Chapter: 10
Policies for Economic and Educational Empowerment and Reservation

10.1 Introduction

The aim of this chapter is to analysis the writings of Thorat on the issue of Policies for economic and education empowerment and reservation. Indian society is characterized by a high degree of structural inequalities based on the institutions of caste and ethnicity. The caste system (the social organization of Hindus who constitute more than 80 per cent of population) is based on the principles which involves division of people in social groups (or castes), with unequal and hierarchical assignment of economic, and civil rights pre-determined by birth. It is highly exclusionary in nature and the social exclusion between the castes group is ensured through endogamy and social separation. Exclusion is internal to the system and a necessary outcome of its basic features. Every caste (except those at top of caste hierarchy) suffered from unequal and hierarchical assignment of rights in different degree but the untouchables caste located at the bottom of hierarchy suffered most as historically they were denied right to property, business (except some occupations considered as impure and polluting), education and civil, cultural and religious rights, except manual labour and service to caste above them. Besides, the untouchables also suffer from residential segregation and social isolation for they are considered impure and polluting and not fit for social association by high caste.

Another source of exclusion is linked with ethnic identity from which groups like Adivasis (means Indigenous) suffers. This group suffered from isolation, exclusion, neglect and underdevelopment due to their geographical and cultural isolation and separation. In their case the exclusion can take several forms including denial of right to resources around which they live, unintended and intended consequences of policies of government and societal process.

The historical exclusion (and continuation of the same in some traditional forms if not all) of exclude groups resulted in severe deprivation and poverty among them and reflected in lack of access to income earning capital assets, (such as agricultural land and business ), education, employment (of some type) and lack of civil, cultural and political right and finally in poverty and mal-nutrition (Thorat 2005). In order to counter the presence of unequal and discriminatory treatment towards a large share of the population, Thorat suggest a socially inclusive policies which has been discussed in this chapter.
10.2 Framework of the Policy

Thorat provides an detailed discussion of the policy drawn based on theoretical and empirical research and also lessons are drawn from the international and national experiences. The policies are inclusive in nature for the reason that these policies not only contest for the economic upliftment but also for the human development. Thorat, at first, draws attention towards the theoretical literature pointing out towards equal opportunity followed by international and Indian experiences.

10.2.1 Equal opportunity and Anti-Discriminatory policies- Lessons from Theoretical Literature

The adverse consequences of economic and social discrimination on human poverty, reducing discrimination is necessary, as it is lively to enhance access to economic and educational right, and help reduce poverty and inter-group inequalities. How to overcome discrimination has been the central concern in economic theories. Two alternative solutions have emerged in economic literature. One, theoretical stand predicts that discrimination will prove to be a transitory phenomenon in highly competitive markets, as there are costs associated discrimination to the firms/employers which result in a lowering the cost. Firm/employers who indulge in discrimination face the ultimate sanction imposed by the markets. This proposition sees the resulting erosion of it as a self-correcting solution for eliminating discrimination. This view would suggest the promotion of competitive markets to reduce market discrimination (Thorat 2009).

However, other stand favours interventionist policy to overcome economic discrimination. It is argued that there are several reasons why economic discrimination might persist over longer periods. Firstly, even if the markets are sufficiently competitive, market discrimination will continue to persist. The persistence of decades of labour-market discrimination in high-income countries (which promote competitive market situation) attests to the resilience of market discrimination. Secondly, in reality, not all markets are competitive. Indeed, in most of the economies, the markets are highly imperfect and are governed by oligopolistic and monopolistic market situation, which often empower the firm to discrimination (Thorat 2009 p.16).

Two major policies emerges from the above two views, which are complementary to each other, to overcome market discrimination. The view that predicts discrimination to be self-correcting favours strengthening of competitive market mechanism. The alternative view asserts
that competitive market may generate more favourable situation to reduce discrimination but the discrimination will persist despite the presence of competitive market forces or for other reasons, and therefore, interventionist policies are necessary.

Thorat suggests two step procedure for correcting discrimination (Thorat 2009 p.17). First is the legal safeguards in the form of legislation banning discrimination, and second is that the legal safeguards supplemented by “positive action” for facilitating a fair access to discriminated group in various spheres like employment, business, education, legislature and governance. The positive steps take the form of measures for fair access and participation of discriminate group in various spheres, through measures like reservation and similar measures. It call for positive action in land, labour, and capital market, in product and consumer market, and social needs such as education, housing, and health. Central to this view is the exposition in transaction groups face discrimination in transaction through market and non-market channels and in that regard positive affirmative steps are necessary.

10.2.2 Economic and Education Empowerment verses Equal-opportunity policies

Thorat argues that since poverty has been the main problem of discriminated group, the general policy of economic and educational empowerment will be good enough to address their problem. However, another view asserts that while policy of general economic and educational empowerment is necessary for all poor (poor from discriminated groups and rest of the poor), there is a need for supplement empowerment policies by equal opportunity policies with “positive steps” for equal access to right and entitlements (Thorat 2009 p.17 &18).

The policy of social and economic empowerment is essentially directed towards improving the ownership of capital assets like agricultural land and business, education and skills, housing and other social needs. These measures are supposed to augment the capabilities, discriminated groups to undertake businesses, and to enhance their employability by enhancing their education and skill level. These policies take the shape of pro-poor policies involving measures to increase access to capital assets including agricultural land, employment, education, social needs like housing, and food.

However, in case of discriminated groups, there is a specific empowerment need to be supplemented by equal opportunity policies. Insights from theoretical literature indicate that the
problems of discriminated poor persons are dual in nature and hence different from rest of the poor. First problem of discriminated group, of course, is the lack of access to income-earning capital assets like agricultural land and non-farm businesses, quality employment, and education, due to denial of same in the past for long periods of time, the consequences of which are visible in contemporary times. The policies of economic empowerment are expected to enhance the access to income earning assets and enhance the capabilities of individuals from discriminated groups. For instance, improved access to partake in business activities, Education and skill development are expected to increase employability and enable them to access jobs in both private and public sectors. However, the policy of economic empowerment has its limitation in overcoming the problem of discrimination faced in the “present”. The reason of this is that even if they gain access to income earning assets, education, and skill through empowerment measures, on account of discrimination in various markets they may fail to get fair share and participation in ownership of assets, employment, social needs like education, health, and housing (despite necessary skill for business and education and skill for employment).

The discriminated groups therefore require legal safeguard against possible discrimination in market and non market transactions and “positive action” (in the form of reservation of similar measures) to ensure fair share in economic opportunities. In the absence of equal-opportunity policies in the form of reservation, and similar measures, the excluded and marginalized groups may continue to face denial. It is precisely for this reason that policy of general economic empowerment [pro-poor policies] are supplemented by equal-opportunity policies such as reservation policy and similar policies in many countries- not only to improve their access to income earning assets and education and skill, but also to ensure fair share in business, employment, education, housing etc. through special inclusive policies. The complementary nature of these two policies will ultimately help the historically discriminated groups not only to improve their capabilities, but also to receive their fair share in economic and social progress of the country.

10.2.3 Indian context

In India there is a ongoing debate since the Mandal Commision was implemented in the beginning of 1990s on developing alternative policies not only for those groups who suffered from caste discrimination those who suffered from ethnic identity, but also for those who suffered from discrimination associated with gender, religion and similar identities. Indian society is characterized by multiple forms of exclusion associated with group identities like caste, ethnicity,
gender, religion, region in various spheres of society, polity and economy. Therefore, addressing such forms of exclusion requires inclusive policies to overcome deprivation faced by each of these groups. Development experience makes some groups believe that the gains of social and economic development have not been fairly shared by these groups. Therefore, those who have derived limited benefits from social and economic development are now seeking solution to their group-specific problems. It is in this background that various new groups have begun to demand for groups-specific policies to ensure due share to them.

