Status of Scheduled Castes and Scheduled Tribes in Rajasthan: Issues, Affirmative Actions and Policy Prescriptions

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Abstract:

Rajasthan ranks third among other Indian states in the highest number of incidents of crimes committed against the members of Scheduled Castes and second on crimes against Scheduled Tribes. The Scheduled Castes and Scheduled Tribes in Rajasthan constitutes around three tenth of the total population of the state and unsurprisingly also the most oppressed community. The Scheduled Castes and Scheduled Tribes of the state have resided in the places away from human settlements. They have a very disturbing past of violence and discrimination that has continued and adversely affected their present. This paper discusses the contemporary status of Scheduled Castes and Scheduled Tribes in Rajasthan, their population and the issues faced by the members of the community in general and women in particular. Further, the paper also discusses the crimes against the members of Scheduled Caste and Scheduled Tribes communities, the affirmative actions that can help to bring them into the mainstream of development. The paper concludes with suggesting future courses of action that can help in improving the position of these sections in the state. The paper will put forth the issues of communities particularly in Rajasthan and efforts required for qualitative improvement in the status of these communities.

Keywords: Scheduled castes; Scheduled tribes; Discrimination; Women; Development.

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Introduction

Rajasthan, geographically the largest state in India is known for is rich culture, heritage and glorious past. The state joined the Indian Union and got the status of separate state on 1 November, 1956. Before this, Rajasthan was divided into a number of princely states and large empires of kings. This was the period when discrimination and exclusion

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of particular sections of communities began, which gradually gained its roots and a common practice. The royal priests enjoyed highest positions in societal hierarchy, followed by royal families, royal armies, and all the other people arranged according to the nature of their work, with menial jobs at the end. The introduction of monarchy in these princely states, reaffirmed the social construct which did not allow the members in the lower levels of hierarchy to climb up in this construct, irrespective of the qualities they possessed. The situation of the lower level members worsened when it was reinforced with changing times, and the practices of discrimination, harassment and violence against them became widespread.

The Scheduled Castes and Scheduled Tribes in India largely reside in the countryside and are mostly involved in agricultural activity, though deprived of land and finally leading too ther socioeconomic deprivation (Mohanty, 2001). They are

mostly agricultural laborers or small farmers with minimum land holding. They have no productive assets and sustainable employment which can fetch them money regularly. This economic status has affected their societal position and affected the way people perceive their presence. It has led to practices of discrimination and biases, creation of taboos, social stigma, and violence etc.(Rao, 2015).

The history of discrimination and violence against Scheduled Castes and Schedule Tribes have been very disturbing and practiced since time immemorial (Ambedkar, 1995). The literature on situation of these communities particularly in Rajasthan reflects the prevalence of social stigmas and taboo that are associated with the Scheduled Castes and Scheduled Tribes community in the region. Though the population of the community is fairly large in Rajasthan, despite this fact, the community has been victimized of various kinds of offences ranging from mild like beating and threatening to heinous crimes like murder, abduction, rape, mob lynching etc. There are cases of repeated violence and atrocities against them, which are rising at a high pace in the state. The inhumane practices of discrimination and suppression are common among the dominant classes that tend to pull down and continue their dominance over these communities. In this paper an attempt has been made to discuss the contemporary status and the challenges faced by the members of Scheduled Castes and Scheduled Tribes communities in Rajasthan. The paper focuses on the crimes against these communities in the state. Further, it also discusses the affirmative actions that are taken to empower and mainstream the community. Finally, it concludes by suggesting measures that can make changes to the conditions of community at large. The paper is based on analysis of secondary literature available on the topic.

