“God did not create man with the badge of superiority or inferiority no scripture which labels a human being an inferior or untouchables because of his or her birth command our allegiance. It is a denial of God and truth which is God”.

- Mahatma Gandhi

It is more surcharged on the topic of “protection of Dalit Rights under the Indian Constitution” to let us think dispassionately Dalits Rights several facts then ultimately, what is Dalit Rights? It could be nothing more than the recognition of the status of a person as a Human being, thus status itself is comprehensive of right with various facets. This status is mother which germinates the rights.¹

India is a nation of minorities, multi-cultural, multi-lingual, multi-religious and multi-party democrat federation with the world’s most extensive human socio-economic disparities deprivation and illiteracy all of it violating the fundamentals of human rights given this very complex social reality one expects the government objective to have in place a comprehensive strategy for social affirmative action, which would be bring precipitate happiness followed by the quality of life improving with each passing but the government objective as is evident, is not even remotely linked to these common expectations the special protection gives to the Scheduled Castes, Scheduled Tribes and other backward classes under the Constitution and same other statues has been the subject of intense debate since independence, politicians, purists ordinary men and women had never caused to discuss the unique privileges granted the depressed classes very
few topics have been so passionately argued about as this one the conflicting viewpoints have often led violence reaching the peak during mandal agitation in north India in the early nineties the Supreme Court Judges who delivered the mandal judgment in 1992 have elaborately dealt with reasons for the protective discriminations in favour of the Depressed classes. The majority judgement stated “untouchability” is something which no other country in the world had the unfortune to have nor the blessed caste system. There have been equally old civilizations on the each like ones. If not older but none had evolved these pernicious principles much less did they stamp with scriptural sanction.²

The concern for protecting Dalits from untouchability caste based brutalities and extreme forms of exploitation has been a major agenda for all the governments till date. Such concern manifested itself: broadly, in two forms, (a) social reform and political intervention and (b) legal measures. While some reformers appealed to the caste Hindus, not to discriminate the Dalits and at the same time persuaded the Dalits to keep doing their defiling and demeaning traditional occupation like scavenging and other tasks as their God-ordained means of livelihood, others have mobilized the Dalits to fight for their rights, self-respect and dignity and at the same time, persuaded them to take up modern and more dignified occupations. The latter also advocated appropriate Legislative measures both to change the mind set of the exploiters or oppressors and to protect the interests of the oppressed to protect the interests of the oppressed. While the former
approach is of Gandhiji, the latter is of Dr. Ambedkar intervention and initiatives of political Leaders, both pre and post independence periods by and large, fall into the two categories the social relation between the Dalits and the caste Hindus has often been uncordial. It has been a contesting and conflicting one where the Dalits have always been the marginalized, oppressed and exploited category, they have been the victims of worst forms of violence for centuries, though the historical records matter and as far the question as to why atrocities against Dalits continue unabated, it has been well argued that it is the systematic defects in the social and village structure system, that have been responsible for the prejudicated mind-set of most Hindus resulting in frequent violence against Dalits, Dr. Ambedkar maintains.

“Caste has killed public spirit. Caste has made public opinion impossible. A Hindu’s public is his caste. His responsibility is only to his caste. His royalty is restricted only to this caste. Virtue has became caste-ridden and morality has become caste-bound.” He further says:

“So long as the present (Village) arrangement continues, it is impossible for the untouchable either the free themselves from the yoke of the Hindus or to get ride of their untouchability. It is the close unit association of the untouchable with the Hindus living in the same village which marks them out as untouchables and which enables the Hindus to identify them as being untouchables”.

