

TRIBAL WOMEN IN INDIA AND SOCIAL INCLUSION: A STUDY OF CONSTITUTIONAL SAFEGUARDS

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Abstract:

Background: India is considered a home to the largest number of tribal groups in the world. The tribal people are also called Adivasi and constitute around 8.6 percent of the India's population, about 104 million people (census, 2011). According to the 2011 census, the total population of tribal is 104,281,034 out of which women are 51,871,211 which amount to almost half of the tribal population. The constitutional provisions are the backbone of the tribal as well as for other backward classes for their overall development. In Indian constitution almost twenty Articles and two special Schedules are given for the tribal protection, reservation, participation and welfare

Purpose: The purposes of the study were to analyze and evaluate articles in the constitution of India for the upliftment of underprivileged community with policies on positive discrimination and affirmative action. The author tried to highlight the targets achieved by central sponsored schemes in India for overall development of scheduled tribe particularly women.

Methods: The data were collected from the secondary sources which including Journals, Books and Journals, Research Articles, Official websites and Census report.

Results: the result of the study showed that in the education, employment, health and empowerment. The status of Scheduled tribe women have tremendously changed. The credit for their social inclusion goes to the Constitutional safeguards.

Conclusion: Under the Colonialism the Tribal community faced extreme exploitation and exclusion in term of power, prestige and wealth. After independence, due to the affirmative policies of the Government of India, they are now moving towards better living and comfortable life. Still a large number of Tribal population is living under below line particularly ST women. There is a need to utilize more funds for their empowerment and active participation in every sphere of life without creating mess in tribal identity and Consciousness.

Keywords: Constitution; Development; Discrimination; Safeguards; Tribal women

Introduction:

India is a land of different ethnic groups having divergent cultures and social organizations. Dr. B.S. Guha has mentioned about six major races in India such as, Negriots, Proto-austrioid, Mongoloid, Mediterranean, Western-Brachycephals and Nordics. They not only vary in terms of race but they also have different way of life. The transformation of Indian society can be traced out through many cultural encounters be it orthogenetic or heterogenic changes (Singh, 1986 30:80). The process like islamization and Westernization added more diversity to the Indian Society. One of the most important communities in India is Tribal Community. They are living in hilly areas and are dependent on the forest products. The term tribe has been defined by many sociologists but there is not yet any satisfactory definition which can cover all the aspects of Tribal Community. Risley & Elvin define tribe as 'Adivasis', Sir Bains, 'Hill Tribes', Hutton, 'primitive tribes', Takkar Bapa, 'Adi Praja', Ghurye 'Backward Hindus', International Labour Organization, 'indigenous people', Gandhi 'Girijan' (Jain & Doshi, 2001). Besides that the word scheduled tribe was first time used by the Simion commission in 1928 and it was mentioned in census 1931. D.N. Majumdar, "a tribe is a collection of families bearing common name, members of which occupy the same territory, speak same language, observe certain taboos, regarding marriage profession and occupation and have developed a well assessed system of reciprocity and mutuality of obligation" (Ahuja 1999).

Demographic Profile of Scheduled Tribe:

The Scheduled Tribes are notified in 30 States including UTs and the number of individual ethnic groups, etc. notified as Scheduled Tribes is 705. The tribal population of the country, as per 2011 census, is 10.43 crore, constituting 8.6% of the total population. 89.97% of them live in rural areas and 10.03% in urban areas. The decadal population growth of the tribal's from Census 2001 to 2011 has been 23.66% against the 17.69%. The sex ratio for the overall population is 940 females per 1000 males and that of Scheduled Tribes 990 females per thousand males. From 30.1 million in 1961, the ST population has increased to 104.3 million in 2011. Broadly the STs inhabit two distinct geographical areas – the Central India and the North- Eastern Area. More than half of the Scheduled Tribe population is concentrated in Central India, i.e., Madhya Pradesh (14.69%), Chhattisgarh (7.5%), Jharkhand (8.29%), Andhra Pradesh (5.7%), Maharashtra (10.08%), Orissa (9.2%), Gujarat (8.55%) and Rajasthan (8.86%). The other distinct area is the North East (Assam, Nagaland, Mizoram, Manipur, Meghalaya, Tripura, Sikkim and Arunachal Pradesh).

