technical training to such people would upgrade their skills and earning capability. Therefore, a certain proportion of all new it is will be located in areas predominantly inhabited by minority communities and a proportion of existing it is to be upgraded to ‘Centres of Excellence’ will be selected on the same basis.
ix. Enhanced credit support for economic activities
a) The National Minorities Development and Finance Corporation (NMDFC) was set up in 1994 with the objective of promoting economic development activities among the minority communities. The Government is committed to strengthen the NMDFC by providing it greater equity support to enable it to fully achieve its objectives.
b) Bank credit is essential for creation and sustenance of self-employment initiatives. A target of 40% of net bank credit for priority sector lending has been fixed for domestic banks. The priority sector includes, inter alia, agricultural loans, loans to small scale industries and small business, loans to retail trade, professional and self-employed persons, education loans, housing loans and micro-credit. It will be ensured that an appropriate percentage of the priority sector lending in all categories is targeted for the minority communities.

x. Recruitment to State and Central Services
a) In the recruitment of police personnel, State Governments will be advised to give special consideration to minorities. For this purpose, the composition of selection committee should be representative.
b) The Central Government will take similar action in the recruitment of personnel to the Central police forces.
c) Large scale employment opportunities are provided by the Railways, nationalized banks and public sector enterprises. In these cases also, the concerned departments will ensure that special consideration is given to recruitment from minority communities.
d) An exclusive scheme will be launched for candidates belonging to minority communities to provide coaching in government institutions as well as private coaching institutions with credibility.

C. Improving the conditions of living minorities

xi. Equitable share in rural housing scheme
The Indira Awaas Yojana (IAY) provides financial assistance for shelter to the rural poor living below the poverty line. A certain percentage of
the physical and financial targets under IAY will be earmarked for poor beneficiaries from minority communities living in rural.

**xii. Improvement in condition of slum inhabited by minority communities**

Under the schemes of Integrated Housing and Slum Development Programme (IHSDP) and Jawaharlal Nehru National Urban Renewal Mission (JNNURM), the Central Government provides assistance to States/ UTs for development of urban slums through provision of physical amenities and basic services. It would be ensured that the benefits of these programmes flow equitably to members of the minority communities and to cities/slums, predominantly inhabited by minority communities.

**D. Prevention and Control the communal Riots**

**xiii. Prevention of communal incidents**

In the areas, which have been identified as communally sensitive and riot prone, district and police officials of the highest known efficiency, impartiality and secular record must be posted. In such areas and even elsewhere, the prevention of communal tension should be one of the primary duties of the district magistrate and superintendent of police. Their performances in this regard should be an important factor in determining their promotion prospects.

**xiv. Prosecution for communal offences**

Severe action should be taken against all those who incite communal tension or take part in violence. Special court or courts specifically earmarked to try communal offences should be set up so that offenders are brought to book speedily.

**xv. Rehabilitation of victims of communal riots**

Victims of communal riots should be given immediate relief and provided prompt and adequate financial assistance for their rehabilitation.
1.2.7 National Commission for Minorities

The National Commission for Minorities has been reconstituted to perform a number of functions for one effective implementation of safeguards provided under the constitution for protection of the interests of minorities and make recommendations in this regard to the central government or state government as the case may be.

The commission receives approximately 3000 complaints/representations in a year. The complaints received by the commission are broadly related to authorities by the police service matters disputes relating to religious places and complaints relating to minority educational institutions. After raking cognizance of the complaints, reports are called for from the concerned authorities on receipt of the reports. The commission makes appropriate recommendations to the concerned authorities. The chairman, vice chairman, and members of the commission undertake visits to states/UTs during the period to review the problems relating of minorities.

The commission has also constituted a minority education cell to exclusively look after the problems being faced by minority educational institutions in regard to recognition, affiliation, grant-in-aid, etc.

1.2.8 Commissioner for Linguistic Minorities

The office of the special officer for linguistic minorities (commonly known as the commissioner for linguistic minorities) was created in July 1957, in pursuance of the provision of Article 350-B of the constitution.

The commissioner for linguistic minorities in India has his headquarters at Allahabad with three regional officers at Kolkata, Belgaum and Chennai. The CLM takes up all the matters pertaining to the grievances arising out of the non-implementation of the constitutional and National agreed scheme of state guards provided to linguistic minorities that come to its notice or are brought to its knowledge by the linguistic minority individuals, groups, association, or
organizations at the higher political and administrative levels of the state governments and UT administrations and recommends remedial actions to be taken.

The commission for linguistic minorities in India submits annual reports which are sent to the concerned ministries / departments of the central government and the government of various states/ UTs for follow up action after placing them in parliament. The CLM has submitted 38 annual reports, so far.