However, the concern here pertains to the Legal intervention and its impact on mitigating violence against Dalits. Besides the efforts of many social reformers, a member of special laws had come into effect even prior to India’s independence (see Annexure-I) of the various protective measures
undertakes after independence mentions may be made of the two special laws viz., the Protection of Civil Rights Act 1955 (PCR Act) and its rules (the per was earlier known as the Untouchability (Offence) Act 1955. This Act was passed in the parliament on June 1st, 1955) and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Notes here by explained in detail that where those two special Laws only those Dalits Professing either Hinduism on Sikhism to Buddhism are eligible to seek protection, since only they alone have been recognized as the Scheduled Castes under the Indian Constitution. In other words, those Dalits professing religions other than Hinduism, Sikhism and Buddhism are not eligible to seek protection under these laws through they may suffer from untouchability and atrocity an account of their social on caste origin) (see Annexure 2 and 2A) these laws are exclusively meant for protecting the Dalits (SC) from injustice and exploitations of the caste Hindus and others. Despite enforcement of these laws or several decades violence against Dalits continues unabated in most part of India, therefore, the critical questions here are; why do atrocities continue despite there being special laws? Does it mean that these laws them serves have some limitations and therefore in effective? It is due to a lack on the part of the police of the region as is it because give lack of will on the party the judiciary, which interprets the laws to ensure justice? Or are there are other reasons? 4

The following conclusion of Cohn, which Galantr had quoted is also worth nothing. “The lower castes have generally been unsuccessful when,
through the use of police or of the urban courts, they have sought to redress what they believe to be the corporate wrongs done to them by upper castes. The upper castes maintain their economic positions, their knowledge of the untouchability courts and the intricacies or the law and better access to the lower castes in the village society and economy.”

However, the high caste people have been demanding immediate withdrawal of these special Acts in the ground that SCs and STs are misusing the Acts against the upper caste people. In such a scenario, on the one hand doubts our raised on the will commitment of the State to implement these laws and on the other emphasizes the urgent need of identifying the factors responsible for the acquittal of these cases.

However, the interim observations and recommendations of the jury of the National Public Hearing on Dalit Herman Rights set up by the National Campaign on Dalit Human Rights (NCDHR) are of immense importance. After hearing of over 50 cases of violation of Dalit human rights, the jury made number of observations and recommendations. The following are some of those that are directly relevant to the present study.

“Despite the fact that in 1993, the Indian Government enacted the Protection of Human Rights Act and special machinery has created to enforce this Act as well as the special courts constituted under the SC/ST (Prevention of Atrocities) Act 1989 for safeguarding the human rights of Dalits, it is made very evident from all the cases heard by the jury that:
1. The State is continuing to perpetuate violence against Dalits.

2. The State is colluding with the dominate castes in several areas across the States. We heard depositions about the oppression of Dalits and denial of their human rights by all State agencies especially the police.

3. The State by its in action, jails to implement all its laws and rules and to take stringent measures and action when dominant castes perpetrate atrocities on Dalits.

4. The judiciary has not responded to the violations of the rights of the Dalits with adequate sensitivity and urgency.  

   What may be inferred from the observation that the eminent jury is that the police colluding with the accused, had been negative major factors responsible for the most of the untouchability and atrocity cases ending in acquittal. However, of the public hearing for Dalits, the views of the police, who play a major role in ensuring legal protection to Dalits had not been given due importance. However, there may be other reasons for the high rate of acquittal in the untouchability and atrocities cases.

1.1 BACKGROUND: WHO ARE THE DALITS:

   Dalit (oppressed or broken) is not new word. Apparently it was used in the 1930 as a Hindi and Marathi translation of depressed classes. The term the British used for what are now called the Scheduled Castes. In 1930 there was a depressed classes newspaper published in Pune called Dalit Bandu (Friend of Dalits) (Pradhan, 1986: 125) the word was also used by Dr. B. R. Ambedkar in his Marathi speeches. In the untouchables published
in 1948 Dr. Ambedkar chose the term ‘Broken men’ an English translation of Dalit’, to refer to the original ancestors of the untouchables for reasons which must have been self evident because he did not explain them. The Dalit panthers revived the term and in their 1973 manifesto expanded its referents to include tribes, (neo-Buddhists, the working people, the landless and poor peasants, women and all those who are being exploited, politically economically and in the name of religion. There has thus been a narrow definition, based on the criterion of caste alone, and a broader one to compass all those considered to be either similarly placed on natural allies. Since the early 1970s, the word has come into increasingly wider usage in the press and in the common parlance where it is normally used in the original narrower, caste based sense.

