

DEVELOPMENT OF SCs AND STs IN GLOBALISED WORLD: LEGAL ISSUES AND LIVELIHOOD CHALLENGES

Swapna Sarkar , BSC(Botany). B.Ed. M.A in Education (Kazi Nazrul University)

Mousumi Sarkar , Assistant Mistress PSC Govt. School , M.A (Philosophy), B.Ed, Pursuing M.A in Education (NSOU)

MD. Tanvir Islam , MA /MSC in Geography , Educator at SNAP , Kolkata.

Abstract:

Scheduled Caste and Scheduled Tribe are the deprived section of our society. According to 2011 census , SCs and STs comprises about 16.6% and 8.6% in India. In Indian Constitution there are reservation policy towards SCs And STs for improvement their economical, societal and educational status to reserve our diversity of culture. Scheduled Caste and Scheduled Tribe faced various problems though they are improving in their condition in so called developing Country India. Globalization is primarily an economic process of interaction and integration that's associated with social and cultural aspects. The aim of the study is to highlight legal issues and problem of SCs and STs in Globalized World . The Objectives of the study: a) To highlight the present educational status of SCs and STs community in India. b) To study about constitutional provision , act , commission support and policies support and laws for scheduled castes and Scheduled Tribe. c) To study the impact of globalisation in Indian education system (specially SCs &STs) d) To study the problems faced by the SC's and ST's children e) To suggest the way for improvement of SCs and STs education .The methodology of the study is completely documentary analysis . Data collected from secondary sources i.e article, journals, The data are collected from the published documents, books, thesis, journals, periodicals, newspapers and other reports, centre for monitoring Indian economy, planning and development documents etc.

Keywords: Scheduled Caste, Scheduled Tribe , Globalized World, Livelihood Challenges.

Introduction:

Firstly we have know –“what is Globalization?” Globalization is the phenomenon in which social ,cultural,, economic political, religious life style are made Unitarian in all over the nation by transmitting each other technology ,beliefs ,adopting lifestyle ,financial support etc in the world and helps the different countries to teach like a village where communication are made easier by eradication of disparity among peoples. The world's population belongs to –lowest income group ,middle income group and high and highest income group making disparity in lifestyle. From ancient to present ,the people of lower income group are struggle more to survive. The aim of globalization is to eradicate disparities among the peoples and give opportunity to grow an individual as his possibilities. The SCs and STs are officially designated group of historically disadvantaged people in India. In British period , they were known as ‘depressed people.’ In modern literature , the schedules castes are sometimes referred to as ‘Untouchables ‘and ‘Dalits ’meaning-“Broken or scattered”.

In the report of the Indian education commission (1964-1966) states "One of the important social objectives of education is to equalize opportunity, enabling the backward or under-privileged classes and individuals to use education as a level for the improvement of their condition. Every society that values social justice and is anxious to improve the lot of the common man and cultivate all sections of population. This is the only guarantee for the building up of an egalitarian and human society in which the exploitation of the weak will be minimized." Commission specially emphasized about the position and social disparities among those individuals belong to the backward classes...(women, scheduled caste, scheduled tribe etc). Education is the birthright of every individual. Dr. Amedkar, Father of Indian Constitution, his name will ever shine like a star in Indian history because of his contribution towards "development of SCs and STs". He preferred the term 'Dalit' to Gandhiji's term, Harijan, meaning 'Person of Hari or Vishnu'.

In India's population, SC and STs comprise about 16.6% and 8.6% respectively (according to the 2011 census). Since the Independence of India, the SCs and STs were given Reservation status, guaranteeing political reservation. The Constitution lays down the general principles of positive discrimination for SCs and STs.

Objectives of the study:

- a) To highlight the present educational status of SCs and STs community in India.
- b) To study about constitutional provision, act, commission support and policies support and laws for scheduled castes and Scheduled Tribe.
- c) To study the impact of globalisation in Indian education system (specially SCs & STs).
- d) To study the problems faced by the SC's and ST's children.
- e) To suggest the way for improvement of SCs and STs education.

Constitutional Provision for Scheduled Castes :

Article 14: Equality before law and Equal protection of law.