Status of Scheduled Castes and Schedules Tribes in Rajasthan: According to the Census 2011, the total population of the state is about 68548437. In this population, about 12221593 people constitutes Scheduled Castes population which is around 17.8% of the total population in Rajasthan. And, the population of male is 6355564 and that of female is 5866029. The overall literacy amongst men in Scheduled Castes is 73.77 and among women is 44.63%. There is a total population of 9238534 of Scheduled Tribes in the state which constitutes around 13.5% of the total population (GoI, 2011). The male population of Scheduled Tribes is 4742943 and that of female is 4495591. The literacy rate in

Scheduled Tribes men is 67.62 and that among women is 37.27%. There are around 59 sub-categories of Scheduled Castes. There are 12 sub-categories of Scheduled Tribes in Rajasthan. The state also has 9 sub-types of Denotified Tribes, 10 types of Nomadic Tribes and 13 types of semi-Nomadic Tribes and also the "Seheria" has been identified as the Primitive Tribal Group in Rajasthan. There is a large population of Scheduled Castes and Scheduled Tribes in Rajasthan (Statistics, 2018).

The Census Survey of India 2011 shows that there is a rise in the total population of Scheduled Castes and Scheduled Tribes in the state. There is a significant rise in the population of the community when compared with the Census 2001 and 2011. Though the population of Scheduled Castes is spread all over the state and majorly concentrated in districts of Jaipur, Nagaur and Alwar. Whereas, the population of Scheduled Tribes are scattered in various tribal regions of Rajasthan but majority of their population are concentrated in Udaipur, Banswara and Dungarpur.

There is a significant proportion of Scheduled Castes and Scheduled Tribes population involved in agricultural and manual activities, though the younger generation is migrating to urban areas in search of opportunities of obtaining education and service. The data reflects that a significant population of Scheduled Castes and Scheduled Tribes communities reside in rural parts of Rajasthan with an average level of education. The fig. 1 shown below, depicts the percentage of Scheduled Castes and Scheduled Tribes in the total population in the state (Statistics, 2018).



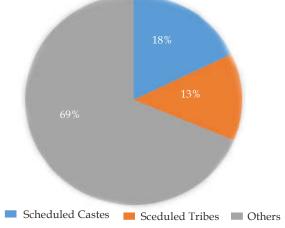


Fig. 1: Distribution of Population in Rajasthan (in %).

Issues Faced by Scheduled Castes and Scheduled Tribes in Rajasthan: The challenges faced by Scheduled Castes and Scheduled Tribes community are prevalent in all parts of Rajasthan. There are serious issues faced by the Scheduled Castes and Scheduled Tribes community in Rajasthan. These issues can be classified in two categories as the challenges that are common for entire community and specific issues which are faced by the women members of the community which makes them more vulnerable and targeted sections (WCC, 2010). They are subjected to exclusion and multiple exclusions. The rise in number of cases of atrocities against them is rampant in all districts of the state. The National Survey of Manual Scavengers Report, 2018 has shown that the state secured third rank in the highest number of manual scavengers across the country with the total manual scavengers 6,643 as registered. However, the state of Rajasthan

has reported only 3,143 individuals as manual scavengers.

Issues faced by the community in general: There are problems that are faced by the members of these communities that arise due to their identity of being the members of that community. The problems arise when they are restrained from accessing goods and services and when there are impediments in equal treatment of members of these communities. These communities have no access to 'Common Property Resources' (Jodha, Common Property Resources and Rural Poor in Dry Regions of India, 1986) and thus are barred from any form of access to these commonly owned utilities like no access to common grazing land for their cattle, obtaining resources from forests etc (Jodha, Rural Common Property Resources: Contribution and Crisis, 1990). These

Table 1: Issues Faced by Sc/St Community in General and Women in Particular.