Traditionally, untouchables stood outside and beneath the four main Hindu castes (Varnas) which ranked all elements of Indian society by ritual purity and pollution. Associated historically (and often today) with work deemed unclean; untouchables are a diverse group living through the Indian sub-continent and comprising about 16 percent of the country’s approximately 1 billion people. Among untouchables populations, as within the four main castes, there are additional hierarchies among occupationally based sub castes known as sati’s. Historically in northern India’s “Hindi Belt” sati rankings have been particularly strong, while in southern India the caste system has been less rigid. There is further geographic variation, with sati confined to particular regions and with substantial ethnic and linguistic
differences among them. While most untouchables live in rural areas, may have migrated to cities seeking economic opportunity and fleeing the rigidities of village life. Dalits have sought escape from untouchability. Using other method too, among them conversion from Hinduism to Islam, Christianity, Sikhism and Buddhism, then today’s Dalit population while predominantly Hindu, is religiously mixed. Given this diversity, viewing untouchables as a single cohesive group is sociologically problematic. Indeed, these are conflicts among untouchable communities, often based on occupational hierarchies within the broader group. Yet a social and political category, untouchability has long been and continues to be a touch stone for political activity both inside and outside India.  

The situation of the untouchables was an important issues in India’s independence struggle, and key conflicts from 1930s and 1940s still resound in Dalit politics today. For the congress party, Mohandas K. Gandhi (not an untouchable) sought to champion the group. Gandhi, a staunch defender of Hinduism, saw untouchability as a prevision of Hindu doctrine and sought to reform the religion by urging Hindus to treat all people equally regardless of caste. But for untouchable leader of the time, particularly the landless and poor peasants, women, and all those who are being exploited politically, economically and in the name of religion” there has thus has a narrow definition based on the criterion of caste alone, and a broader one to encompass all those considered to be either similarly placed or natural allies. Since the 1970s, the word has come into increasingly wider usage in the
press and in common parlance where it is normally used in the original, narrower, caste-based sense.

Scholars also have written about Dalits in different ways. Two views predominate. Those using a class analysis of Indian society subsume Dalits within such class or occupational categories as peasants, agricultural labour factory workers, students and the like. This can be seen in most Marxist historical writings, the Sabalteen studies volumes, and, to a lesser degree, in the Dalit panther manifesto. To those using a communal analysis of caste Dalits are people within Hindu society who belong to those castes which Hindu religion considers to polluting by virtue of hereditary Dr. B. R. Ambedkar, Gandhi’s renaming of the group of “Harijan” was paternalistic his view of Hindu doctrine wrong headed, his facts in upper caste Hindus renunciation of hierarchy naive and his overall strategy subordinating conceived. Dr. Ambedkar the most prominent untouchable in the independence struggle, rejected the view that Hinduism could be purged of caste. 10

According to John, C. B. Webster, Dalit (Oppressed or broken) is not a new word. Apparently it was used in the 1930s as a Hindi and Marathi translation of depressed classes, the term in British used for what are now called the Scheduled Castes. In 1930 there was repressed classes newspaper published in Pune called Dalit Bandu (Friend of Dalits) the word was also used by Dr. B. R. Ambedkar in his Marathi speeches. In the untouchables, published in 1948, Dr. B. R. Ambedkar chose the term broken Mai an English
translation of Dalit to refer to the original ancestors of the untouchables, for reasons which must have been self evident because he did not explain them. The Dalit panthers revived the term in 1973, which manifestly expanded its referents to include the Scheduled Tribe, ‘neo – Buddhists, the working place occupation. The histories of the Dalit movement by Kamble (1979), Gupt (1985); Pradhan (1986) and Trilok Nath (1987) are based on this premise. Both views require critical re-examination.11

Though the investigation in the present work is based on written sources available both primary and secondary some discussion is also based on personal discussion or living experiences with some individual and places. A number of technical and Indian terms have been used, their meanings are some times given in brackets, but in order not to detract translatability, a glossary of such terms and words is added.