Article 15: Prohibition of discrimination on grounds only of religion, race, caste, sex or place of birth.

Article 16(4): Equality of opportunity in matters of public employment. Laws to give reservation to the downtrodden in public employment. In order to bring the equality of status, an ideal enshrined in the preamble. It becomes necessary to give support to those lagging behind in the race of development to bring them at par with those who are running ahead.

Article 16(4): enables the Government to take a concrete step towards this very aim.

Article 17: End of untouchability..

Article 41: Right to work, to education and to public assistance in certain cases.

Article 45: Provision for free and compulsory education for children.

Article330: Reservation of seats for scheduled castes and scheduled tribes in house of the people.

Article 332: Reservation of seats for scheduled castes and scheduled tribes in the legislative assemblies of the states.

Article335:Claims of scheduled Castes and Scheduled Tribes to services and posts.

Article 338: National Commission for Scheduled Castes.

Article 338A:National Commission for Schedules Tribes.

Article339:Control of the Union over the administration of Scheduled Areas and the welfare of Scheduled Tribes.

Article 341:Scheduled Castes

Article 342:Scheduled Tribes

ACT FOR SCHUDULED CASTE AND SCHUDULED TRIBE

**** Caste Disabilities Removal Act 1950:**

The Act provides that when in a civil suit the parties belong to different persuasions, the laws of the religions of the parties shall not be permitted to operate to deprive such parties of any such parties of any property but for the operation of such laws, they would have been entitled.

*** * Protection of Civil Rights Act 1955:** By this Act, enforcement of any disability arising out of untouchability has been made an offence punishable in accordance with the relevant provisions.

**** The Bonded Labour System (Abolition)Act, 1976**

**** Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989:** An Act to prevent the Commission of atrocities against members of the Scheduled Castes and the Scheduled Tribes for Constitution of special courts for trial of such offenses, and to provide relief and rehabilitation to the victims.

**** Protection of Human Rights Act 1993:** The Act provides for the Constitution of a National Human Rights Commission, State Human Rights Commission, and Human Rights Courts for better protection of Human Right .

COMMISSION SUPPORT FOR EDUCATIONAL OPPORTUNITY (SCs and Sts)

- 1 McCauly'sMinutes(1835)the foundation of the British Policy on education in India
- 2 Indian Education commission (1964-1966)
- 3 New Education Policy(1986)
- 4 Revised Education Policy(1992)\ Programme of Action

POLICIES SUPPORT FOR EDUCATIONAL OPPORTUNITY (SCs &STs)

1. Sarva Shiksha Abhiyan (2001)
2. Right to Education (2009)
3. National knowledge commission(2005)
4. Rastriyo Madhyamik Shiksha Abhiyan(2009)
5. Rashtriyo Uchchar Shiksha Abhiyan (2013)
6. National Policy on Education (2016)

INTERNATIONAL LAWS:

Article 1,2 of UDHR and ARTICLE 3, 5,6 of ICESCR: provide for equality and rights for all. The state should provide for the enjoyment of all economic, social and cultural rights.

Article 23 UDHR and Article 7 ICESCR: Equality in employment and prohibition of discrimination in pay and working condition.

Article 25 and 26 UDHR: state should provide for the basic necessity of all.

Article 11(2): Protection in respect of conviction for offenses.

Article 18: freedom of conscience and free profession, practice and propagation of religion. protection of interests of minorities.

Article 10: ICESCR provide a right to marry and found family by one's own consent.

PROBLEMS FACED BY THE SC'S AND ST'S CHILDREN :

1. **Poverty:** It is a major obstacles for the educational development of SCs and STs children. Most of the people belongs this category depend upon agriculture, animal husbandry, fishing, etc. thus they are so poor and so much preoccupied with their struggle for the basic necessities of physical life, they fail to accept education as a birthright of every individual. Most of the cases, it is found that a large number of SCs & STs who are living below the poverty line. they are landless with no productive assets and with no access to sustainable employment and minimum wages. In rural areas, most of the people suffer low economic condition with their poverty due to illiteracy.