Subject	Issues faced by SC/ST community in general	Issues faced by the women members of the community in particular
Livelihood	Poor economic condition, no house or kuchha house, no access to basic services and barred access to public places like temples, drawing water from wells and so on. Have very low standard of living, have no access to 'Common Property Resources'.	Household work as well as outside work for extra income of their family, prioritizes family, during their menstrual cycle they are restrained from entering their houses and stay in separate outhouses with all restrictions.
Health	No access to private healthcare facility due to poverty, exclusion and discrimination in public health centres by higher castes employed there, malnutrition, unhealthy and unhygienic surroundings both near homes and at workplace.	Poor nutrition and reproductive health, unhygienic menstrual practices and awareness, high risks of sexually transmitted diseases, no access to specialists like gynecologists, no access to sanitation and vulnerable to all kinds of diseases, adversities of child marriage.
Education	Poverty does not allow them to obtain education in private institutions, if public policies help them obtain education in such places, then discrimination and exclusion is practiced, also poverty compels them to do menial jobs in order to earn their living and so very few amongst them have access to education, that too in governmental institutions.	As in case of every patriarchal society, women are given less priority than men thus, remain trapped in households, working for the family and least access to education that can help them transform their lives.
Occupation	Involved in menial jobs to earn their living, unhealthy and unsafe work like manual scavenging (highest in Karauli & Dausa), rag-picking, and sweeping and so on. Reservation in service in all government offices is still disproportionate to their total population.	Poverty forces them to do double labor, firstly unpaid household work and secondly, minimum wage as unskilled and unsafe work like cleaning and sweeping. Poverty also makes them vulnerable and engage in menial work, often underpaid, or not paid.
Social Status	Stigmatization and criminalization of the community. Occupy lowest position in social hierarchy, settled away or in outskirts of the town/city/village in ghettos. Often, are victims of crimes like harassment, violence, murder, discrimination, untouchability, mob lynching and so on. Religious conversion and issues of 'Gharwapasi'.	No participation and representation in family as well as society. Their demands are always suppressed and unheard. They form the last component in hierarchy and victims of rape, abduction, forceful marriage and all kinds of violence. Women are again most affected in issues of religious conversions.
Representation	The educational qualification required for contesting elections has automatically excluded them from local politics in rural and urban areas hampering their fair representation and voice.	Even after 1/3rd reservation, the practice of dummy candidate representation, which does not allow them to participate and the barrier of educational qualification that does not allow them to contest elections.

issues include: land allotment (distribution) and land alienation, issues of poverty, social equity, education and access to resources, free and equal opportunities. Other issues include the cases of discrimination and violence among them.

The community by and large is being targeted due to their identity of belonging to specific community, which is also the basis for their exclusion. The members of this community have no access to resources like health, living in ghettos and unhygienic environment, health centres are located far off places where the practices of unequal treatment can be easily witnessed. Moreover, the occupation in which the community members are involved is highly unhygienic like manual scavenging is still largely practiced in Karauli, Dausa and Bharatpur, rag picking and so on, which makes them vulnerable to all kinds of diseases. They have a meagre income which does not allow them to obtain private healthcare facility or even afford medicines in majority cases. Being engaged in manual and unorganized sector, fetches money that can only satisfy basic need of food and nothing more. This makes them economically handicapped and thus an automatic and cyclic exclusion from all sectors like education, health, employment etc (Thorat and Neuman, 2012). There are provisions and schemes that have benefitted the community but still a lot is needed to be done in this direction for upliftment and channelization into the mainstream.

In the education sector, despite the efforts of providing free and compulsory education to all, the children of this community are compelled to work out of poverty. Even in the schools, the children are made to sit aloof, at some places untouchability is still practiced and the attitude of ignorance has become an accepted behavior (Kirpal, 1978). Even if some seats are reserved for children of Scheduled Castes and Scheduled Tribes communities in private institutions, then separate classes and separate teachers are hired. It is also evident that the children in the community have access to education in the government institutions more when compared to private educational institutions where the children of general castes and Other Backward Classes tend to outperform that of Scheduled Castes and Scheduled Tribes children due to exposure to opportunities and other socio-economic factors (Goyal, 2007). The behavior of discrimination in day-to-day life for higher castes has been conditioned in a manner that they do not consider it as crime. Some examples like, not allowing them access to public places like drawing water from wells, visiting temples, calling them by names, practicing untouchability,

violence, harassment etc. The religious conversions make them more vulnerable to offences and crimes against them as it induces hatred and a sense of non-acceptance and exclusion from the existing original members of that religion. They again constitute the lowermost tier of hierarchy in that religions which forces them to make a plea for 'Gharwapasi'.