Tribal Women:

The Tribal women is playing a significant role in their community be it parental care, conjugal relations, domestic work, helping hand in the collection of forest products as well as in primary sector. Role of women is not only important in economic activities, but her role in non-economic activities is equally important. The tribal women work very hard, in some cases even more than the men (Sindhi, 2012: 46-54). The socio-cultural factor approves the status of Tribal women in their community. It is always culture (a set of collective experiences of ideas, norms, values and beliefs associated with a people) with its gender role inequalities and socialization (the intricate process through which culture is transmitted from one generation to another) determines the position of women in a society. Gender roles are socially constructed (ibid). The status of any social group is determined by its levels of health-nutrition, literacy education and standard of living. United Nations has defined the status of women as the “conjunction of position a women occupies as a worker, student, wife, mother.....of the power and prestige attached to these positions, and of the right and duties she is expected to exercise” (UN, 1975). “To what extent, do women, compared with men, have excess to knowledge, to economic resources and to political power, and to what degree of personal autonomy do these resources permit in the process of decision-making and choice at crucial points in the lifecycle” (United Nations, 1975). Women make up only 6% of India's workforce and the numbers get skewed as you go up the corporate ladder.

Objectives of the Study:

In the back drop of above arguments the main objectives of the Study is to describe and analysis the Constitutional Safeguards for the welfare of Scheduled Tribe particularly Women of the Community and To highlight the benefits availed by the Tribal women, in order to get better idea of execution at the ground level.

Methodology:

The Study is based on the descriptive type of research design in order to access the unobservable phenomenon for further systematic data analysis and interpretation. The data are collected from the secondary sources which including Journals, Books and Journals, Research Articles, Official websites and Census report.

Constitutional Safeguards for the welfare of Tribal Women in India:

The list of articles in the constitution of India for the upliftment of underprivileged community with policies on positive discrimination and affirmative action are as follow:

- Article 14 confers equal rights and opportunities to all.
- Article 15 prohibits discrimination against any citizen on the grounds of sex, religion, race, caste etc.
- Article 15 (4) States to make special provisions for advancement of any socially educationally backward classes.
- Article 16 (4) empowers the state to make provisions for reservation in appointments or posts in favor of any backward class of citizens, which in the opinion of state, is not adequately represented.

- Article 22(2) 73rd and 74th amendments - to ensure effective participation of tribal in the process of planning and decision making.
- Article 46 state to promote with special cares the educational and economic interests of the weaker section, especially the ST and protects the social injustice and all form of exploitation. Article 38 state to secure social order for the promotion of welfare of the people.
- Article 39 (A) Equal justice and free legal Aid.
- Article 243 (D) Reservations of Seats in Panchayat.
- Article 243 (T) Reservations of Seats in Municipalities.
- Article 244 Administration of Scheduled areas and Tribal Areas
- Article 244 (A) Formation of an autonomous state comprising certain tribal areas in Assam and Creation of Local Legislature or councils of ministers or both there for.
- Article 244(1) tribal welfare communities to be setup for the welfare of the tribes.
- Article 275 grant-in aid for promoting the welfare of ST and raising the level of administration
- Articles 330 Reservation of Seats for Scheduled Castes and Scheduled Tribes in the House of People.
- Article 332 Reservations of Seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States.
- Article 335 claims of Scheduled Castes and Scheduled Tribes to services and posts.
- Article 338 (A) National Commission for Scheduled Tribes.
- Article 339 control of the Union over the administration of Scheduled areas and the welfare of Scheduled tribes.

Analysis and Evaluation:

The changing scenario of Scheduled tribes in terms of Employment, health status, health infrastructure, Education, literacy rate and enrollment is the outcome of Constitutional safeguards. Without constitutional provisions it was very difficult to achieve such a massive achievement.

Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS):

Government of India launched MGNREGs scheme on September 7, 2005 in order to provide job opportunities to the poor people of India including Scheduled Tribe both Men as well as Women. The Scheme is based on 100 days job for every card holder. The main features of the scheme are; (a) every adult member of rural Household is allowed to participate in unskilled manual work. (b) For every Card holder time bond work guarantee else unemployment allowance after 15 days. (c) To provide 100 days employment in a financial year per household. (d) Labour intensive work with focus on Non-Contractors and machinery and 60:40 wage and material. The main objectives of the scheme are decentralization of power at the bottom level. At least 50% of work plan is executed and monitored by Panchayat Raj institution. In this scheme there is a provision for women empowerment by providing them active participation in labour force. Besides that accountability and transparency is also the main thrust. In this scheme the funding shares 90% by Central Government and 10% by State Government.

Achievements:

The Act has been notified throughout the country with effect from April 1, 2008. During 2012-13 about 4.39 households crore have availed employment (156.01) crore, of which 82.58 (53%) were women. In which ST women population constitutes 21.90 crore (16%). World Bank report has ranked MNREGA world's largest right based social security scheme. It covers almost 15% of the Country's population.

Number of households having MGNREG job card per 1000 households, per 1000 distribution of households by status of getting work in MGNREG works and average number of days got work during last 365 days for each household social group in India and J&K.