The Scheduled caste and scheduled Tribe seek extension of reservation in the private sector, Other Backward Castes demand reservation in public education institutions, and women are seeking reservation in central legislature, and similar demands have come from low-caste converts to Islam and Christianity, (or Dalit Christian and Dalit Muslim) and also from religious minorities such as the Muslim.

The lessons from theoretical and empirical literature imply that the equal-opportunity policies for various discriminated groups will have to be necessarily guided by the nature of exclusion and discrimination faced by the Hindu and non-Hindu community within the measures namely, the policies of economic and education empowerment and equal opportunity.

This also means that the nature of reservation and/or similar measures for various discriminated caste groups within the Hindu fold and similar social groups under the non-Hindu fold, as well as the religious minority and women may require us to take into consideration the specific features of the caste system, and institutions related to religion and gender in terms of their exclusionary character, with wider social and economic ramifications on different castes within the Hindu and non-Hindu folds, and among women and religious groups.

Thorat, in this context remarks a very fundamental principal of the Hindu society that the core governing principle of the caste system is not inequality alone, but also ‘graded inequality’ which implies ‘hierarchically unequal entitlement’ of rights to various castes, with the entitlement to rights to various castes, with the entitlement to rights being hierarchically unequal, every caste (except the higher castes) suffers from a degree of denial and exclusion. But all suffering castes do not suffer equally. Some suffer more and some less. The loss of rights is not uniform across caste groups. As one moves down the caste hierarchy, the rights and privileges also reduce. By implication, castes located at the bottom of the caste suffered the most. The other backward caste
follows closely. The other backward caste have probably not suffered from the practice of untouchability, or from residential and social isolation as much as the scheduled caste, but historically, they too have faced exclusion in education, employment, and certain other spheres, which is reflected in lower education level and in quality employment.

The system of graded entitlement to rights results in disparities in the social, economic and educational conditions, which vary across different caste groups. The lesson we ought to learn from this is that given the differential impact on each caste, the policies against discrimination and deprivation need to be group-specific and governed by the specific social, economic, and educational conditions of each caste. By implication, equal-opportunity policies will have to be necessarily different from one castes group to another, depending on the nature of discriminations faced by them and their social, economic, and educational situation.

In case of the non-Hindu religious communities, some elements of the Hindu caste system seem to have been carried forward through a spillover effect in case of low-caste converts to other religious such as Islam, Christianity, Sikhism and Buddhism. Such lower-caste converts also face discrimination, though not in the same forms and manifestations as the Hindu low castes. Therefore, their group-specific problems need to be addressed. In fact, in case of the former untouchable’s converted to Sikh and Buddhist religious and of then other backward castes converted to Islam, the reservation policy has been extended in selective manner. But the problem of the former untouchables converted to Christianity and Islam have not yet been addressed.

The religious minorities, some among them, particularly the Muslims, fade discrimination as a religious group in a number of spheres, reflected in their poorer performance with respect to the relevant human development indicators. Similarly, women too face gender discrimination, though the extent of the discrimination varies with their caste, class, and religious backgrounds. Some groups such as the scheduled Tribes and the Semi-nomadic tribes suffer from isolation and exclusion due to their ethnic backgrounds (Thorat 2009 p.19).

10.2.3.1 Inclusive Policy in the Indian context

It becomes apparent that due to variations in forms and spheres of discrimination faced by different social groups in Indian society, the consequences on deprivation and poverty across various discriminated groups also vary, unlike in case of former untouchables, there are limited
studies on other discriminated groups regarding the forms, nature, and manifestations of discrimination. However the visible presence of inter-group inequalities among low caste-high caste, male-female, and minority-majority religious groups with reference to various indicators of human development points toward the consequences of historical discrimination, reflected in differential access to income earning assets, property, businesses, employment, education, and civil right and in participation in legislature and governance in varying degrees.

By implication, the equal-opportunity policies for the different discriminated groups would differ in spheres and forms of interventions depending on the nature of discrimination faced by each of these excluded groups, and their present social, educational, economic, and political standing. The feature of equal-opportunity policies for various discriminated groups such as lower castes, women and religious minorities need to be comprehended in their unique context. Generally, three components characterize equal-opportunity policy.

Firstly, it incorporate “legal safeguards” against discrimination faced by certain social groups in multiple spheres of society, polity, and economy as a first remedial step. This generally takes the form of enactment of laws against discrimination, such as civil Right Act in United States of America or protection of Civil Rights Act in India (formally known as anti-untouchability Act, 1955, and Scheduled Caste and Schedule Tribe Prevention of Atrocities Act, 1989). These acts are necessary to provide legal safeguards so that in the event of discrimination, an individual could take recourse to these legal provisions.

Secondly, although legal provisions are a necessary pre-condition to overcome discrimination, they alone are not enough, as laws have their limitations in overcoming the consequences of historical exclusion through the denial of rights to education, income-earning assets, employment, civil rights, and other rights to some social groups. Therefore, an equal-opportunity policy generally includes specific policy measures in the form of reservation of similar measures to ensure due share and participation of the discriminated groups in various spheres of society, polity and economy.

Thirdly beside this, the participation of the discriminated groups in governance at all levels- from legislature to drafting policies, their execution and monitoring is also crucial. Representation and participation of the discriminated groups in governance is central element of inclusive policy and building an inclusive society. It is also imperative that provisions with respect
to equal right and protection against violation of rights are embodied in the constitution. It society practices discrimination, the impetus for change should come from the state. Private initiatives by civil society and private sector in the form of reforms of society for ensuring equal human rights are also equally necessary.

Thorat concludes that the equal-opportunity policies will have some necessary elements (Thorat 2009 p.19). Firstly, it will incorporate laws against discrimination in various spheres. Secondly, it will need proactive measures in the form of reservation of similar measures to ensure fair share in income-earning capital assets, employment (public and private), and social needs like education and housing, and participation in governance through fair share in legislature, executive and administration with necessary provisions in the constitution and laws. It is necessary to recognize that there will be some common features of equal-opportunity policy cutting across out discriminated groups. However, its dimensions will very across various discriminated groups (such as Scheduled Caste, Scheduled Tribes, Other Backward Castes, Semi-nomadic and de-notified tribes, the differently abled/disabled, women, and religious minorities depending upon the nature and religious minorities), depending upon the nature and form of their discrimination and deprivation. Therefore, equal-opportunity policy in the Indian context will be group –specific only when the polity, the society, and the economy are more inclusive and participatory, democracy as a means of governance becomes meaningful for all.

10.2.3.2 Inclusive policy for Reducing Human poverty
10.2.3.2.1 Dual Inclusive Policies

The literature on causes of poverty in India clearly indicates that there are certain factors which have caused poverty. The factors that caused poverty mainly include lack of access (ownership) to income assets namely agricultural land and non-farm business and also lack of access to employment. Thus poverty is closely associated with landlessness, lower access to capital and lower employment poverty is also closely associated with education and skill and poor health status and hence the poor happen to be illiterate and persons with poor health status.

However, in the case of poor belonging to discriminated groups, in addition to these known cause of poverty, the poor from excluded/discriminated groups suffered from groups specific problems which induced poverty among them these discriminated groups suffered from their exclusion of discriminatory access to sources of income, which results in denial of equal access
opportunities and hence it induced more poverty among them. They faced a problem of “Exclusion induced poverty” from which only excluded and discriminated groups suffer. Therefore the problem of excluded groups differs in some respects, (if not all respects) from that of “rest of the poor”.

Therefore in addition to the ant-poverty policy for improvement in access to income earning assets, employment, education, health facilities, which are required for ‘all’ poor i.e. poor from the discriminated group and the rest of the poor, the poor from discriminated groups needs additional policy measures. The aim or such measures will be to overcome the constraints posed by the unfair exclusion and unfair exclusion and unfired inclusion to provide equal but non-discriminatory access to poor persons to rights and entitlements. Therefore, it require dual policy-

a) One set of policy measures for improving the access to income earning assets (or sources of livelihood), employment, education and skill, health measures for all poor, including the poor from discriminated groups and,

b) Second set of policies for poor persons belonging discriminated group to provide safeguards against discrimination which they face in accessing sources of income earning assets, employment, education health facilities and participation in decision making in panchayat.