2. **Physical and Social segregation :** Physical and social segregation are comes from ancient period. The upper caste isolate the lower caste, based on rules of purity and pollution and reflected in the practice of untouchability. The Constitution of India (Article 17) states that, 'UNTOUCHABILITY is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law.' Especially in rural areas, still untouchability is practiced.

3. **Educational Discrimination:** Educational discrimination is reflected in the gap in literacy between SCs, STs and rest of the population –only 66.1% of those belonging to SCs can read and write compared with the national average of 73%. Children from SCs even face discrimination in schools, often at the hands of higher castes teachers and peers also. And that's why the literacy rate is very low than the national average, which effect lower employment chances and long term income.

4. **Mindset of the parent's :** It's a major obstacle for the educational development. most of the parents being illiterate, so they do not want to permit their children to go to school. Lack of consciousness their parents, the willing children fail to access in the door of education.

5. **Lack of Easy Access to School :** The availability of a school within a Scheduled castes habitation (in rural area) appears to be one of the most important conditions for ensuring the enrollment of SCs children. NCERT, 1998 Report shows that more than 91.3 % rural SCs children and 64.9 % urban SCs children avail either Govt. or Local body managed schools.

- 6. Inadequacy of teaches and teachers preparation :** NCERT(2005) Reported –teacher pupil ratios in schools attended by SCs children have been much higher than those in others schools meant for upper caste villagers.
- 7. Health Discrimination:** from survey it is found that-the mortality rate of SCs children are much higher than the national average -88 out of 1000children from SC groups die before their 5th birthday, whereas the national average is 74 out of 1000.

SCHEMES FOR EDUCATIONAL DEVELOPMENT OF SCHUDULED CASTES

Besides the Constitutional provision , the Govt. of India has organized special provisions for SCs:

- *Opening of residential Schools
- *Pre- and Post –metric scholarships
- *Free textbooks and uniforms
- *Hostels for Girls and Boys
- *Book bank schemes
- *Upgradation of merit of SCs &STs
- *Remedial coaching Schemes
- *Grant in aid to voluntary organizations
 - *Social development programmes for SCgirls belonging to low literacy areas.
- *Mid-day meal scheme
- *Educational Gurantee Schemes and Alternative and Innovative Education
- *Community Based Monitoring
 - *Interventions of Early Childhood Care and Education
- *Anganwadi and Balwadi
- *School and Teacher grant for all teachers
 - *Incentive and Remedial/Coaching Schemes
 - *In service Teacher Training,Orientation Programmes and Workshops will be constituted
- *Grant-in-aids
 - *Vocational Education and Training for skills development
- *Pradhan Mantri Adarsh Gram Yojana(PMAGY)
- *Babu Jagjivan Ram Chhatrawas Yojana
 - *Scheduled castes sub plan, National overseas scholarships, Special educational programmes for scheduled castes girls belonging to low literacy areas, up gradation of merits of SCs children, free coaching for sc students, National Scheduled Castes Finance and Development Corporation(NSFDC),National Safai Karmacharis Finance and Development Corporation(NSFDC)

IMPACT OF GLOBALISATION IN INDIAN EDUCATION SYSTEM (SPECIALLY SCs &STs):

The key words of Globalization are - Liberalisation, Privatisation , commercialisation, capitalisation of Education at the International level. The development of Science and Technology, Knowledge explosion, population explosion, increasing material aspiration and industrialization have made man's life difficult and complex. In order to face such difficulties in life and to make it easy and simple , we have to change our way of thinking, not at the national level only, but at the world level .This way of thinking and acting is the need of the time in the modern competitive society. The disadvantage of globalisation- the SCs and STs children could not achieve those provision due as fast as general children . So many of SCs and STs children become frustrated and they denied education , for this reason Gross enrolment ratio (GER) , net enrolment ratio (NER), Drop-out rate , retention rate, gender parity index(GPI), gender gap ,etc. are affected .As a result of Globalisation, we could achieve international standards in education ,it would be for the good of the country . But foreign education result from the globalisation of education , we may have to ignore our social, cultural and moral values at the risk of world peace ,social harmony ,world citizenship ,disappearance of community feeling and of course, diversity. In the words of Mahatma Gandhi, I do not want my house to be walled on all sides and my windows to be stuffed. I want the culture of all the lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any."