Table (1):

Household social group: Scheduled Tribe							Rural			
	No. of households having MGNREG job card per 1000 hhds	per 1000 distribution of households by status of getting MGNREG work								average number of days worked in MGNREG By hhds. got MGNREG Work
		Got work					sought but did not get MGNREG Work	did not seek MGNREG Work	All incl. n.r.	
		less than 20 days	20 to 50 days	50 to 100 days	100 days or more	all				
India	541	143	129	123	3	398	197	363	1000	42
J&K	368	36	0	0	0	36	32	588	1000	14

Source: Statistical Profile of Scheduled Tribes in India 2013/NSS Report No. 543: Employment and unemployment situation among social groups in India

The table (1) mentioned above indicates MGNREG and its impact on working population. The Table shows distribution of household status getting work through MGNREG per 1000 house hold. It also reflects average number of days a person got work. The focus of the table was to show distribution at the National level and J&K state.

Table (2):

Occupational Distribution: Percentage of Working Population STs and All India level.			
	India	Rural	Urban
Total workers			
All India	46.1(39.1)	48.9(41.8)	39.9(32.8)
Scheduled Tribes	58.0(49.1)	59.8(50.4)	42.6(34.6)

Source: Statistical Profile of Scheduled Tribes in India 2013/ RGI, Census of India 2011, Census 2001 in parentheses

The table (2) highlighted above provides occupational distribution and percentage of Working population in India as well as scheduled Tribe. It shows clear disparity between National level and ST's. But the findings are satisfactory for ST's.

National Rural Health Mission (NRHM):

People's health and well-being are considered as one of the major indicators of development. The National Rural Health Mission (NRHM) is an initiative undertaken by the government of India to address the health needs of under-served rural areas. Launched on 5th April, the NRHM was initially tasked with addressing the health needs of 18 states that had been identified as having weak public health indicators. The Union Cabinet headed by Dr. Manmohan Singh vide its decision dated 1 May 2013, has approved the launch of National Urban Health Mission (NUHM) as a Sub-mission of an overarching National Health Mission (NHM), with National Rural Health Mission (NRHM) being the other Sub-mission of National Health Mission. Under the NRHM, the

Empowered Action Group (EAG) States as well as North Eastern States, The major objectives of the National Rural Health Mission are:

- Reduction in Infant Mortality Rate (IMR) and Maternal Mortality Ratio (MMR).
- Universal access to integrated comprehensive public health services;
- Child health, water, sanitation and hygiene.
- Prevention and control of communicable and non-communicable diseases, including locally endemic diseases.
- Population stabilization, gender and demographic balance.
- Revitalize local health traditions and main-stream Ayurvedic, Yoga, Unani, Siddha and
- Homeopathy Systems of Health (AYUSH).

Promotion of healthy life styles:

As per the 12th Plan document of the Planning Commission, the flagship programme of NRHM will be strengthened under the umbrella of National Health Mission. The focus is on covering rural areas and rural population will continue along with up scaling of NRHM to include non-communicable diseases and expanding health coverage to urban areas. Accordingly, the Union Cabinet, in May 2013, has approved the launch of National Urban Health Mission (NUHM) as a sub-mission of an overarching National Health Mission (NHM), with National Rural Health Mission (NRHM) being the other sub-mission of the National Health Mission. It was further extended in March 2018, to continue till March 2020. The key approaches of NHM include augmentation of human resources, strengthening health infrastructure, flexible financing, decentralized planning through village health sanitation and nutrition committees and setting up of Rogi Kalyan Samitis, Medical Mobile Units to provide health service delivery especially in un-served and underserved areas, accredited social health activists (ASHA) who act as a link between community and health care facilities, the reproductive and child health (RCH) programme to improve the maternal and child health in the country, improved management capacity, robust monitoring and evaluation mechanisms, use of Information technology in health to improve services delivery, strengthening monitoring and mainstreaming of AYUSH.

Table (3):

Infant Mortality in India and J&K (2001) in ST population				
	Total/ Rural/ Urban	Males	Females	Persons
J&K	Rural	79	89	84
	Urban	61	70	66
	Total	78	88	83
India	Rural	84	88	85
	Urban	58	64	61
	Total	82	86	84

Source: Statistical Profile of Scheduled Tribes in India 2013/ District Level Estimates of Child Mortality in India, Census of India, 2001.

The table (3) given above shows the INF rate of Scheduled tribe children in India and J&K. it also added two more variables like Rural and Urban. There is a clear difference in term of male and male children also.

Table (4):

In India and J&K Number of Sub Centers, PHCs & CHCs In Tribal Areas (As on March, 2012)				
Nation & State	Tribal Population in Rural Areas	Sub-Centers	PHCs	CSCs

		R	P	S	R	P	S	R	P	S
India	87500780	29147	27912	5638	4359	4001	1086	1082	948	268
J&K	1262945	420	277	143	63	43	20	15	11	04

Statistical Profile of Scheduled Tribes in India 2013/Source: RHS 201.