As regard the general policies, the Indian state has used “general programmes” for all poor, aimed at improving access to sources of livelihood through private ownership of capital assets of building human resource capabilities. These programmes have been undertaken primarily as part of anti-poverty and other economic and social programmes for the poor. The main focus of such programmes have been to improve private ownership of fixed capital assts like agricultural land, non-land capital assets, education and skill development, as well as access to social and basic services like housing, health, drinking water, electricity and others. Thus such programmes have addressed general factors which cause poverty for “all poor”-both poor from discriminated groups and rest of the poor.

The “Inclusive policy” must include intervention and positive steps to overcome the social exclusion and discrimination in various market and non market institutions from where the person access the sources of livelihood and social needs live education and health services (Thorat 2009 p.24).
Thorat provides different forms of policies (see Table 10.1) as a part of the inclusive policy.

**Table 10.1: Inclusive Policy Suggestions Thorat**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Policies to be focused on</th>
<th>Targets</th>
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<tbody>
<tr>
<td>1.</td>
<td>Non-discriminatory access to Agricultural land Market</td>
<td>1. Distribution of the agricultural land both public and private [acquired under ceiling] to the discriminated group on priority basis involving special measures to remove difficulties faced by SC and ST in taking the actual possession of public land particularly the private land under ceiling. Leasing of public/panchayat land on lease to the discriminated groups. 2. Creating legal and regulatory framework against discrimination on purchase of land and taking of agricultural land on lease by the excluded group.</td>
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<tr>
<td>2.</td>
<td>Credit Market</td>
<td>Credit supply in equal term by the private financial institutions with legal and preventive measures against discrimination as well as public sources.</td>
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<td>3.</td>
<td>Farmers-factor Inputs Market</td>
<td>Supply of inputs such as seed, fertilizers, irrigation from canal and public tank to the farmer belonging to the discriminated groups from the government along with supply of the agriculture services and extension knowledge under liberal terms to the farmers from the excluded groups by the government.</td>
</tr>
<tr>
<td>4.</td>
<td>Non-farm Business</td>
<td>1. Legal safeguard against discrimination in the supply of factor input, raw material, services and the sale of products, goods and services. 2. Positive steps on the part of the government to promote the businesses operated by the discriminated groups along with preferential policy by the government in providing license for the businesses, land, electricity and other services and also in supply and purchase of agricultural products such as vegetable, flowers, milk and poultry by the government and the private sector as businesses run by the discriminated persons face discrimination.</td>
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<tr>
<td>5.</td>
<td>Farm and non-farm Wage Labour Sphere</td>
<td>Preferential employment particularly in those works where discriminated groups are denied employment.</td>
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<tr>
<td>6.</td>
<td>Non-discriminatory Access to education</td>
<td>1. Rules and guidelines against discriminatory practices in the school by the teacher, students and administrative staff towards the students belonging to discriminated groups in any form. 2. Rules and guidelines for non-discriminatory behaviour between teacher and students; and between students from discrimination. 3. Rules and guidelines for non-discriminatory access to the services provided in the school such as drinking water, mid-day meal, supply of books and uniforms, scholarships provided by the government and occasional health services. 4. Rules and guidelines for equal and non-discriminatory participation in sports, games, cultural events, social and cultural events and life in the school.</td>
</tr>
<tr>
<td>6.</td>
<td>Public and Private Health Services</td>
<td>Rules and guidelines against the discriminatory practices in the primary health centers and private health providers in the villages. Guidelines related to non-discriminatory behaviour may be in the spheres such as one single queue for all patients, providing non-discriminatory treatment and health check-up by the doctors; and any other forms of discrimination.</td>
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<td>7.</td>
<td>Non-discriminated Access to CPR at Village Level</td>
<td>Priority in giving permits for grazing land and similar permissions to use forest resources.</td>
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<td>8.</td>
<td>Non-discriminatory Access to Civic Amenities at Village Level</td>
<td>1. Equal access to public sources of water, drainage in the localities of the discriminated groups and provision of electricity and other village level amenities. 2. Rules providing equal access to all members from the discriminated groups and necessary legal safeguard against the denial and discrimination in accessing civic amenities.</td>
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*Source: Prepared by Author based on Thorat (2009a, 2009b and 2005) and Thorat and Newman (2010).*
10.3 Overview of Constitutional Provisions

Thorat evaluates the constitutional provisions for empowering Dalits and Adivasis followed by the ‘Reservation Policy’ of India. Reservation policy is also known as ‘India’s affirmation action policy’. India’s affirmation action policy or reservation policy is authored by the provisions in the constitution adopted in 1950, although its initiation at country level goes back to early 1930. The two important features of the provision in Indian constitution needs to be recognized, namely the provision of principle of “Non-discrimination and equal opportunity” and the provision empowering state to take step to ensure equal opportunity (Thorat 2005 p.5).

As regard the first Article 16 provide for “equality of opportunity for all citizens in the matters relating to employment or appointment to any office under the state”. It ban discrimination, particularly in any employment or appointment to any office under state on grounds of religion, race, caste, sex, descent, place of birth, residence or any of them. In fact Article 17 abolished institution of untouchability which sanctified discrimination and exclusion of untouchable. Article states “untouchability” is abolished and its practice in any forms is forbidden.

Flowing from these provisions then the constitution impose responsibility on the state to take step to ensure non-discrimination and equal opportunity in practice, Article 46. A directive principle of state policy state “The state shall promote with special care the educational and economic interest of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation” (Thorat 2008).

Such provisions in the constitutions relates to government services, education and political representation and others. In the case of government services the provision relates to both appointment and promotion. Article 16(4) empowers the state to make “any provision for reservation in appointment, or posts in favor any backward class of citizens”. Article 16(4A) enables “the state to make provision for reservation in matters of promotion to any class or classes of posts, in the services under the state in favor of the SCs and STs. Article 335 state “The claims of the members of the Scheduled Castes and Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments of services and posts in connection with the affairs of the union or of a state.

In the case of education the provision relates to non-discrimination in educational institutions, equal representations and measures for education promotions. Article 15(4): states that
“Nothing in this article shall prevent the state from making and special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes”. Article 29(2) provides protection for admission and against discrimination in any educational institution maintained by the state or receiving and out of state funds on grounds only of religion, race, caste, language or any of them.

In case of political safeguards the constitution empower states to take steps to provides due representation to SC/ST in the legislature bodies in proportion to their proportion to population, that is in Central Legislative Assembly (article 330), legislative assembly of the states (article 332), in Municipalities, in various panchayat level bodies, namely village, taluka, and district (Thorat 2005 p.4).

10.3.1 Reservation Policy- Employment, Education and Legislature

The Indian government approach towards the weaker section of the society has been primarily shaped by the provisions in constitution, which guarantees equality before the law, and empowers the state to make special provisions to promote the educational and economic interest of the SC/ST and to provide legal and other safeguards against discrimination in multiple spheres.

The government has used three fold strategy for the SC/ST, which include (a) legal safeguards against discrimination (b) pro-active measures in the form of Reservation policy for state sector and state supported sector and (c) policy in the nature of informal affirmative action for private sector (namely agriculture and private industry, in which more 90 per cent of SC/ST worker are engaged) as part of general developmental or empowering measures.

Anti-discriminatory measures include enactment of anti-untouchability act of 1955 (renamed as protection of Civil Rights Act in 1979) and Scheduled Caste/Tribe prevention of Atrocities Act 1989. Under the first Act practice of untouchability and discrimination in public places and services is treated as offence. The second Act Provide Legal Protection to SC/ST against violence and atrocities of several kinds by the high castes.