PRESENT STATUS OF EDUCATION IN SCs & STs COMMUNITY IN INDIA

The tribal population constitutes a majority in the north eastern states of Mizoram and Lakshadweep(94.4 per cent), Meghalaya (86.1 per cent), and Nagaland (86.5per cent). The states with no Scheduled tribe groups are Punjab, Chandigarh, Haryana, Delhi and Pondicherry. India has total tribal population of 10.43 cores (Table-1) which is 8.6 percent (Table-2) of total population of India as per 2011 census.

Table- 1 : Scheduled Tribe population and decadal change by residence in 2011

Scheduled Tribe population 2011			Decadal change 2001-2011		
Total	Rural	Urban	Total	Rural	Urban
104,281,034	93,819,162	10,461,872	49.7	21.3	23.7

Source - Census of India 2011

During 2001 and 2011, the decadal change in the scheduled tribe urban population is 23.7 per cent where as it is 49.7 per cent in urban area and 21.3 per cent in rural area. The urban India has only 2.8 per cent ST population but Rural India has 11.3 per cent ST population.

Table-2 : Percentage of Scheduled Tribes to total population in India: 2001-2011

Percentage of Scheduled Tribes 2001			Percentage of Scheduled Tribes 2011		
Total	Rural	Urban	Total	Rural	Urban
8.6	11.3	2.8	8.2	10.4	2.4

Source: Census of India, 2011

Literacy Rate:

From the survey, the trend of literacy of tribes in India from 1961 to 2011 - The percentage of literacy of tribes was only 8.54 per cent in 1961 which has increased to 63.1 per cent in 2011. But female literacy of tribes is only

54.4 per cent compared to male literacy of 71.7 per cent. During the post-Independence period, the Indian government implemented legislation and allocated funds to facilitate access to enrolment in primary education (grades I-V) in India. As a result, both literacy rates and gross enrolment ratios of boys and girls across the general population have increased substantially during the past 50 years .

SOME SUGGESTIONS FOR IMPROVEMENT OF SCS AND STS EDUCATION ARE AS FOLLOWS -

- a) Literacy campaign** - Proper awareness campaign should be organized to create the awareness about the importance of education. Extensive literacy campaign in the tribal dominated districts may be undertaken on a priority basis to literate the tribal.
- b) Attitude of the tribal parents** - The attitude of the tribal parents toward education should be improved through proper counselling and guidance.
- c) Relevant study materials in local languages** - All study materials should be supplied in local languages of tribes.
- d) Appointment of Local teachers and female teachers** - It is suggested to appoint more tribal teachers and female teachers in the tribal areas. The ecological, cultural, psychological characteristics of tribal children should be considered carefully by the teachers in tribal areas .
- e) Stipends and various scholarships** - Since higher education among the tribes is less, special ST scholarships should be provided to the tribal students perusing higher education, particularly in medical, engineering, and other vocational streams.
- f) Residential schools** - More residential schools should be established in each states and districts and extended up to PG level in tribal areas.
- g) Social security-** Social security of students, especially of adolescent girls is of great concern in residential schools.
- h) Proper Monitoring** - Higher level officials should check the functioning of schools frequently relating to the teaching methods, working hours, and attendance register.

CONCLUSION:

In the definition of Education , John Stuart Mill says, “The culture which each generation purposefully gives to those who are to be its successors ,in order to qualify them for at least keeping up and if possible for raising the level of improvement which has been attained.” So education is the great vehicle to develop an individual as well as whole community by the drawing out of inner capacities of every individual. SCs &STs participation on education is moderate, but it will hope in future, it will be high. So, Govt will take some drastic steps for the development of SCs &STs and there is need for various Govt. Interventions, planners and policy makers to address their problem and allocate more funds in the central and state budgets . Mahatma Gandhi tries to establish Ram Rajya which he identified with justice , peace, happiness, and welfare of all. So we can not?

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