Over six decades has passed since who attained the independence. However, an archaic practice like untouchability continues to prevail in the nation, subtly as well as openly. Be it on the name of educational backwardness or economic dependence, land owners, untouchables or Dalits have been the target of atrocities in India for centuries. Widely acknowledge as out castes, Dalits endure segregation in public places, including schools and hospitals. Moreover, majority of the segment lives below the poverty line.
1.2 THE INDIAN GOVERNMENT TO PROTECT SC/ST’s:

Article 17 of the Indian Constitution provides for the abolition of untouchability and forbids practicing it in any form. To ensure stricter law enforcement the Untouchability (Offences) Act 1955 was enacted by the Government of India. The Act was later amended in 1976 and is called “Protection of Civil Rights Act” 1955 (PCRA). The revision of PCRA provided for more severe punishment for those who abuse the law. It also made the practice of untouchability both non-comprehendable and cognizable. Another legislation related to Article 17 is the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act 1989, POA).

Despite repeated efforts, the condition of this section of the population remains bleak. In 1994, the minister of welfare submitted the twenty annual report on the Protection of Civil Rights Act, 1955. The report revealed the alarming statistics of cases registered in 1991 against violation of human rights of SC/ST. South Indian States reported majority of cases including Tamil Nadu (861), Karnataka (722) and Andhra Pradesh (365) which collectively accounted for 52% of the total cases reported in the country. Cases reported in other states include Madhya Pradesh (384), Maharashtra (340) and Uttar Pradesh (296).

1.3 STRANGE AND FUNNY RIGHTS:

India is unique that because, it is strange country. Here in India, there are many funny rights. And what is more, there is many strange and specific, cruel and in human denial of rights. They don’t stand to any logic
reason on rational thinking. We have the following strange rights, that reserved only for a few and denied for most others. And there are some, specific rights which cannot be exercised by same. And that same, are in hundreds of millions of people. What is more surprising is that, the millions who are denied rights are the most productive people. They are backbones of the nation. They are the engines of economy and prime movers of all developments.

**Some of the funny rights are:**

1. Rights to get water
2. Rights to use public facilities to take bath
3. Right to dress
4. Rights to style of dressing
5. Rights to hair do
6. Rights to jewellery
7. Rights to see and be seen
8. Rights to hear and listen certain things
9. Rights to approach and proximity
10. Rights to walk as drive through the streets, where cats, dogs and pigs roam freely.
11. Rights to wear slippers and shoes or any foot wear.
12. Rights to sit before others
13. Rights to touch
14. Rights to dine with
15. Rights to take coffee and tea or water in restaurants, hotels and way side shops.

16. Rights to acceptability

17. Rights to marry

18. Rights to access even cemetry burial grounds.

19. Rights of way to ones own residence.

20. Right to move out of the villages and to near by towns and markets, for sale of surplus produced, jobs etc.

21. Rights to gather and speak out the find openly and boldly without fear of loosing employment, jobs earnings physical safety and even life of the person and of the family members.

22. Rights to meet others

Most of the above rights are denied to SC/ST Dalits specific and particularly. Hence, some of these rights, have been guaranteed to the SC and ST Dalits by the Constitution, in a general manner, as the rights of all citizen of India. But they have been built particularly into the Constitution. Only for the specific purpose of ensuring that SC/ST Dalits get them. Some rights have been specifically included in the Constitution, as specific rights exclusively for SC/ST Dalits, to doubly ensure that the SC/ST Dalits are not denied them.

Thus, rights are varied, some times they are so basic, that it in fact appears to be extremely strange and funny, even to mention about them as
rights. And the most obvious and explicit rights are those confined by or specially built in to Constitution of the nation.

We must always remember that, the Constitution is the basic law of a country. It provides specifically to the citizens particular rights, defines their duties, and delineates the responsibilities of every authority, official, institution and individual, living in the country and governed by the Constitution. All authorities and institutions, derive their existence and power from Constitution of the land. Hence, every one of them, has to work and function within the ambit of that Constitution. All others, like the authorities and institutions have to exist and operate within the limits and boundaries of the Constitution.