Reservation for both the SC/ST in government services, educational institutions and political bodies like legislature also falls under anti-discriminatory but pro-active measures. These
pro-active measures have been used to ensure proportional participation of the SC/ST in various public domains.

The reservation policy is confined to a tiny state run and state supported sectors and the vast private sector where more than 90 per cent of the SC/ST population/Workers engaged are excluded and therefore remained unprotected from possible discrimination. In the absence of reservation policy in the private sectors, the state has used “general programmes” for economic, educational and social empowerment of the SC/ST. the focus has been to improve the private ownership of fixed capital assets (land and non-land), education, and improved access to social needs like housing, health, drinking water, electricity and others. The strategy for improving or building the private ownership of capital assets, education and social needs, which has been generally taken as part of anti-poverty program also used method of earmarking and quotas in an informal manner for SC/ST (Thorat 2005 p.5).

10.3.1.1 Reservation Policy for Private Sector

The reservation policy is operative mainly in three spheres namely Government jobs, admission in public Educational institutions and seats in Central, state and local Legislature and bodies. It must be mentioned that in the case of services and education affirmative action policy is confined to government and government aided sector of services and educational institutions and the private jobs and educational institutions are completely excluded from the purview of the policy. Over a period of time the government spheres has expanded so did the scope of reservations. The newer spheres include government housing, government spaces for shops and commercial activities and number of other small spheres.

Most important one is the reservation in government services. Article 16 (A) permits reservation in favor of backward castes and in pursuance of this provision Government made reservation for SC and ST in proportion to their share of population. There is also reservation in promotion of employed persons. The government services generally include Government Civil Services, Public Sector Undertakings, Statutory and Semi-Government Bodies, voluntary agencies etc. Which are under the control of the Government or receiving grant-in-aid. At the central level some of the services are excluded from the reservation and these prominently include defense and judiciary.
Reservation is accompanied by array of other special provisions, designed to facilitate and improve the ability of these groups to complete for government jobs. These include relaxation of minimum age for entry in to the service, relaxation in minimum standard of suitability within reasonable limit (subject to required minimum qualification), relaxation in fee, and provision for pre-examination training, separate interview for SC/ST persons, provision of experts from SC/ST background on selection committee and others (Thorat 2005 p.6).

Second important spheres pf reservation are education. Article 15(4) empowers the state to make special provision for the advancement of for SCs and STs students in educational institutions, which include colleges, universities including technical, engineering and medical colleges run by the central and state government and the government aided educational institutions. These provisions are supported by number of financial schemes. Among educational schemes are scholarships, special hostels for SC and ST students, concession in fees, grants for books, remedial coaching etc.

Third most important sphere of reservation is the representation in central and state Legislature. A legislative reservation is one of the specific and mandatory constitutional provisions for Scheduled Castes and Scheduled Tribes (Thorat 2005 p.7). Under Articles 330, 332 and 334 of the Constitution, seats are reserved for scheduled Castes and Scheduled Tribes in the central Legislature and state legislature in proportion to the population share. Similar reservation is provided in local level bodies at district, taluka and village level. The constituencies (for the seat in parliament and state assemblies) are reserved for the Scheduled Caste/Tribes in proportion to their share in population. Thus at all India level of the total Member of Parliament, about 14 per cent and 7 per cent of constituencies (or seats) are earmarked for scheduled Caste and Scheduled Tribes respectively. Only the person from Scheduled and Tribe can contest from these reserved constituencies. For example in 2004, of the total of 543 constituencies (or seat) in Central Parliament, 75 were reserved for Scheduled Caste and 41 for Scheduled Tribe. The member of seats are based on the population census conducted every ten year. Same method is followed at individual state level and sub-state level. Those constituencies are identified as reserved, where the population share of Scheduled Caste and Tribe proportion to population is comparatively large.

The constitutional provision of reserved seats complemented by statutory provisions to enhanced political participation by SC and ST. Smaller election deposit are required from members of these groups. It may be mentioned that there is time limit for political reservation. To begin with
it was provided for ten years with a provision for extension for every ten years. Since the initiation of reservation for the first time in 1937, it has been extended after every ten year. Present extension is up to 2010.

It may also be mentioned that ten year limit is not applicable to reservation in government services and governmental educational institutional. While the constitution made a general provision for adequate share for Scheduled Caste/Tribe, it is left to the government to follow the policy of reservation up to point when it considered that discrimination against Scheduled Caste/Tribe may not a major problem and that they are adequately empowered and received due representation and participation in normal course. The same criterion may be used for extension of reservation in legislature after every ten year.

It is also necessary to recognized that although there is a minority view which express concern about extension of reservation without time limit, the dominant view is in favor of extension as long as discrimination and social exclusion of Scheduled Caste/Tribe persists. And since the social exclusion and discrimination of Scheduled Caste/Tribe is prevalent on large scale in multiple spheres and that these groups continued to be deprived, there is general support in government for reservation policy without time consideration. In fact given the exclusive character of Indian Society the reservation in government services have been extended to other groups such as other backward caste (who constitute 27 per cent of India’s population), Scheduled caste converted to Sikhism, and Buddhism, backward caste among the Muslim. The case for reservation for Scheduled Caste converted to Christianity is under consideration and some status have already announced reservation in government services for Muslim on limited scale.

However there is difference of opinion about the targeting of reservation within the group identified for reservation. In the case of other backward caste for example, the relatively better-off classes, which are describe as “Creamy Layer” are excluded from reservation. The Creamy Layer is identified on the basis of income and other supplementary indicators. In the case of Scheduled Caste/Tribe the concept of creamy layer is not applied, as relatively better off as well as worse off suffer from discrimination and non-participation in development processes in the country. However even the relatively better-off from Scheduled Caste/Tribe are excluded from economic facilities based on income criterion, although they are entitled for reservation in government jobs, educational institutions and legislature (Thorat 2005 p.8).
10.3.1.2 Educational Policies

Thorat also writes about the Government’s Educational Policies. The government’s schemes include measures to improve the education infrastructure, facilitate admissions to educational institutions, provide financial support at various levels of education and conduct remedial coaching to build capabilities, particularly among the educationally most backward sections.

(I) National Policy on Education (NPE), 1986

The NPE lays emphasis on the attainment of minimum levels of learning at all stages of education primary, middle and secondary-and on the overall personality development of the child. Pursuant to the NPE, the following special provisions for SCs have been incorporated in the existing schemes of the Department of Elementary Education and Literacy and the Department of Secondary Education and Higher Education: (Thorat 2009)

1. Relaxed norms for opening of primary schools.
2. A primary school within 1 km walking distance from habitations of 200 people instead of 300.
3. Incentives like free textbooks, uniforms, stationary and school bags to students from the SC community.
4. Priority given to areas with high concentration of SCs in major programmes of the Department of Elementary Education and Literacy like the District Primary Education Programme (DPEP), Lok Jumbish, Shikha Karmi, Non-Formal Education (NFE) and the National Programme for Nutritional support to primary Education (NPNSPE).
5. Abolition of tuition fees in government schools in all the states, at least up to the primary level. Most states have abolished tuition fees for SC students up to the senior secondary level.
6. Of the 43,000 Scholarships at the secondary stage for talented children from rural areas, 13,000 Scholarships are reserved for children from the SC/ST community, and 70 Scholarships are reserved for SC/ST candidates under the National Talent Search Examination (NTSE).
7. Strict observance of reservation of seats for SCs in central government institutions such as the Indian Institutes of Technology (IITs), the Indian Institutes of Management (IIM),
Regional Engineering colleges (RECs), Central universities, Kendriya Vidyalayas and Navodaya Vidyalayas. In public educational institutions, apart from reservation, there is also relaxation in the minimum qualifying cut-off percentages for admission. The University Grants Commission (UGC) has established SC/ST cells in 103 universities, including central universities, to ensure proper implementation of the reservation policy. A standing committee has also been set up by the UGC to review the implementation of the reservation policy in various public educational institutions.