Issues Particularly Faced by Women in the Community: There are issues that are faced by the entire community as a whole, which are also faced by the women members. But, in addition, there are some specific issues that are only faced by the women members of the community. The issues that are specific to this section of the community like unsafe and unhygienic menstrual practices and lack of awareness among the members thus continuation to practice age old practices of menstruation (Khanna, Goyal, and Bhawsar, 2005). It also makes them subjected to multiple fold discrimination, firstly, for belonging to the Scheduled Castes or Scheduled Tribes community and secondly, of being a women. They have the least scope of being treated equally and fairly. The government has always come up with laws that ensure that women of this community are being empowered. However all such attempts of mainstreaming them have failed miserably. The women members face violence and torture of many kinds. The National Commission for Protection of Child Rights Report, 2018 suggests that the state stands third in all India in matters of child marriages of which the women is always a victim and is highly prevalent in rural parts of the state. The report observes that around 89.4% children get married at an early age in rural Rajasthan which is highest in any part of the country. The Scheduled Castes and Scheduled Tribes in Rajasthan mostly reside in rural parts, and from which women is the most affected section that faces all kinds of adversities of marrying at an early age (Joseph, 2018).

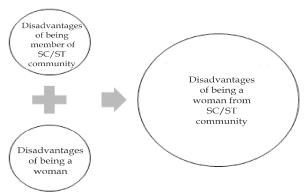


Fig. 2: Double Disadvantage of Being SC/ST Women.

Dr. B. R. Ambedkar once said, "I measure the progress of a community by the degree of progress which women have achieved". The progress of women is the real reflection of the picture of development of the society. The biggest issue faced by women belonging to Scheduled Castes and Scheduled Tribes is that of participation and representation. The women members always remain unvoiced and underrepresented and that their needs and demands are not being considered (Sabharwal, 2011). Despite the Constitution of India, guaranteeing 1/3rd reservation of seats in all public offices at the local level in India, there are very less women who actually represent the needs of women in this community at large. There are high incidence of 'proxy candidates' and women representatives are not allowed to attend local body meeting and participate in decision making. (Fig. 2)

Crimes Against Scheduled Castes and Scheduled Tribes in Rajasthan: The data on crimes against Scheduled Castes and Scheduled Tribes in the state shows that there is a decrease in the number of crimes committed till 2016 but has continuously increased in 2017 and 2018 and these crimes still outnumber any other crimes when compared with the national statistics (Rajagopal, 2018). Although, the state counts among the top states where the crime against these communities is high. The state has largely failed to control the incidences of crime against these communities and has developed an environment of hate and discrimination for these communities which has apparently led to an increase in crimes against them. The statistics show that there were a total number of 6735 cases of violence and atrocities against the Scheduled Castes in 2014, around 5911 case were registered in 2015 and a total of 5134 cases in the year 2016(National Crime Record Bureau, 2016).

Whereas, there were a total number of 1681 cases against Scheduled Tribes in 2014, around 1409 cases in 2015 and a total of 1195 in 2016 were being registered. The crimes ranged from murder, violence, discrimination, abduction, rape, harassment to torture. The crimes

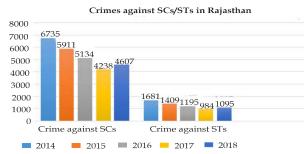


Fig. 3: Crimes Against SCs/STs in Rajasthan.

Against SCs in 2017 were 4328 which increased to 4607 in 2018. The crimes against STs in 2017 were around 984 which increased to 1095 in 2018 (NCRB, 2019).(Fig. 3)

The data shows that the laws are needed to be more stringent in order to control the crime rates against the Scheduled Castes and Scheduled Tribes and the state particularly need to enact laws to safeguard the members of these communities and ensure equal and dignified life to them (NHRC, 2004). The measures can also be taken in form of affirmative actions to promote the interest of these sections. Some of the affirmative actions have been described in detail in the section below.

