Chapter 1

INTRODUCTION
Education seeks to unfold the latent qualities of a person, thereby giving full development to the individual. As such, it has been described as the act or art of developing, or creating, or cultivating the various physical intellectual, aesthetic and moral faculties of the individual. Education has an immense impact on the human society. One can safely assume that a person is not in the proper sense till he is educated. It trains the human mind to think and take the right decision. In other words, man becomes a rational animal when he is educated. It is universally accepted that education empowers the people for the full development of human personality, strengthens the respect for human rights, and helps to overcome exploitations and traditional inequalities of caste, class and gender. In India, the total literacy rate is 74.04%. The male literacy rate is 82.14% and the female literacy rate is 65.46%. The literacy rate in West Bengal is 77.1 %, with the male literacy rate is 82.7% and the female literacy rate is 71.2% (Census of India, 2011). The literacy rate of Scheduled Caste males is 73.0% and that of the female is 52.1%. The literacy rate of Scheduled Tribes in India is 70.7% for males and 52.1% for females (Government of India, National Sample Survey Organisation, Primary Data, 2009-2010). The Scheduled Castes and the Scheduled Tribes are two groupings of historically disadvantaged people that are given express recognition in the Constitution of India. During the period of British rule in the Indian sub-continent they were known as the Depressed Classes. The Scheduled Castes (SC) and Scheduled Tribes (ST) are among the most socially and educationally disadvantaged groups in India. Scheduled Castes and Scheduled Tribes and mostly women of the two communities have different histories of social and economic deprivation, and the underlying causes of their educational marginalization are also strikingly distinct.

The Right to Free and Compulsory Education Act, 2010 originates from the apparent motion that it is obligatory for the state to provide education to its citizens. The core of the right to education relates to its substance, which differs from education itself. Effective and transformative education should be the result of the exercise of the right to education, which is a universal human right. The right is about the entitlement to claim the substance of it; it relates to the possibility of demanding the right to education and making it justifiable. Education is
empowerment for socio-economic mobility, an instrument for reducing socio-economic inequalities, and equipment to trigger growth and development. It is through education that knowledge and information is received and spread throughout the world.

The literature indicates that the term “education” has long been with mankind (Volio, 1979), but the notion of education as a fundamental human right is a relatively new concept (Huberman, 1979). Education became a matter of public concern and state responsibility only with the emergence of secular state. The right to education emerged rather belatedly in the history of civil liberties, despite its importance (Volio, 1979). Tagore viewed education as “a right which enables individuals and communities to act on reflection”. Education has its functionalism in almost all sphere of life. Its signification can never be marginalised. An educated society prepares the present generation for a bright future and enables the individual to galvanise the capacity of collective. More than 2300 years back Chanakya had said “that mother and that his father are enemies, who do not give education to their children”. In the recent past late Nelson Mandela had proclaimed, “Education is most powerful weapon which you can to change the world” (Gahlawat, accessed from http://www.legalindia.in/implementation-and-enforcement-of-right-to-education-in-india%E2%80%99). Literacy adds value to a person’s life and plays a crucial role in his/ her overall development. Countries that have expanded opportunities for women and girls in education and work in recent decades have largely achieved greater prosperity and moderated population growth while limiting child mortality and achieving social progress for all, Sen said. “These greater opportunities and freedoms…have had truly astonishing results,” he said. “There is an overwhelming need to pay attention to the needs of girls and women” (Sen, 2012). It also adds tremendous value to society at the macro level. There is strong correlation between lack of literacy and poverty, both in the economic sense and in the broader sense of deprivation of capabilities (UNESCO 2006).

However during the nineteenth century education got a place on the catalogue of human rights, which stated the duty of parents to provide education, their freedom to choose the education of their children within the limits established by law, and the duty of the state to guarantee that every child receives education by means of compulsory school attendance and legal regulation of school curricula (Nowark, 1995).
A trend has emerged of not defining education as a "human right" anymore, but of rather calling it a "human need". This has paved the way for an ever increasing commercialisation of education, excluding the poor from access to education. For Scheduled Castes, access to education has been a focal point in their struggle for equity and social justice. Movements to abolish the caste system and end discrimination have always proposed education as the primary means to overcome caste oppression (Omvedt, 1993). Though education was not a critical demand among Scheduled Tribes, government policy focused on education as the main avenue by which to integrate them into ‘mainstream’ society. Unsurprisingly, literacy rates vary widely between states, and between genders. The northern Hindi-belt states, whose economic performance has been worse than that of western and southern states, have lower literacy rates. Female literacy varies from around 34 per cent in Bihar to 88 per cent in Kerala; male literacy varies between 60 per cent in Bihar and 94 per cent in Kerala. Rajasthan suffers the widest gender difference: female literacy stands at 44 per cent; male at 77 per cent (Hall, 2005). One of the main aims of education policy in the 1990s was to accelerate the progress of literacy and school attendance and to create an equitable system for girls, as had been planned by the Kothari Commission in 1964.