8. Remedial and special coaching is provided to improve the academic skills, linguistic efficiency and levels of comprehension of SC students. The IITs have a scheme under which SC students who fail by a small margin in the entrance examinations are provided a year’s preparatory course.

9. The UGC has also formulated a scheme for providing coaching to candidates from the SC/ST community to prepare them for the National Eligibility Test (NET) and to subsequently from among them adequately qualified candidates for recruitment as lecturers.

10. SC candidates are also provided relaxation up to 10 per cent in the cut-off marks for the Junior Research Fellowship (JRF) test. All SC candidates who qualify for the JRF are awarded fellowships.

11. Every year, 50 JRFs are awarded in the Sciences and the Humanities to SC/ST students who appear in NET and qualify for lectureship.

12. The UGC provides a relaxation of 5 per cent at the master’s level to SC/ST candidates for appointment as lecturers. For SC/ST students, the UJC has also reduced the minimum percentage of marks required to appear in NET to 50 per cent

(II) Alternative and Innovative Education

Along with formal schooling, alternative and innovative education is a major part of the overall strategy for covering unserved habitations and for the mainstreaming of out-of-school children, especially girls. The scheme provides for a diverse range of needs such as the following:

1. A learning centre for the unserved habitation like the Education Guarantee Scheme in Madhya Pradesh.

2. A special strategy for out-of-school children in order to mainstream them into formal streams such as the efforts of the M. Venkatrangaiyah Foundation and the Balika Shikshan
Shivirs under the Lok Jumbish Project, or the creation of special mobile schools for migrant populations such as for the shepherds of Jammu and Kashmir.

3. A special approach for adolescent girls to meet the diversity of their learning needs such as the Mahila Shikshan Kendras under the Mahila Samakhya Project.

4. A source of remedial teaching at urban slums to meet the special educational needs of deprived children who may enroll in school but are unable to cope—for instance, Pratham in Mumbai.

5. An experimental stream where new pedagogical approaches could be tried out under innovative components, such as Rishi Valley School in Andhra Pradesh, where the idea is to non-formalize the apparatus of education (Thorat 2009).

(III) Special Educational Schemes

The Ministry of Social Justice and Empowerment (MSJE) implement various centrally-sponsored schemes for the educational development of SCs through State Governments and Union Territory (UT) administrations.

1 Central Sector Scheme of Upgradation of Merit of SC Students

This scheme was started in 1987-88 by the Ministry of Human Resource Development (MHRD) in the Department of Education and was transferred to the Ministry of Welfare (MoW) in the middle of 1993-94.

The objective of the scheme was to upgrade the merit of SC students by providing them with opportunities for all-round development through education in residential schools. The scheme intended to remove their educational and social deficiencies, and attempted to facilitate their entry into institutions/courses where admissions were on a competitive basis. Under the scheme, 100 per cent central assistance is released to states/UTs to arrange remedial and special coaching for SC students studying in classes IX to XII.

While remedial coaching aims at removing deficiencies in subjects taught at school, special coaching is provided to prepare students for competitive examinations for entry into professional courses such as engineering and medicine. Under this scheme, coaching is provided in linguistic skills, the sciences and mathematics. Although the number of awards with respect to each state/UT is predetermined in the scheme, each state/UT is entitled to a minimum of five awards. A package
grant of Rs. 15,000 per student per year is provided under the scheme. The scheme also provides for additional grants for students with disabilities, such as reader’s allowance, transport allowance and escort’s allowance (Thorat 2009).

2 Centrally-Sponsored Coaching and Allied Scheme

Under this scheme, funds are released for Pre-Examination Training Centers (PETCs) in various parts of the country to prepare SC candidates for competitive examinations held by the Union Public Service Commission (UPSC), the State Service Commissions (SSCs), etc. The objective of the scheme is to improve the representation of candidates belonging to the SC community for whom posts are reserved in the state/central services.

The ongoing scheme was modified in September 2001, to ‘Coaching and Allied Assistance for weaker sections including Scheduled Caste, Other Backward Castes and Minorities’ to make the scheme more cost-effective and result-oriented. Under the revised scheme, grant-in-aid is given to state government on a matching basis over and above its committed level of expenditure, and 100 per cent assistance is provided to UTs. In the case of directly-run centres, assistance through universities/institutions is on a 90 per cent basis. Some private institutions are also being funded on a contractual basis. The grant is realized in two installments.

The silent features of the scheme are as follows:

1. Assistance is provided for preparation for recruitment to all services in Group ‘A’ and ‘B’ under the central and state governments, PSUs, banks and the private sector.
2. Assistance is also provided for entrance examinations to educational institutions that run professional courses in the areas of medicine, engineering, etc.
3. Coaching is emphasized for emerging areas such as information technology (IT) and other service sector activities.
4. Coaching Centers are entitled to financial assistance of Rs.8,000 per student per course for training in Group ‘A’ services, Rs.6,000 per student per course for Group ‘B’ services and for all other government service examinations.
5. A stipend of Rs.700 per student per month for Group ‘A’ services and entrance examinations is provided for outstation students. In the case of local students, Rs 225 and Rs 125 are provided for Group ‘A’ and ‘B’ services with entrance examinations, respectively.
6. The Coaching institutions are required to extended extra attention to coaching students and ensuring that at least 33 per cent of those they coach under the scheme are successful in the entrance/recruitment examinations.

3 Pre-Matric Scholarships (PMS) for the Children of those engaged in uncleanessions

The scheme was introduced in 1977-78 with the objective of financially assisting the children of scavengers of dry latrines and sweepers who have traditional links with scavenging, flying and tanning, irrespective of their religion, to pursue education up to matriculation. Students with disabilities among the target groups were also assisted.

The scheme is implemented by the state government and UT administrations. Central assistance provided to the state governments on a 50:50 per cent matching basis and on a 100 per cent basis to the UT administrations over and above their committed liability (Thorat 2009 p.20).

The scheme covers day scholars from class I to X with scholarship rates ranging from Rs. 25 per month for classes I to V, Rs. 40 per month for classes VI to VIII, to Rs. 50 per month for classes IX and X. The scheme also covers hostellers from class III to X, with scholarship rates for hostellers from class III to VIII being Rs.200 per month and for those in classes IX and X Rs. 250 per month. The scholarship is provided for ten months in a year. Besides the scholarship, an annual ad hoc grant of Rs.500 is also provided to day scholars as well as hostellers.

The scheme was last modified with effect from 25 February 1994, following which there is no income ceiling prescribed. Up to two children of the same parents get benefits from the scheme if they are pursuing education in classes IX and X. Although no such restriction has been placed on children who are pursuing education up to class VIII, an additional/third/subsequent child born after 1 April 1993 will not benefit from the scheme.

4 Post-Matric Scholarship for the SC Students

The objective of the scheme is to provide financial assistance to students belonging to the SC/ST category to pursue post-matriculation education in recognized institutions, including correspondence courses within the country.
The financial assistance under this scheme includes provision of maintenance allowance, reimbursement of compulsory non-refundable fees, thesis typing/printing charges, study tour charges, book allowance for students pursuing correspondence courses and special provisions for students with disabilities such as reader charges for blind students.

The scheme has been implemented by various state governments and UT administrations, which receive 100 per cent central assistance, over and above their committed liability. For the north-eastern states, there is no such liability.

5 Book Bank for SC Students

This scheme is intended to provide SC/ST students access to the latest textbooks in medicine (including Indian system of medicine and homoeopathy), veterinary, engineering, agriculture and polytechnic courses that require expensive books. The book bank scheme also encompasses law, chartered accountancy, management and the bio-sciences. Provisions have been made in the scheme to include Braille books/talking books/cassettes to help visually-impaired students. Each set of books provided through this scheme is charged by two students at various stages except in the case of post-graduate courses and chartered accountancy, wherein each students is provided one set.