The preamble of the Constitution is more significant. For the preamble reflects the sole of any Constitution. It embodies the ideals and aspirations of the people who made the Constitution adopted and accepted it for their governance, and future. It is the most significant part of the Constitution, and can be amended here any other provision in the Constitution, as long as that does not affect the basic character and procedures, preceding and all those that existed before the Constitution, are repeated, if they are in contradiction and are violative of any provision give Constitution.

Dr. B. R. Ambedkar views on laws against fundamental rights stand abrogate from the speech is which have made on Article 13 and Article 8 and the words “existing law” which occur in some of the provisions to Article 13,
it seems to me that is a good deal of misunderstanding about what is exactly intended to be done with regard to existing law. Now the fundamental Article is Article 8 which specifically without any kind of reservation, says that any existing law which is inconsistent with the fundamental rights as enacted in this part of the Constitution is void. That is fundamental proposition and I have no doubt about it that any trained lawyer, if he has asked to interpret the words “existing law” occurring in the sub clauses to Article 13, would read “existing law” in so far as it is not consistent with the fundamental rights. There is no doubt that is the way in which the phrase “existing law” in the clauses would be not interpreted. It is unnecessary to repeat proposition stated in Article 8 every time the phrase occurs, because it is a rule of interpretation that for interpret any law, all relevant sections shall be taken into account and read in such a way that one section is reconciled with another. Therefore, the drafting committee felt they have laid down in Article 8 the full and complete proposition that any existing law, in so far as it is inconsistent with the fundamental rights will stand abrogated. 12

In the 18th century, of a form of United Nations that would begin the process of bringing about a rule of law internationally and that wasn’t just about the individual and protection of the individual within a domestic situation. This is particularly pertinent now were in such a global environment. So Thomas Paine is a focal figure in the same way as Dr. B. R. Ambedkar. Now let me quote what Dr. Ambedkar said “Fraternity and liberty are really derivative notions. The basic fundamental conceptions
are equality and respect for human personality. Fraternity and liberty take their roots in these two fundamental conceptions. To give further down it may be said that equality is the original notion and respect for human personality is reflection of it, so that where equality is denied, every thing else may be taken to be denied”.

It is common knowledge that the Dalits are discriminated against the name of caste. The Varnashrama Dharma castes then a side as untouchable. The praxis of this Dharma has assumed extreme and barbaric forms of violence against the Dalit people who are the original inheritors of this country. Article 29 the UDHR says (Universal Declaration of Human Rights) “Every one is entitled to all the rights and freedom set fourth in this declaration, without distinction of any kind such as race, colour, sex, language, religion”. Therefore, it is assert that protection of Dalit rights.

Much more than the violence that is perpetrated on the Dalits one of the worst and barbaric form of the varnashram dharma is untouchability which no sensible human being can think of that. This is called religion is an insult to the whole of community, that this is being practiced at a time in history which claims have arrived at “enlightment as assertion of the existence of pitch darking it is assertion of the underlying paradigm that some section of the people are irrelevant and a nuisance to the dominant to forces of the world”. Therefore, the demand that a global effort be made to abolish untouchability is all its manifestations and those practice it be punished.
Historically Dalits are people who have been denied an access to resources like land, water and other means of production, whatever resources they had possessed from or other earth have been forcefully taken away from them. By taking away land from people who have worshipped land they have been deprived of a long cherished relationship with the earth. Both culturally and economic carries the Dalits by distributing all land available with the government only to the Dalit in future.