1.2.9 Maulana Azad Education Foundation

Maulana Azad Education Foundation is a voluntary non-political, non-profit making organization established to promote education amongst the educationally backward minorities, the Maulana Azad Education Foundation was established in July 1989. As a society under the societies registration act and it is fully funded by the ministry of social justice of empowerment. Government of India presently the foundation has corpus found Rs. 70.01 crore. The Hon'ble minister for social justice of empowerment is ex-office president of the foundation.

The aim of the foundation is to formulate and implement educational schemes and plans for the benefit of the educationally backward minorities in particular and weaker sections in general, the foundation is providing financial assistance to NGOs for various educational activities.

**Main Schemes**

At present, the Maulana Azad Education Foundation is providing grant-in-aid to NGOs under following schemes.

vi. Financial assistance for establishment/expansion of schools/residential schools/colleges.

vii. Financial assistance for purchase of lab equipments and furniture etc.,

viii. Financial assistance for setting-up/strengthening of vocational/technical training centers/institutes.

ix. Financial assistance for construction of hostel buildings.
Achievements

Up to 31st March 2003. The foundation has assisted 474 NGOs with a grant of Rs. 64.88 crore. Since inception apart from this the foundation arranges training programme for foundation. The foundation has provided free training to more than 3000 girls. Till now at the vocational training centers run by the foundation in collaboration with south Delhi polytechnic It Agmeri gate, Delhi in the following trades Cutting and tailoring, textile designing, beauty culture, art and crafts and computers.

The following new schemes have been launched in the financial year
Maulana Azad National scholarship for meritorious students belonging to minorities.
Maulana Azad Kalam Azad Literacy awards
Establishment of Maulana Azad Sabbhawana Kendras.

Procedure for Sanctioning Financial Assistance

The organizations/Institutions seeking financial assistance are required to apply in the prescribed proforma, the following points are taken into account while scrutinizing the project.

Educationally backward minority concentration area are given preference for financial assistance under schemes of the foundation.

Only those societies/trusts, which are in existence for the last three years, are considered for assistance.

The record o service of the society/ trust in the concerned field is the most important criterion for assistance under the schemes.

Audited financial statements of the society/ trust for the last three years are required.

Details of me accommodation available details of land of the assistance is required for construction of school/college/hostel buildings are required.

1.2.10 Government of Karnataka Department of Minorities

Government of Karnataka is among the States which are known for having the best of educational facilities. Until recently, it was
attracting the students from all the states in the country and even from abroad. It is important factor that at the government level, there is all concern for minorities education. The government has started more than 4000 schools for minorities in the state. However there are many lapses at implementation level by the bureaucrats. The Commission, during its visits to Mangalore, Udupi, Kodagu, Mysore, Davanagere, Dharwad, Belgaum, Gulbarga, Koppal, Bellary, Kolar, Chikmagalur, Bangalore Urban, Bangalore Rural and Shimoga Districts spend much time in visiting minorities institution and in knowing their problems through representatives of minorities.

During these tours, commission held meetings by inviting public and Minority Community Leaders in the DC’s office and also held meetings of District Level Officers of all the Departments to make assessment of the share flowing from the Govt. Schemes to Minority Communities. The Commission during the review of district officers meeting has specially noticed that the provisions of Govt. of Karnataka, Central Govt. and of NABARD schemes have not been utilized for the improvement and effective functioning of minorities schools due to the non representations of minorities either in the state Zilla Panchayats or in Taluk Panchayats.

Some of the important grievances the commission received and noticed are as follows:-

1. Government lands are not being made available for construction building to house minorities schools to have own buildings and shift the student from rented and rent free building which are absolutely unhygienic and have stinking surroundings.

2. To set up Urdu Anganwadies in all the Minorities concentrated areas.

3. Most of the minorities schools do not have the requisite furnitures. Those having furniture are in deteriorating conditions. Most of the schools do not have drinking water and toilet facilities. Most of the Lower Primary Schools do not have teaching learning material (TLM).
4. Text Books are not supplied to Minority schools on time. Even to day some of the Districts have not received Maths. Science and Social Studies books. Even today Chaitanya-II guide books have not been supplied to Minority Institutions though these books have already been supplied and utilized in Kannada Schools since three years.

5. The technical errors in Chaitanya-I to the extent of about 40% has not been rectified. The same is being practiced in Minority Schools.

6. T.L.M. and evaluation technique training materials have not been devised in Minority Languages as has been done in Kannada Schools. Thus Minority Schools have been deprived of this benefit.