Affirmative Actions: The Scheduled Castes and Scheduled Tribes have been discriminated since times immemorial, thus requiring extra efforts for securing their interests and mainstreaming them. These sections have been excluded from the mainstream society, which has continued domination over them and enjoy all fruits of growth and development (Obulapathi and Ramanjanevulu, 2016). Thus, it is the time when affirmative actions can be taken in order to ensure that the members of these communities are channelized into the mainstream of development, access all the facilities made available to the citizens of the country without any partiality and get an opportunity to develop their fullest potential. Every affirmative action should aim at ensuring equity and a life of dignity to the members of Scheduled Castes and Scheduled Tribes community. No amount of compensation in the form of affirmative action can be enough to push them into the mainstream and the losses they have sustained of being discriminated. Though, some actions can help them overcome the injustice and provide an opportunity where they can stand equally with the rest.

The Affirmative Actions can be Broadly Classified as

1. Political Representation: This section covers the political representation in Rajasthan, leaders who have advocated for the rights and inclusion of Scheduled Castes and Scheduled Tribes in Rajasthan. In Rajasthan State Legislative Assembly, out of 200 seats 59 are reserved with 34 and 25 seats respectively for the members of the Scheduled Castes and Scheduled Tribes community. Also, in the Parliament, 25 seats are allotted to Rajasthan. From these 25 seats 7 are reserved for the community with 4 for the members

of Scheduled Castes and 3 for the members of Scheduled Tribes. There are some lead protagonists whose major concern is to protect the rights and interests of Scheduled Castes and Scheduled Tribes and project their demands. They have always supported and come forward for providing them with all forms of opportunity on events when the community needs their support to put demands and interests in the house and get it sanctioned. It also calls for the systemic inclusion of the community in the mainstream and with all form of opportunities like access to health, education, nutrition, basic services, employment, land etc. This also constitutes the provision of some extra advantage as compared with the rest of the community in order to ensure equity with equality and that these members have been compensated for the losses they have incurred since ages. This is referred to as policies for reservation which is discussed in the next section.

The main reason behind advocacy of the particular community is that these ministers act as representatives of the demands and give them a voice. Belonging to minority, their issues always remain unidentified, thus there are no specific policies that can address the issues faced by them. The elected representatives of the communities talk with facts and fig., drawing upon the grassroot reality of challenges faced by them and persuades the government to formulate policies keeping in view their necessities. In the state of Rajasthan, these elected representatives of the community have done fairly well, by providing a strong and firm voice to the voiceless, being responsive and sensitive to their needs and demands to secure their interests and maintain their faith and trust in the government. Several instances have been noteworthy in this regard, where the ministers have delivered speeches, mobilized community, holding meetings and rallies to ensure that their demands are considered. Such experiences provide us a strong sense of democratic structure in India where every community get its fair share in representation to secure its interests and this feature of walking together distinguishes it from other democracies around the globe.

2. State Policies: The state policies comprises of all the authoritative actions that are

- taken by the state in form laws, acts and rules and regulations. These policies have a legal binding and are formulated with a specific objective of inclusion of Scheduled Castes and Scheduled Tribes communities in the mainstreamed societies. These actions are taken in the form of reservation in employment, preference in providing employment opportunities, access to basic services like food and nutrition, health, hygienic environment, housing facility, land and so on. The Constitution has provided for certain safeguards like (NCSC, 2017):
- a. Social Safeguards- Article 17 abolishes 'Untouchability' and make it a punitive offence. Article 23 (1) prohibits human trafficking and forced labor and Article 24, prohibits child labor and employment of children below the age of 14 years in hazardous activities (Constitution of India, 1950).
- b. Economic Safeguards- Article 23 (2), prohibits the state to make any discrimination on the grounds of religion, caste, sex, race, class and others. Article 24, prohibits employment of children below the age of 14 years. Article 46 makes the provision of promoting the educational and economic interests of Scheduled Castes and Scheduled Tribes and their protection from injustice and exploitation.
- c. Educational and Cultural Safeguards- Article 15 (4), addresses that the state shall make special provisions for social and educational advancement of these communities.
- d. Political Safeguards- Article 243, elaborates the provision for election, constitution, composition for local government bodies. Article 330 (1) (a) elaborates on the reservation of seats in the House of People for Scheduled Castes in proportion to their total population to the seats allotted to States or Union Territory. Article 332 (1), describes that the seats shall be reserved for Scheduled Castes and Scheduled Tribes in the State Legislative Assembly. And, Article 332 (3) says that the number of seats reserved for Scheduled Castes and Scheduled Tribes in the State Legislative Assembly shall be in proportion to their total population in the state.
- e. Service Safeguards- Article 16 (4) (a) says that the state shall make reservation in the appointment or post in favor of member