Huge regional disparities are a trait of any country of India’s size and its observation in the educational panorama is not a surprise. At every level it seems the girls and women are neglected, we reach the tragic inference that our education system has treated the female species as untouchables and unapproachable (Iyer, 1987). Almost 113 million children, 60% of whom are girls have no access to education and at least 880 million adults are non-literate of whom majority are women (Khare, 1991). Availability is the first component of the right to education where “parents need to be educated as to the importance of the role of education. There is compelling evidence that there is a strong bond between a woman’s education, her employment and income. Better educated women bear fewer children, who have better chances of surviving, of being healthy and of attending schools (King, 1997). While granting equality of rights to men and women in the polity, Indian society still accepts a distinction in the roles and spheres of activities of men and women. The social restrictions on women are largely derived from the
religious conceptions and practices of woman’s basic characteristics, her ascribed ‘virtues’ and ‘vices’, and the stereotypes regarding her capacities and limitations (Majumder et al, 1983).

Over the last few decades, development in India has served to enhance the opportunities of many upper-class, urban women. These women now have greater access to education and employment, and as a result, are able to participate in the economy on a more equal basis with men (Karlekar et al, 1993). Women make up half the world's population and yet represent a staggering 70% of the world's poor (Women and Poverty, accessedimage.epsilen.com/.../DownloaderPopup.aspx?...).

We live in a world in which women living in poverty face gross inequalities and injustice from birth to death. From poor education to poor nutrition to vulnerable and low pay employment, the sequence of discrimination that a woman may suffer during her entire life is unacceptable but all too common. Generalising from these privileged women to the larger female population, however, is quite misleading. The bulk of the female population in India still suffers from impoverishment. Estimates suggest that as many as 80 percent of the women in India live at or below a minimal subsistence level (Mukhopadhyay 1984). The most extreme deprivation exists among women in the Scheduled Caste and Tribe populations; group’s designated as particularly disadvantaged in the Indian Constitution. The minority group status of these women interacts with India's patriarchal culture to produce deplorable living conditions (Ghandially 1988). These 'doubly disadvantaged' women strive not for gender equality, but for their very survival (Mukhopadhyay 1984). The extent of gender inequality in the Scheduled Caste and Tribe population of India is best understood in the context of both history, and the larger society. The illustrious sons of the soil rightly indicated that the root cause of the low status of women lay in the fact that they were deprived of all opportunities of education and that their ignorance and superstitions would only retard the progress of the nation further (Majumder et al, 1983).

Indian society is highly stratified, with many glaring inequalities among different social groups. The worst-positioned among them are the Dalits and indigenous community. The caste system segregated Dalits from the rest of the society to such an extent that they were denied even the basic human rights that one must enjoy in order to ensure one’s bare assistance. The caste system has created and sustained an unequal opportunity structure, which is anathema to the egalitarian principles which are the basis of a modern democratic society. What is worse, it intensifies and
perpetuates the sufferings and servitude of disadvantaged caste class groups by reducing their access to development benefits vis-a-vis the higher caste class groups (Mungekar, 1999). The power and privilege accorded to the upper castes in the Varna social order in course of time resulted in the appropriation of wealth and resources. Since wealth, power and resources were under their disposal, they could have more resources, these resources could be converted into power, and power ensured acquisition of resources (Louis, 2003). The disheartening fact is however, that today more than eight million children, who should be in schools are still out of schools and are sweating in and out in farms and factories as child laborers, despite the enactment of much-hyped Right to Education of provision for free and compulsory education for children 2010 (Right to Free and Compulsory Education Act, 2010).

India has the second largest education system in the world after China. Indeed, over a third of the population below 18 years, constituting 19 percent of the worlds’ children, resides in India. Every third illiterate person in the world is an Indian. The number of girls not attending schools in the 6-11 age group in 1995 was about 42 million; of every 10 illiterates, seven are women; 91 of every 100 women among the 70 million tribals cannot read or write. The situation has not improved much since then. There are problems relating to drop-out rate, low levels of learning achievement and low participation of girls, tribal’s and other disadvantaged groups.(Vyas,2009).

Considering the poor quality of teaching and infrastructure, and the distance of these schools from the community and habitats of the Scheduled Tribes, it is hardly surprising that many families prefer not to send their children to ashram schools and the dropout rate is high among those who do (Sujatha, 2002). It is true that in spite of the availability of minimum educational facilities in the villages, the tribal families are unable to take advantage of these facilities because of educational and social deprivation of tribal households (Kailash, 1993). Poverty is an important curse of keeping the rural girls away from attending school as in rural areas women indirectly contributing a lot to household income by doing household work, post harvest activities etc (Jahan,1995 ).