The scheme is open to all those who receive post-matriculation scholarship. The life period of a single set of books has been fixed at three years, and the ceiling cost per set of textbooks varies from Rs 2,400 to Rs 7,500, depending on the course. The scheme also provides Rs. 2,000 towards the purchase of cupboards. The scheme is implemented by the state governments and UT administrations. Central assistance is provided to the state government on a 50:50 per cent matching basis and 100 per cent basis to the UT administrations.

6 Scheme for Girls/Boys Hostels for SC students

The main objective of this scheme is to provide hostel facilities to SC students while they are studying in middle, high and secondary school, colleges and universities. The scheme is implemented by the state governments and UT administrations. Central assistance is provided to the state governments on a 50:50 per cent matching basis and a 100 per cent basis to the UT administrations for the construction of hostel buildings for up to 100 inmates, boundary walls, two-
rooms sets for hostels wardens and one-room sets for chowkidars (watch and ward staff). Non-
governmental organizations (NGOs) are also given central assistance for the expansion of existing
hostels on a 45 per cent central share, 45 per cent state share and 10 per cent own contribution
basis.

Land is to be provided free of cost by the state/UT or beneficiary institution. A few rooms
of the hostel are to be constructed in accordance with barrier-free designs and facilities like ramps
being incorporated so as to enable comfortable access by disabled students. The cost of
construction is worked out in the basis of the State/Central Public Works Division (CPWD)
schedule of rates. The expenditure on the maintenance of these hostels is to be borne by the state
governments from their own funds.

Centrally-controlled universities can receive financial assistance of up to 90 per cent
receive central assistance of up to 45 per cent; the remaining amount has to be provided by their
respective states (45 per cent) and themselves (10 per cent) (Thorat 2009 p.21).

7 National Overseas Scholarship for SC Students

The national overseas scholarship is non-plan scheme under which 17 scholarship of a total
of 30 are awarded annually to SC students. The scheme, which also includes SC converts to other
religions, intends to provide financial assistance to meritorious SC students who have no means to
fund themselves for higher education abroad in courses for which adequate facilities are
unavailable in India.

Under this scheme, the government meets a student’s entire tuition fees, provides a
maintenance allowance, a contingency allowance and air passage both ways once year. There are
some subject restrictions for bachelor’s, master’s, doctoral, and post-doctoral courses. Certain
courses pertaining to science, technology, medicine, agriculture, engineering and Indian studies are
excluded from the list. Specific subjects are prescribed every year in consultation with the MHRD
to pursue master’s and bachelor’s courses. Preference is given to candidates pursuing PHDs and
post-doctorates in the fields of science, technology and engineering. The maximum duration of
scholarship varies for different degrees. As for the qualifying criteria, SC candidates are required to
obtain 60 per cent in the qualifying degree along with two years research/teaching/work experience
for bachelors, masters and PHD degrees, and five years research/teaching/work experienced with
PHD for a post-doctoral degree. A candidate’s age should not exceed 35 years, and the annual income of the applicant should not exceed Rs. 60,000. Only one child in a family can avail of this award.

The scheme is widely advertised every year in national and regional newspapers and in employment news. The NCSCST, state governments and UTs are also simultaneously apprised of the advertisement. The selected candidates are given an award letter that facilitates their seeking admission abroad. Since the award is valid for three years, excluding the year of selection, it gives the students ample time to secure the necessary admission. The scholarships are forwarded to the students abroad by the Indian mission in the countries of their study.

8 Passage Grants for SC Candidates

This non-plan scheme provides four passage grants of a total of nine to SC students who are already receiving a merit scholarship for postgraduate studies, research or training abroad from a foreign government/organization or under any other scheme, wherein the cost of passage is not provided.

Candidates who apply for passage grants should possess a master’s or an equivalent degree in the case of humanities or the sciences and a bachelor’s degree in the case of engineering, technical and medical subjects. Their or their parents’ income should not exceed Rs. 60,000 per annum.

The scheme is advertised every year in leading newspapers, employment news and regional language papers. The NCSCST, state governments and UTs are also made aware of the advertisements. Prospective candidates can apply for the scheme according to their convenience, as the scheme is a rolling programme and not restricted to a deadline (Thorat 2009 p.22).

9 Dr. Ambedkar National Merit Scholarship

This scheme has been instituted from 2003 with the objective of recognizing, promoting and assisting meritorious students belonging to the marginalized communities to pursue higher studies. The number of awards is 208 (104 each for SCs and STs). In addition to this, 250 special scholarships are awarded in proportion to the SC/ST population in the respective states.
10.3.1.3 Policies and Programmes for Economic Development

In the absence of an affirmative action policy for the private sector, which engages more than 90 percent of SC workers, the state has used general economic and social programmes for SC and other excluded groups to improve the private ownership of various sources of income such as agriculture (land and non-farm assets), capital assets, human resource capabilities (education and skills), and the access to social and basic services like housing, health, drinking water, electricity etc. The government’s strategy for improving or building private ownership of capital assets, human resource capabilities and basic services of the SC is primarily a part of the anti-poverty and other economic and social programmes for the empowerment of the poor by targeting or fixing specific quotas for SC households in the case of divisible schemes.

The programmes for economic empowerment are designed to improve the ownership of capital assets, both farm and non-farm, in the rural and urban areas; improve the skills and capabilities for self-employment (or business); and provide wage employment for rural and urban labour households. Schemes to provide financial capital, training and information to undertake new businesses or to improve existing business have also been developed.

Inadequate access to capital assets (farm and non-farm) has led to a very high proportion of wage labour households among the SCs in both rural and urban areas. In the 1990s about 60 percent of the SC rural households and more than one third of the urban household were employed as wage laborers, compared to only 30 percent in the rural areas and 10 percent in the urban areas for non-SC households. Keeping in view the employment requirements of the rural wage labour households, in general and of the SC in particular, the government has initiated a number of employment programmes. The main purpose of such programmes is to provide minimum additional wage employment for the unemployed and the underemployed in the rural areas through the creation of rural infrastructure and community assets. The percentage of funds required to be spent on SC/ST beneficiaries is 22.5; the share in public employment under various employment guarantee schemes is generally in proportion to the share of SC wage labour in total wage labour or the share in the total number of persons below poverty line (BPL) (Thorat 2009 p.23).

The other Special Schemes for improvement in the employability of labour include the following:
1. Training of labour for upgradation of skills and capabilities to enhance its employment opportunities.
2. Coaching cum guidance for occupational information.
3. Coaching scheme for job-seekers.
4. Registration with employment exchanges.

There are also special schemes for some occupational groups such as sweepers, mining workers and beedi workers in the areas of education, health, housing, etc. SCs constitute about 61 percent of bonded labour in the country. Separate programmes for their release and rehabilitation have also been designed by the government.

10.3.1.4 Employment Generation Programmes

The integrated Rural Development Programme (IRDP) was started in 1980-81 and is the earliest self employment programme of its kind. The IRDP was a credit linked programme and envisaged self employment in order to enable identified rural poor families to augment their incomes through the acquisition of credit based productive assets. The target groups consisted of BPL landless households, small and marginal farmers and artisans. Half the assisted families in this scheme were to be from SCs/STs.

The IRDP had several allied programmes such as Training of Rural Youth for Self Employment (TRYSEM) Development of Women and Children in Rural Areas (DWCRA) and Supply of Improved Tool Kits to Rural Artisans (SITKRA). These programmes envisaged considerable flow of benefits to SC. Under DWCRA, it was made compulsory (from 1997-98) that 50 percent of the selected groups had to be those of women belonging to SC/ST. TRYSEM envisaged that 50 percent of the youth selected for training should belong to SCs/STs. SITKRA provided for 50 percent reservation for the SC/ST communities. The Ganga Kalyan Yojna (GKY) scheme provided for 50 percent of the funds to be earmarked for SCs/STs.