of any Scheduled Castes and Scheduled Tribes citizen which in the opinion of state is not adequately represented in services under the state. Article 335, says that claims of the members of Scheduled Castes and Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in making appointment to the services and posts in connection with affairs of Union and the State.

- Land Related Safeguards in Rajasthan- The state has enacted its own provisions in the state legislature in order to safeguard the land related rights of Scheduled Castes and Scheduled Tribes members in the state. The Rajasthan Bhoodan Yagna Act, 1954 makes the provision of making available 1/3rd of the total land for the distribution of Scheduled Castes and Scheduled Tribes. The Rajasthan Tenancy Act, 1955 prohibits the land transfer from Scheduled Castes and Scheduled Tribes to the non-Scheduled Castes and Scheduled Tribes without permission from competent authority. If any such transfer has been done then, it can be restored within a period of three years from the date the transfer only when it is brought under the notice of the Government. Rajasthan Land Revenue (allotment of land for agriculture purpose) Rules, 1957 makes the provision for reservation of 25 percent of the available land for allotment to Scheduled Castes, Scheduled Tribes and Other Backward Classes. Rajasthan Registration (Adoption Amendment) Ordinance, 1975 brought out a notification through an ordinance which made the elaborated that transfer of land from Scheduled Castes to a person belonging to non-Scheduled Caste and from Scheduled Tribes to a person belonging to non-Scheduled Tribes is against the public policy of the state (Mohanty, 2001).
- g. PESA- The enactment of Panchayat Extension to Scheduled Areas by the Central Government in 1996 and its enforcement by the states ensured greater opportunities for members of Scheduled Castes and Scheduled Tribes. There are five districts that are fully and partially covered under PESA in Rajasthan. These districts include-Banswara, Dungarpur (fully covered) and Udaipur,

- Pratapgarh and Sirohi (partially covered) (Kukreti, 2018).
- h. Tribal Sub-Plan- The state has notified some places in its territory where tribal population is concentrated like in the south-eastern part of state covering eight districts and approximately 5697 villages constituting around 50% of the total tribal population of the state. Under this, all the schemes like Integrated Tribal Development Programme (ITDP), Modified Area Development Agency (MADA), MADA Cluster Development Programme, Sehariya Primitive Tribe Development, and Tribal Scattered Development Programme (Panchayat and Rural Development Department, n.d.). It is sponsored both by the Centre as well as the State. The state introduced Tribal Regional Development Programme with two components: creations of roads, forests, irrigation facilities, health and education and secondly, generation of livelihood for tribal population (Govt. of Rajasthan, 2018).

Policy Prescriptions: Besides the affirmative actions, there are other measures that can be taken up to ensure equality and justice to these communities. It incorporates suggestions that can help bridge the gap between communities and create a free, equal and just society, demolishing the age old social structures of dominance and supremacy on the one hand and discrimination, oppression and violence on the other. The basic thrust of each measure should be focused on deinstitutionalizing the caste system from the social structures thus bringing equality for all. Some suggestions for the same are: law enforcement for their protection and securing their interests, ensure their political rights, enforcement of laws with stringent punishment on violation of rights of Scheduled Castes and Scheduled Tribes, eradication of bonded labor and child labor, providing them an enabling environment and practices that can induce them to obtain education, lowering the rate of crimes against them, imbibing the spirit of love and respect for all in the younger generation, make provisions that can decrease the income inequality and bring economic equilibrium in the society (Pareek and Ambedkar, 2019). The most important idea emphasized here is to identify the problem, find reasonable, innovative and simple solutions that can help in mainstreaming the marginalized communities.

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