It is recognize that the Dalit women have threefold discrimination, they have discriminated since because they are Dalit women by their own man fold gender and caste. The situation of Dalit women of Dalit women is alarming in India to say the least caste and gender discrimination is perpetrated in its worst form on Dalit women therefore, it is demand that special measure be taken for the protection of the rights of Dalit women. “Every one has the right to freedom of thought, conscience and religion, this rights includes freedom to change his religion or belief”. 15

1.4 STATEMENT OF PROBLEM:

While describing the life of untouchables who follows, the same culture as the caste Hindus, he illustrate how all these does not help them in being in community with the caste Hindus. There is practically no communication between the untouchables and caste Hindus. Dr. Ambedkar has written as like criminal tribes the untouchables also live in the midst of civilized Hindu society and possess a degree of cultural and morality which completely separate from them primitive tribes and criminal tribes.
untouchables have cultural of the Hindu community. They recognize the
sacred as well as secular laws of the Hindus. They celebrate the Hindu
festivities, but they derive no benefit from this on the contrary they are
segregated and shunned because their physical contact is held by the
Hindus to cause pollution, there is therefore, an interdict on all social
intercourse with them except for an avoidable purposes. They live on the out
skirts of village and not in the midst of it. Every villages has its untouchables
quarrels they are attached to the villages, but they are not a part of the
villages. Segregated from the rest of Hindu population, they are band down
to a code of behaviour which is appropriate to servile State.

1.5 AIMS AND OBJECTIVES OF THE TOPIC:

1. To study and review the various legal measures introduced in favour
   of Dalits during the pre independence and post independence period.
2. To find out the practicing of untouchability in the society and its
   preventing by legal aspects.
3. The study the various Acts, introduced for protection of Dalits during
   British period.
4. To study the Dalits rights during after independence and its
   consequence.
5. To find out the government policy and programme for Dalits.
6. To find out the causes for failure in protection of the Dalits rights.
7. To find out the conditions of Dalit in current period.
8. To identify factors responsible for acquitable in untouchability and atrocities cases from the experience Dalit victims including witness of police, special public prosecutor, NGO and others concerned.

1.6 HYPOTHESIS OF THE STUDY:

1. Under the shelter of Indian Constitution the Dalits, they wish to lead their life compatible with to free breath from the clutches of the traditions and customs existed in the society.

2. The various provisions and right introduced for upliftment of the Dalits.

3. The economic development educational advancement, that the income level of the beneficiaries living in remote areas.

4. But practically it was not fulfilled their rights, but it is basically need the Constitutional provisions for the securing justice and judicial response for services in the society. Hence, this democratic Constitutions need for every walk of life among the human being and the specific Constitutional provisions generated for safe guarding the interest of the Dalits.

5. In securing social further, the implementing, authorities are not honestly discharging their duties in implementing welfare, programme launched by the state and centre.

6. In tackling the problems of social justice through reservation. The existing laws and the Constitutional provisions are not strictly being forced.
7. The Scheduled Caste and Scheduled Tribes are unaware of constitutional benefits and state welfare programmes due to their lack of knowledge, illiteracy and are not properly reaching them.

8. The important of judiciary has interpretation of protective discrimination clause is not focreable over the secure social justice to the SC and ST.

9. Dr. Ambedkar’s vision of social justice and always insisted egalitarian on both men and women of Scheduled Caste and Scheduled Tribe.

1.7 REVIEW OF LITERATURE:

The area of the present study is new and emerging area and much available literature in the form of research report. It is deserves a special for taking up such a like issue for study the only valuable point contribution and protection Dalit rights under the Indian Constitution will be studies with rich literature has been available in the problem of the study in the form of books, articles and journals and comments from eminent personalities. Expert and writers, literature in the form of decision and judgment of different bodies, courts and tribunals will be used to tackle the problems of the study. Even though the Constitutional provisions and development plans are intended to create conditions conducive for establishment of equality between the Dalits and the caste Hindus, an any studies reveal that these people are still under privileged and the discriminated in various forms. The studies relating to different Dalit communities in India were first started by the western scholars, during the
British period. Many of them were English intellectual belonging to Indian civil service. But the studies conducted by such scholars are mainly of ethnographic in nature and where many of them have dealt with the age old practice of untouchability and how these down trodden and under privileged have been alienated and discriminated by the caste Hindus, very few have focused on the changing aspects of these people. But after the end of the British regime in India concerted efforts were made through Constitutional safe guards and different welfare measures to integrate the Scheduled Castes with in the fold of Hinduism and bring them in to the main stream.