The self employment scheme for Educated Unemployment Youth (SEEUY)/ Gramodyaya scheme was started in 1983 with an annual target of 250,000 beneficiaries. Unemployed Youth (matriculates and above), those who had passed out from the Industrial Training Institutes (IITs), women and technically trained persons were eligible for assistance under this scheme. A ceiling income of Rs 10,000 per annum per family was fixed for eligibility. The scheme provided for a
composite loan of up to Rs. 35000 for industries Rs. 25,000 for services units and Rs 15,000 for business ventures and 30 percent of the beneficiaries were to be SCs/STs.

The Jawahar Rozgar Yojna (JRY), which was launched on 1 April 1989 with the objective of generating additional gainful employment for the unemployed and the underemployed in the rural areas through the creation of rural infrastructure and community assets, required 22.5 percent of the funds to be spent on SCs/STs.

The Jawahar Gram Samridhi Yojna (JGSY) is the restructured, streamlined and comprehensive version JRY. This scheme, launched on 1st April 1999 was specifically designed to improve the quality of life of the rural poor by providing them with additional gainful employment. The JGSY’s primary objective is the creation of demand driven village infrastructure, including durable assets, to enable the rural poor to increase their opportunities for sustained employment. The JGSY’s secondary objective is the generation of supplementary employment for the unemployed poor in the rural areas.

People living in villages’ constitute the JGSY’s target group. Preference is given to BPL SC/ST families and physically handicapped persons; 22.5 percent of JGSY’s funds have been earmarked for individual beneficiary schemes for SC/STs.

The Swarnajayanti Gram Swarojgar Yojna (SGSY) is the only self employment programme for the rural poor. On 1st April 1999, the IRDP and other allied programmes – TRYSEM, DWCRA, SITKRA, GKY and million wells scheme (MWS) were merged into this single programme. The SGSY is a holistic programme, which aims at covering all aspects of self employment such as organizing the rural poor, training a participatory approach to the planning of self employment ventures and the provision of infrastructure facilities technology credit and marketing arrangements.

The SGSY aims to establish a large number of micro enterprises in the rural areas, building upon the potential of the rural poor. The scheme is rooted in the belief that the rural poor in India have competencies and given proper support, they can be successful producers of valuable goods/services. Persons assisted under this programme are known as ‘Swarojgaris’ and not ‘beneficiaries’. 

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A significant aspect of the SGSY is that every family assisted under this programme is to be brought above the poverty line in three years. Therefore, the programme aims at creating substantial additional incomes for the rural poor. Subject to the availability of funds, it proposes to cover 30 per cent of the rural poor in each block.

Targeting the most vulnerable among the rural poor, the programme has been designed to provide proper support and encouragement to tap their inherent talents and capabilities. At least 50 percent of the Swarojgaris are to be from the SCs/STs, 20 per cent women, and 3 per cent disabled.

Social Amenities and Services

The central and state governments have also developed a programme to improve access to civic amenities such as drinking water, housing, sanitation, electricity, roads and public administration of food. Since the SC settlements in the rural areas are mostly segregated and located at a distance from the village proper, main civic amenities often do not reach them or are not extended to them. Therefore, a special assistance is given to the states under the Special Central Assistance (SCA) to the Special Component Plan (SCP) for SCs. In the case of housing, both in rural and urban areas, the allocation of houses or financial assistance is earmarked for SC in a fixed proportion. In the case of other amenities such as electricity, sanitation and drinking water, special assistance is given to extend and ensure their supply to the SC localities. The employment programmes in the rural areas are used to construct houses for SCs by earmarking specific funds. Provisions are also made to develop link roads and drainage systems to the SC localities. Two major schemes for provision of social amenities to SC households are the Indira Awas Yojna (IAY) and the Ambedkar Gram Vikas Yojna (AGVY) (Thorat 2009 p.25).

The IAY has been implemented by the Government of India since 1985-86. The objective of the scheme is to provide assistance for the construction of dwelling units to SCs/STs, freed bonded labourers and non SC/ST BPL families; the scope of the scheme was extended to include the non SC/ST rural poor, disabled persons and the families of servicemen killed in action. The IAY became an independent scheme with effect from 1st January 1996.

Twenty per cent of the IAY allocation had been earmarked for the conversion of unserviceable Kutchha houses into Pucca/Semi-Pucca houses, for which a maximum assistance of Rs 10,000 per unit is provided.
This scheme stipulates that the allotment of dwelling units should be in the name of a female member of the beneficiary household. Alternatively, it can also be allotted in the name of both husband and wife. Sanitary latrines and smokeless chullahs are an integral part of the IAY houses. The houses are to be constructed by the beneficiaries and are not delivered by the external agencies such as government department, NGO’s etc. No specific design has been stipulated for an IAY house the choice of design, technology and materials for construction is the sole discretion of the beneficiary.

Under the AGVY/ Ambedkar Vishesh Rozgar Yojna (AVRY), villages with SC/ST populations of more that 30 per cent are declared ‘Ambedkar Villages’ in which programmes of rural development, IAY, MWS and TRYSEM are implemented on a priority basis. Other schemes implemented in these villages are free boring, contact roads, hand pump installation, building primary schools, rural electrification and child animal and artificial immunization.

The main objectives of the scheme are to provide sustainable employment to the unemployed masses through specific projects designed to augment their incomes, utilize local resources and ensure marketing facilities for agricultural produce. The state government provides 33 per cent (or maximum of Rs. 10,000) subsidy to the SC/ST families and 25 per cent (or maximum of Rs 7500) to non SC/ST beneficiaries.

10.3.1.5 Improving Access to Land

In a predominantly agrarian society the ownership of land in India has traditionally been the determinant of social status and economic security. The deprivation of SC with respect to land ownership has been extremely severe; even today, their holding comprise a small percentage of agricultural land. A cursory look at available statistics is sufficient elaboration that the distribution of land among SC is highly skewed against them, with the incidence of landlessness and near landlessness being very high.

In its sixth Report (1999-2000 and 2000-2001) the NCSCST recommended the effective implementation of land reforms the distribution of surplus land among SCs and proper recording of occupancy right of tenants to ensure that tillers are not expelled from the lands they cultivate. It also called for suitably amending the tenancy laws so that the family members of the deceased under ryots can inherit tenancy right. The NCSCST also realized that since the population of India
was growing exponentially, there might not be sufficient surplus land for distribution. Therefore, it urged the government to develop non-farm employment opportunities in the rural areas. The government programmes, therefore focus on the improvement of private ownership of agricultural land by the SCs and other marginalized communities. Under the land allocation programme, surplus land from the ceiling and government land are distributed to landless households, along with supplementary schemes of credit supply and inputs at subsidized rates to the SC households in the rural areas. Landless households from SC and other marginalized groups are accorded priority in the allocation of land, in proportion to their share in terms of landless households in the respective states. In other words fixed quotas or shares for the distribution of ceiling or government land are reserved for SCs.

10.3.1.6 Sanchar Dhabas

The emerging sectors of industrial development have expanded the nature of options available to the people. The Department of Telecommunications (DOT) undertaking, Bharat Sanchar Nigam Limited (BSNL) had initiated the Sanchar Dhaba Scheme to provide employment opportunities to people in rural areas. The NCSCST had recommended that adequate representation be given to SCs in the scheme by providing them with adequate financial support and training wherever necessary (Thorat 2009 p.26).

10.3.2 Schemes for Major Occupational Groups Among SCs

10.3.2.1 Agricultural Labourers

Agricultural labourers who constitute the most productive workforce in the country are victims of continued exploitation. The government, in its commitment to alleviating their socio-economic condition, primarily concentrates its efforts on a two fold strategy. One aspect focuses on helping them to settle into alternative and viable occupation by the enhancement of their skills. The other component is limited to providing them surplus or assuring them minimum wages on a continued basis, in case surplus land is unavailable.

Specific interventions in this regard include the enabling of minimum irrigation facilities through tube wells or the energizing of open wells or bore wells, the setting up of co-operatives for the systematic diversification of the labour force into viable occupations, the identification of an
occupational activity, the facilitating of skill development through capacity. Building programmes, and effective marketing of generated goods and services.