The Table (4) given above is mentioning health infrastructure of Scheduled Tribes in India and J&K. it gives total number of Tribal population in India and J&K as on 2012. Besides that there are also sub-categories of Health centers based on Sub-Centers, Primary Health Centers and Community Health Centers.

R: Required; P: In Position; S: Shortfall; **: Surplus, *: State / UT has no separate Tribal Area / Population; #: States are predominantly tribal areas ## Data for 2011 repeated + Data for 2010 repeated++ State informed that there are 23 other hospitals functioning in tribal area which are equal to PHCs level facilities.

Sarva Shiksha Abhiyan:

SSA was launched in India to provide Universalization of Primary education in India and to achieve Millennium Development Goal. During 2000 the scheme was implemented in India to increase the enrollment ratio and quality education at the primary level of education both Boys as well as Girls. There is involvement of Central and State government with a long term perspective on cost sharing and through district level decentralized management frame for the overall development of education at base level. Sarva Shiksha Abhiyan (SSA) is Government of India's Flagship Programme for achievement of Universalization of Elementary Education in a time bound manner, as mandated by 86th amendment to the constitution of India making free and compulsory Education to the Children of 6-14 years age, a Fundamental Right, SSA is being implemented in partnership with State Government to cover the entire country and address the need of 192 million children in 1.1 million habitations (<http://shodhganga.inflibnet.ac.in>).

Achievements:

Due to the SSA scheme the total enrolment ratio at the elementary level has increased from 18.79 crore children in 2009-10 to 19.67 crore children in 2015-16. The pupil Teacher Ratio has improved from 32 in 2009 to 25 in 2015. Average Annual Dropout rate at primary level has come down from 6.76% in 2009-10 to 4.13% in 2014-15. (M. HRD/www.pib.niv.in).

Table (5):

Literacy Rate ST Population (1961-2011), figures in (%)			
Year	Male	Female	Total
1961	13.83	3.16	8.53
1971	17.63	4.85	11.30
1981	24.52	8.04	16.35
1991	40.65	18.19	29.60
2001	59.17	34.76	47.10
2011	68.53	49.35	58.96

Source: Statistical Profile of Scheduled Tribes in India 2013/ Registrar General of India.

The table (5) mentioned above indicates the increasing trend of literacy rate in the Scheduled tribe Population of India from 1961 to 2011. Besides that there is clear indication of Male and female differences.

Table (6):

Comparison between Boys and Girls in terms of Enrollment of ST Number Of Scheduled Tribe Girls Per Hundred Boys in India and J&K								
	Classes I-V	Classes VI-VIII	Classes I-VIII	Classes IX-X	Classes I-X	Classes XI-XII	Classes IX-XII	Classes IX-XII
India	94	91	93	81	92	74	78	91
J&K	86	80	84	64	82	63	64	81

Source: Statistical Profile of Scheduled Tribes in India 2013/Selected Educational Statistics, MHRD, 2010-11

The table (6) mentioned above reflects the ratio of Scheduled Tribe female enrollment as compared to male in India. There is a plain categorization of Students on the bases of Classes. Besides it also shows the ratio scale in Jammu and Kashmir.

Women Empowerment:

The concept of gender equality was the priority of Constitution makers. It is very much visible in the Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favor of women. Empowerment is seen as a process by which the ones without power gain greater control over their lives. This means active participation in the social, political and economic affairs of the State like decision making or labor participation. With reference to women, the power relation that has to be involved includes their lives at multiple levels family, community, market and the state. Importantly, it involves at the psychological level - women's ability to assert them and this is constructed by the 'gender roles' assigned to her especially in a cultural setup which resists change like India.

ST women's cash earnings and relative magnitude of women's cash earnings is in fact higher than all other social groups in India. Another facet of women's empowerment is 'women's access to money and credit' wherein 38.2 percent of ST women have money that they can decide how to use but only 9.0 percent have a bank or savings account that they themselves use. 30.1 percent of ST women knew of a microcredit programme but only 3.1 percent have taken a loan from a microcredit programme. (Statistical profile of Scheduled Tribes in India 2013: 105).

Conclusion:

The core idea in this research paper is how the Constitutional safeguards provided pathways for the inclusive development of all the section of society in India, especially Scheduled tribes. Under the Colonialism the Tribal community faced extreme exploitation and exclusion in term of power, prestige and wealth. After independence, due to the affirmative policies of the Government of India, they are now moving towards better living and comfortable life. Still a large number of Tribal population is living under below line particularly ST women. There is a need to utilize more funds for their empowerment and active participation in every sphere of life without creating mess in tribal identity and Consciousness.

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