Governments must strive for the practical elimination of gender and racial discrimination and ensure the equal enjoyment of all human rights, and must not be satisfied with merely formally prohibiting discrimination. Importantly, the Dalits came to be placed at the lowest rung of the
hierarchical caste order from where there was no scope for upward mobility. Moreover, religious injunctions blunt even the limited scope for resistance. Thus, the power and privilege accorded to the upper castes in the Varna social order, in course of time resulted in the appropriation of wealth and resources. Since wealth, power and resources were under their disposal, they could have more resources, these resources could be converted into power, and power ensured acquisition of resources. An attempt to examine the historical development of the educational problem of the weaker section and identify inequality in education among Scheduled Castes and Scheduled Tribes and their women folk has been made (Chalam, 1987), and the present day situation is no different from the past history of these communities. Language has always been a problem for the tribal community (Geetha, 1994) where government does not recognize their tribal languages, since India already has many different regional languages, which eventually drives them away from education.

According to the UN population division, India ranks 11 with greater child marriages due to negligence in education. Education dispels ignorance, therefore the two momentous educational challenges of India are: - 1st to make a successful transformation from universal elementary education to secondary schooling, 2nd to strike at the roots of persistent class, gender and caste bias. The right to education is among the listed human rights whose status affects the realisation of all other rights.

**Table I.1: Table showing educational disparity between Scheduled Caste/ Scheduled Tribe/ General population in India**

<table>
<thead>
<tr>
<th>Year</th>
<th>Scheduled Caste</th>
<th>Scheduled Tribe</th>
<th>General</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Persons</td>
</tr>
<tr>
<td>1971</td>
<td>22.36</td>
<td>6.44</td>
<td>14.67</td>
</tr>
<tr>
<td>1991</td>
<td>49.91</td>
<td>23.76</td>
<td>37.41</td>
</tr>
</tbody>
</table>
The table above shows that the literacy rate for Scheduled Caste in total is 54.69% and that of Scheduled Tribe is 47.10% whereas the literacy rate of India is 64.84% showing an unequal distribution in the field of education. The Scheduled Castes and Scheduled Tribes constitute 16.23% and 8.2% (Census of India, 2001) respectively of India’s population. Though Right to Education has been accepted nationally and internationally but how much of these provisions are successful in enhancing educational facility still remains a question. Any detailed investigation of the empirical situation brings out the need to go well beyond the SC-ST characterization of social disadvantage to taking note of the historically conditioned economic and social disadvantages of these families (Sen, 2009).

Sarva Shiksha Abhiyan (SSA) is Government of India's flagship programme for achievement of Universalisation of Elementary Education (UEE) in a time bound manner, as mandated by 86th amendment to the Constitution of India making free and compulsory education to the children of 6-14 years age group, a Fundamental Right. SSA is being implemented in partnership with State Governments to cover the entire country and address the needs of 192 million children in 1.1 million habitations. The programme seeks to open new schools in those habitations which do not have schooling facilities and strengthen existing school infrastructure through provision of additional class rooms, toilets, drinking water, maintenance grant and school improvement grants. Existing schools with inadequate teacher strength are provided with additional teachers, while the capacity of existing teachers is being strengthened by extensive training, grants for developing teaching-learning materials and strengthening of the academic support structure at a cluster, block and district level. SSA seeks to provide quality elementary education including life skills. SSA has a special focus on girl's education and children with special needs. SSA also seeks to provide computer education to bridge the digital divide.

The Right to Free and Compulsory Education Act describes the modalities having the provision for free and compulsory education for children between 6 to 14 years under Article 21A of the Indian constitution. This Act makes education as fundamental right of every child enforceable by
The basic theme of free education implies that the children of prescribed age group shall be exempted from any fees, charges or expenses for pursuing elementary education. However, this free and compulsory elementary education is restricted to education from class first to eighth only. Even after five decades of planned economic development and all the rhetoric of the socialistic pattern of society, the economic status of these communities is pathetic. Tomasevski (2005), passionately recounting the difficulties in realizing her job as the UN Special Rapporteur on the Right to Education, stated that "the right to education defies classification either as a civil and political right or an economic, social and cultural one. It forms part of both Covenants and, indeed, all core human rights treaties. I emphasized that the right to education represented an interface between civil and political rights and economic, social and cultural rights”.

**SCOPE OF THE STUDY**

Caste based discrimination continues to be an influential factor in the low educational achievement of both Scheduled Caste and Scheduled Tribe groups, despite governmental programme that selectively targets to aid children from these communities. The Study intends to explore the state of education and the awareness of the disadvantaged groups towards right to education as a fundamental human right with special reference to Right to Education Act 2010.