Besides, the development of SC women agricultural labourers should be a core component of all such interventions and the provisions of the Bonded labour system (Abolition) Act, 1976 should be adequately implementd.

Along with the enforcement of agriculture minimum wages, there are provisions for meeting day to day consumption credit needs of SC agricultural labourers and the establishment of revolving funds. There are also provisions for the institution of a suitable social security scheme to sustain the needs of SC labourers during lean seasons, sickness and old age (Thorat 2009 p.27).

10.3.2.2 Marginal and Small Farmers

Most Sc marginal farmers are cultivators (Share croppers and tenants). Their lands are generally situated at the periphery of a village, consist of poor soil and are devoid of adequate irrigation facilities. The government feels that marginal farmers should be developed through reclamation and that stabilized cultivation is possible only by the maintenance and extension of irrigational facilities to them. In this context, several programmes have been developed by the government to provide and extend irrigational facilities, latest technological inputs, adoption of scientific cropping patterns and application of modern practices in order to maximize returns.

10.3.2.3 Traditional Dais

The government recognizes the problems of dais as a peculiar one, as mostly aged SC women are engaged in this work. In its schemes for dais, the government recognizes that female children in their families should be provided with better education facilities and that hostels should be established for them in order to steer future generations clear of this undignified work.

10.3.2.4 Weavers

Weavers, who are spread in sizeable numbers across different states, are part of the unorganized sector in India. It is primarily unregulated nature of their operation that results in exploitative trade practices against them. Therefore, the government feels that cooperatives meant
for them should be strengthened, the flow of funds to primary weavers ensured to reduce the prevalence of and dependence on middleman, their skills upgraded, the house-cum-workplace scheme for SC weavers extended to overall development programmes, and the infrastructure necessary for the production and marketing of their goods streamlined and made effective.

10.3.2.5 Other Artisans

Due to the small scale nature of their operation, village craftsmen and bamboo and cane workers often become victims of exploitative trade practices. Since they can hardly stand against competition in modern monopolies, the government envisages programs for their assimilation into the organized sector and for the development and enhancement of their skills.

10.3.2.6 Brick Kiln Workers

Efforts have been made by the government to ensure minimum wages to brick kiln workers, to organize them into cooperatives and to provide them with financial and other possible assistance for the establishment of their own kilns.

10.3.2.7 Unorganized Labour in the Urban Sector

This category includes rickshaw pullers, construction workers, cart workers, head load workers etc. For the uplift of this category, the government envisages that they be made the owners of their own livelihoods and that the demand for this labour be reduced by the diversification of these groups into other economically productive occupations.

10.3.2.8 Fishermen

Fishermen belonging to SCs mostly face the problems of storage and marketing of their catch. To resolve this, the government organizes them into cooperatives, incorporates assistance from concerned organizations, provides them cold storage facilities and provides financial assistance to help them pursue their occupations. Other general programmes have been implemented for disseminating information on the ‘untouchability’ or ‘polluting’ aspects of the produce they market.

10.3.2.9 SCs in Urban Areas
Due to concentrated industrialization and the consequent urbanization process SCs are concentrated in slum clusters in towns and cities. Their living conditions are unhygienic and they are ridden with poverty. They are also exposed to a number of maladies, which are psychosomatic in nature. In order to accommodate the large influx of people from the rural areas, the government develops schemes for basic housing facilities and locations where economic opportunities can be pursued. It also earmarks housing units, shops, plots, and industrial sheds for eligible SC applicants. There are provisions of opportunity consultancy and of liberal financial incentives for the establishment of certain ventures (Thorat 2009 p.29).

10.3.2.10 Liberation and rehabilitation of scavengers

Scavengers and sweepers constitute the most vulnerable group among SCs. Their working condition continues to be poor. The practice of carrying night soil in baskets and buckets on the head is prevalent in some areas. This practice is not only responsible for the spread of insanitation in these areas but also results in the constitution of the practice of untouchability. Most scavengers live near dumping grounds of the refuse, but even where housing colonies have been established for them, the necessary conditions for sanitation are limited.

A number of committees have been constituted by the government, both at the central and state levels. Some of these are the scavengers living conditions inquiry committee (Brave committee), 1949; the scavengers conditions Enquiry Committee (Malkani Committee), 1966.

The Malkani Committee of 1960 recommended grants to scavengers for the purchase of equipment, as a precondition to the eradication of scavenging. A centrally – sponsored scheme- Improvement of working conditions of persons Engaged in Unclean Occupations- was initiated in this regard in the fourth and fifth year plans. But the scheme could not eliminated the obnoxious practice of scavenging due to inadequate organizational and financial resources of the Panchayati Raj Institutions (PRIs), and the inability of state governments to get action programmes adopted by local bodies. The committee also recommended the enforcement of the Minimum Wages Act for sweepers and scavengers, and the disposal of night soil through mechanized flush latrines. For the purpose of conversion of dry latrines into water borne latrines, the union ministry of works and housing (MOWH) initiated a centrally sponsored scheme with a small provision of Rs. 4.40 crore during the fifth five- year plan.
Despite such interventions, there has been practically no change in the condition of scavengers. Hence, the centrally – sponsored National Scheme for liberation and rehabilitation of scavengers was introduced in 1981 in sixth five year plan on a 50.50 matching grant basis, with the objective of converting all existing household / community dry latrines into waterborne latrines on the whole town approach basis in selected small and medium towns, and rehabilitating unemployed scavengers in alternative occupations. The scheme also incorporated the component of suitable training for their diversification as part of their rehabilitation process.

The government has also stressed on the need to constitute state level coordination committees consisting of representatives of the Department of Urban Development and the Department of Health and Family Welfare to deal with SCs/STs, and the Scheduled Caste Development Corporations (SCDCs) to delve into the problem areas concerning scavengers and make suitable interventions.

The government also feels that the time lag between the training of displaced scavengers and their actual rehabilitation defeats the very purpose of its policies for their emancipation and thus concerted efforts should be made in this regard. The SCDCs can also play a proactive role in the rehabilitation of displaced scavengers by providing them training through existing institutions.

The government feels that the various schemes constituted for the welfare of scavengers include the setting up of suitable bankable schemes with components of bank loans, margin money, loans and subsidies. The self employment aspect, too, needs to be unformulated in detail.

The Practice of carrying night soil as head load or its manual handling, the construction of dry latrines and the serving of dry latrines by scavengers were banned under the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (Thorat 2009 p.30).

10.4 Summary

Given the structural inequalities and exclusionary and discriminatory character of Indian society, Thorat suggests some remedies against this discrimination. Such as non-discriminatory access to agriculture land market, credit market, farmer-factors input market, non-farm business, farm and non-farm wage labour sphere, non-discriminatory access in education, public and
private health services, and non-discriminatory access to civic amenities at village level, non-discriminatory equal access in village panchayat.

We also find that Thorat also focused in his writings about the state developed remedies against caste and ethnicity based exclusion and discrimination and for empowerment of excluded groups. The safeguards against exclusion and discrimination in the forms of legal measures and affirmative actions covers public employment, public education and legislature and also to other government spheres like public housing and other spheres. However affirmative action policy in India is confined to Government sector and vast private sector is excluded form its jurisdiction.

We also find that over time there has been considerable improvement in the share of SC and ST in government employment and educational institutions. The reservation in legislature has also provided a space to SC and ST in executive and decision making process. The impact of formal reservation policy in government sector and informal affirmative action policy in private sector has led to some improvement in the human development of SC and ST. However as compared to Non – SC/ST section the rate of improvement has been rather slow and as result, despite positive improvement the disparities in attainment in human development between SC/ST and Non -SC/ST continued even today.
Reference


Section III- Other Writings

This section is based on other writings of Prof. S.K. Thorat. Here we include the issues of civil society, funding agencies and issues of discrimination and also thoughts and ideas of Dr. Babasaheb Ambedkar.