Further some social reformers and leaders maintain that there is no change rather things have further accentuated deteriorated. The important studies which have been made on various aspects of these people are as follows:

1. Studies on accrual of courts Constitutional benefits and consequential change.
2. Studies on educational development and consequential changes.
3. Studies on religion changes.
4. To studies on tradition, aspiration changes etc.

In order to remove poverty and improve the living conditions of the poor the government of India. Through the mechanism of planning, has introduced several programmes and schemes right from the plan till the present one far the benefits of Scheduled Castes and Scheduled Tribes.
The implementation of several programmes and scheme, however, had mixed results due to organizational and operational constraints. Besides they lacked direction for the benefits of specific group among the backward communities. From go separates attempts have been made to improve the economic conditions of Scheduled Caste through welfare schemes. Since a large amount of assistance has been channelised through several centrally sponsored schemes for the development of Scheduled Castes it is considered essential at this juncture to make an in-depth study of the impact of such assistance on the development of Scheduled Castes.

1.8 SCOPE OF THE STUDY:

As a first ever study of its kind incorporating the views not only of the victims witness and accused but also give official concerned, NGOs and individuals and which scientific approach has been followed at every steps. The following of this study are the findings of this study are bound to be valuable and useful particularly for those who are grappling with whole use of the ensuring protection to the Dalits through the special laws and necessary changes in this existing policies concerning the protection and development of the Dalits and the fact that their position and facilities introduced by the governmental works and scheme etc. studied pertaining to the country as whole.

One section of Indian society, some of these works deal with the history of the Dalit problem and its relationship with caste system, having its roots in the Hindu religion some deal with the role of Dalits, politics,
some with regional groups of Dalits and their struggle to change their status in society, some describe the role played by individual leaders in the struggle of the Dalits, some discuss of the questioning reservation, known also as compensatory discrimination or preferential treatment of Dalits. None of them deals directly with overall history of Dalits and the development their problem. Also, there do not deal with other religions to which large members of Dalits have converted, which include Christianity, Islam, Buddhism, Sikhism and Veerasaivism etc. and the available works thus deal mostly with specific aspects of the Dalit issue.

1.9 SOURCE OF DATA:

The data relevant for the present study were collected from both primary and secondary sources. Area of research works covered all over India. The research has adopted a narrative descriptive analytical method and the data and faith have been analyzed and visualized objectively, so as to support and prove the argument and hypothesis. In the primary sources collecting various unpublished article, periodicals reports, official records, newspapers, dairy custom, the religions doctrines, current ethnical principal statistical, year books, confidential documents, interview peoples few cases etc., secondary data like published books any published materials related to the topic are covered.

1.10 METHODOLOGY:

The study is based on the secondary and primary sources of data and information. For secondary sources, at reliance is placed on available
standard literature on the subject government publications published documents, and current standard journals etc. However, for the study exclusively covering the Dalits, greater is put on primary sources of data and information.

With a view to perusing the aims and objectives the following methodology adopted. This includes area of study sources works of eminent authors of national and international importance and articles by the eminent persons in the field. Papers presented and at various seminars, workshop, conferences, symposia, etc.

1.11 CONCEPTUAL FRAME WORK:

The various terms used in the study will be formulated by conceptualizing the various aspects give problem by taking the help of the concept already evolved by the different experts, writers and legal luminaries in their literature made available and also to be taken from the statutes and dictionaries concerned to satisfy the present work.

1.12 RESEARCH DESIGN:

The entire thesis has been divided into nine chapters as follows. The present study is also based on this approach and it is primarily an empirical and non empirical works keeping the theoretical back ground and methodological strategy of the state mind. And this part deals with the brief summary of each chapter framed in appropriate to the study to understand justify the research theme.
The First Chapter is titled as introduction. In this chapter introduces the problem and explains the aims and objectives of the study. It reviews the objective of the study. It reviews the important protection of Dalit rights studies and concept of under the Indian Constitution and explained the research methodology of the study.