However, this Free and Compulsory Elementary Education is restricted to education from class first to eighth only. After reviewing the literature, it is noted that though different research works have been carried out on access to education or oppression of the caste and tribe and so on but the idea to study state of education, gender discrimination and more importantly the awareness about right to education as a fundamental human right are not addressed as per to the best of my knowledge. This may be due to the fact that the right to education act is quiet a new phenomenon and thus not have been addressed as it should have been.

**OBJECTIVE OF THE STUDY**
The objective of the proposed research work is to enquire empirically the magnitude of educational disparity among Scheduled Caste and Scheduled Tribe and also the awareness about Right to Education as a Fundamental Human Right. In doing so, the following issues have been considered:

- To understand Right to Education and Right to Equality of Scheduled Caste and Scheduled Tribe.

- To study the status of education among Scheduled Castes and Scheduled Tribes and problems of educational development.

- To study the disparity of education, if any, among Scheduled Caste and Scheduled Tribe with reference to other communities in the village.

- To understand the governmental policies, implementation process and awareness about the rights among the Scheduled Caste and Scheduled Tribe population.

**MATERIALS AND METHODS**

The study was conducted in Bangaon, Subdivision of the North 24 Parganas district in the state of West Bengal, India. However, the literacy rates of 2009-2010 of NSSO have been considered for the literacy rate of Scheduled Caste and Scheduled Tribe due to unavailability of 2011 of the same. The villages Srimantapur and Ramchandrapur under Gopalnagar I Panchayet have been selected on the basis of the following criteria:

1. Scheduled Caste and Scheduled Tribe villages are situated side by side (the study being based on state of education, gender discrimination and awareness of education of both SC and ST) which is quite absent in case of the other Panchayets.
2. Srimantapur village comprised of Scheduled Tribe (Munda Tribe) population, whereas Ramchandrapur village has a huge population of Scheduled Caste with other communities like General, Other Backward Class and Muslim population. School going children from the Scheduled Tribe families are mostly first generation learners.

**Duration of the Study**

The primary data were collected from the field itself with seasonal variation from the year 2009 to 2011 so as to understand the type of work conducted by the children of the area, salary and the demand of child labor in the focused area, which might eventually hamper a child’s educational progress. The data was collected in different seasons to understand the economic participation of the children and the adult population since often it was reported that due to participation in various economic activities and also to look after household activities even the young boys and girls often would not attend school.

**Primary Data Collection**

The tools of primary data collection included pre tested household schedules, observation, in depth interviews and case studies. The participants of both the sexes of the studied villages have been selected through purposive sampling after taking their full consent. The household schedules provided the demographic, socio-economic and awareness level of the participants of the studied villages. The household schedules included name, age, sex, marital status, age at marriage, enrollment rate and attendance, level of education, dropout rate and awareness towards education, primary occupation and secondary occupation along with child working in the field. Observation provided a good tool for gathering the information like gender discrimination, status of women within the family which was otherwise not revealed by the family members. In depth interviews and case studies were taken to know the awareness level, their perception about right to education and the related socio-economic status of the families. A major part of this research was based on the case studies taken for understanding the causes of drop out, gender discrimination, attention to boy child, ignorance of parents towards education. The household
schedules were used to collect information from General, OBC and Muslim population in order to study the comparison between the different communities.

Secondary Data Collection
Secondary data were collected studying the history of the educational policies and act and violation of rights thereby. Secondary information was collected from books, journals, newspaper articles, official documents and websites from the countries. In absence of the census of 2011 in the context of literacy rates for Scheduled Caste and Scheduled Tribe, 2001 census and NSSO (2009-2010) have been referred.

Both qualitative and quantitative data were collected from the field. The qualitative data gathered through observation and case studies were documented carefully. These were thoroughly edited before incorporating into the thesis. Comparative analysis was made on the basis of both qualitative and quantitative data.

AREA OF STUDY

Scheduled Castes and Scheduled Tribes are the terms of reference listed in the Indian Constitution, and in government, legal and scholarly writing, particularly of the colonial period. Terms such as ‘depressed classes’ and ‘backward classes’ were also used historically but these were eventually replaced. The terms Scheduled Caste and Scheduled Tribe are now used to refer to the communities listed in the Government Schedule as ‘outcastes’ and ‘tribals’, respectively. The study was conducted in Bangaon, Subdivision of the North 24 Parganas district in the state of West Bengal under Gopalganj Panchayet I. Srimantapur and Ramchandrapur has been selected on the basis of the fact that Scheduled Caste and Scheduled Tribe villages are situated side by side which is quite absent in case of the other Panchayets.

The study was conducted at Srimantapur, a tribal rural area, the total population of which was 883, 435 males and 448 females with 100 families. The sex ratio was 1029.89. Ramchandrapur is also a small village with a total population of 1889, where the male population was 797 and female 755 belonging to Scheduled Caste population. The sex ratio was 947.30 in the area with 116 families.