7. Though new schools have been opened in many Districts teachers posts have not been sanctioned. Existing vacant teachers posts in Minority Schools has not been taken care of fully while making recruitment. Further many schools having unwieldy students strength, teachers post has not been sanctioned proportionately. As a result, 100% enrolment of the children of Minorities is not being achieved. There are instances of the closure of schools for the said reasons. The transfers of teachers and the deputations without displacement of teachers have paves way for the exodus of the teachers from the rural school areas.

8. Academic support resource unit as provided under DPEP and SSA schemes like BRC and CRC have not been established for Minority School teachers to update update their teaching competencies.

9. Though Kannada is State Official Language, prominence for the study of this language has to be taken care fully in Minority Schools. It is noticed that most of the Minority Schools do not have Kannada teacher sanctioned post. Thereby the children of
Minorities though eager to learn Kannada Language but have been deprived of this benefit for want of Kannada Teachers.

10. It is noticed by the Commission that still there are large number of Schools-less habitation and villages in the Minority Concentrated areas deprived of getting the compulsory education benefits (fundamental right of the children) to the Minority children.

Minorities feel that in dispensing Govt. benefits, the implementing agencies have discriminated against them, which has created bitterness in their mind. They feel that this discrimination is sometimes, based on Communal bias. This appears to be the crux of the problem of minorities. This is also due to the non-representation of Minorities in local bodies and also in SIC and DICs. The Commission found that most of the Govt. Urdu schools run in Govt. own buildings, rent free and rented buildings are in chaotic conditions. They are surrounded by unsanitary, unhygienic conditions and in dilapidated buildings.

Children have to squat on the floor for want of furniture. Some of the Govt. Urdu Schools in Davanagere, Mysore, Shimoga, Bangalore, Gulbarga, Bibar are in dungeons condition. Many schools do not have even half of the sanctioned post particularly in Bidar, Koppal, Dharwad, Raichur and in Old Mysore Area.

Govt. as well as aided Urdu schools have not sanctioned teacher's post as per Teacher pupil ratio. The drop out rates are very high due to non-availability school, infrastructure, teachers and lack of training to the present teachers to cope up the updated syllabus. Thus in general. Govt. Urdu Primary Schools are the most neglected institutions in the State.

1.2.11 Minorities in Karnataka – Vision 2025

We are on the threshold of rapid development of our country and your are aware of the concern of the Government to enable minorities join the main stream of this rapid pace of progress. It is known that India has ambitious objectives of achieving 10% growth so that the country
secures the status of a developed Nation in another 15 to 20 years. The Commission is also inspired by the book INDIA-VISION-2020 by the President Dr. A.P.J. Abdul Kalam and Dr. Rajan which lays down pragmatic strategies for INDIA's growth. Keeping these facts in view and the backwardness of minorities compared with others in the growth process, as revealed by the surveys conducted by the Commission and its own observations during its tours and discussion with the people it was felt that immediate long term remedial measures are called for.

With the advancements the country and the State will make in next 20 years, if minorities are not brought in the main stream of Karnataka's development, then they will be left far behind. Therefore the Commission has constituted a Panel of experts to formulate a Vision document entitled "Vision-2025-Minorities in Karnataka" to lay down perspectives of their growth in various sectors.

1.3 Need and Importance of the Study

Present study is important due to the following reasons:

i. Study intended to throw light on the constitutional provisions for women and minorities education in India.

ii. Study throws light on the educational Rights for women and minorities in India.

iii. Study throws light on the development of women and minorities education.

iv. Present study throws light on the programmes of empowering on women and minority through education.

v. Study throws light on the schemes and programmes for women and minorities education in India.

vi. Present study throws light on implementation of educational programmes and schemes in Karnataka State.

vii. We, the people of India, have enacted adopted and gave ourselves to the constitution of India on 26th November, 1949. The provisions in the constitution of India are binding on all citizen to fulfill the Nobel aims and aspirations contained in the
Constitution. In order to work for the fulfillments of constitutional provision for educational rights for women and minorities in India a detailed study is a pre-requisite. Hence the present study was taken up.

1.4 Scope and Limitations of the Study

The scope and limitations of the study are as follows:

1. The study considered the constitutional provisions of educational rights of women and minorities in India.

2. The research attempted to study the constitutional provisions for women and minorities in India and has not made comparisons with any other constitutions of the world.

3. The study restricted to only empowering of women through education not through any other aspects.

4. The study has focused on centrally sponsored schemes and programmes of women and minorities education.

5. The study was restricted only to Schemes and programmes education for women and minorities launched by Government of Karnataka State.