The Second Chapter is titled as “Dalits Condition in Pre-Independence and Post-Independence Periods”. The problem of the Dalits and struggle for liberation and their conditions. Prior to the independence, the British rulers used the policy and how the social and political order denied, the very principles of liberty, equality and fraternity and protection of their Dalits rights and the post independence India was vision of equalitarian nation. Its Constitution has emphasized the unity and integrity of the nation as a paramount value and insisted upon equality and dignity as a Constitutional fundamental.

The Third Chapter is title as “Untouchability, Casteism and Movement of Conversion” in this chapter attempts to trace the evolution of the caste system and its development as a complicated socio-economic structure and disability arising out of untouchability and the Constitution as command still remains unclean in some important aspects are described and shall protect them from social injustice and all forms of exploitation the Indian Constitutional protect from the stigma of untouchability and caste based discrimination etc.
The Fourth Chapter is titled as “Eradication of Untouchability Under the Indian Constitution”. Illustrates the procedure followed to perform discriminate analysis on the data and its results. In the protective sphere the practice of untouchability was considered legally abolished. Article 17 deals especially with issue of untouchability abolished and forbid its practice in any form. The enforcement of any disability arising out of untouchability was to be an offence, punishable by law.

The Fifth Chapter is titled as “Legal Protection to Dalits Against Social Boycott and Atrocities”. In this chapter it is shown how protect their rights in the interest of service. However, an archaic practice like untouchability continues to prevail in the nation. Dalits have been target of social boycott and atrocities in India for centuries.

The Sixth Chapter is titled as “Reservation on Basis of Castes for SC/ST and OBC”. The first one is do reservations really help the majority from the backward classes. It is provided in the Indian Constitution under Article 15(4) and 16(4) was reasonable and is so even today. Even on the issue of reservation based on castes.

The Seventh Chapter is title as “Legal Provision for Upliftment of Socio-Economic and Political Power of Dalit Rights”. For the purpose of studying socio-economic and political conditions and find out now far Constitutional benefits are reaching the weaker sections particularly the Scheduled Castes and Scheduled Tribes.
The Eight Chapter is title as “The Constitutional Provisions and Position of the Dalits”. The Indian Constitution in its bills of rights, guarantees all citizens basic civil and political rights and fundamental freedoms. In addition the Constitution has special provisions prohibiting discrimination based on caste and the position of the Dalits in the Indian society. It is important to understand the caste system, which has dominated Indian society for over, 3000 years.

The last Ninth Chapter “Conclusion” presents the over all observation of the present study and highlights the major findings and suggestions emerge from study. Though the investigation is the present work is based on written sources available both primary and secondary some discussions is also based on personal discussion on availing experience with source individuals and places.

A number of technical and Indian terms have been used.

1.13 CONCLUSION:

According to John C. B. Webster, the term Dalit (oppressed or broken) is not a new word it was used in the year 1930s as a Hindi, and Marathi Translation of depressed classes, the term British used for what are now called the Scheduled Castes, is the constitutionally recognized.

Identity for those being subject to untouchability and social discrimination on account of their so called low caste Hindu background. All SCs are Dalits, but all Dalits are not SCs, the Constitution of India recognizes as Scheduled Castes only those who formally identify themselves
as either Hindus or Sikhs or Buddhists. While the Hindu Dalits were recognized as SCs as early as 1950 and the Sikh Dalit in 1956, the Buddhists Dalits got recognition as SCs only in 1990, the term Dalit or Dalits is otherwise a wider concept inclusive of not only the SCs, but also the Scheduled Tribes, backward castes working class and some time even women as a whole.

The protection for Dalits from untouchability caste based brutalities and extreme forms of exploitations has been a major agenda for governments till date. Broadly in two forms, (a) social reforms and political intervention and (b) legal measures.

In order to improve the living conditions of the poor the government of India has introduced several welfare programmes and schemes right from the plan till the present one for the benefits of Scheduled Castes and Scheduled Tribes.
REFERENCES:


4. Ibid, pp. 3-4.


15. Ibid, p. 802.