



G.S. PAPER II – SOCIAL JUSTICE

**Welfare Schemes for Vulnerable Sections of the Population by the Centre and States and the Performance of these Schemes
Mechanisms, Laws, Institutions and Bodies Constituted for the Protection and Betterment of these Vulnerable Sections**

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Q1. How would you define the term ‘vulnerable sections’?

There are various ways to define who vulnerable sections are. Consider for instance the following definitions:

- A vulnerable section in a population is one that has some specific characteristics that make it at higher risk of falling into poverty than others. Vulnerable sections include the elderly, the mentally and physically disabled, at-risk children and youth, ex-combatants, internally displaced people and returning refugees, HIV/AIDS-affected individuals and households, religious and ethnic minorities and, in some societies, women. (World Bank)
- People who are long-term unemployed, and also others who are inactive but not registered as unemployed. It should include workers who are in some form of employment but are at a high risk of losing their jobs. It is, therefore, a very heterogeneous group, whose members share perhaps only the involuntary character of their present status. (Atkinson, 2000)
- Groups that experience a higher risk of poverty and social exclusion than the general population. Ethnic minorities, migrants, disabled people, the homeless, those struggling with substance abuse, isolated elderly people and children all often face difficulties that can lead to further social exclusion, such as low levels of education and unemployment or underemployment. (European Commission)

Q2. Is there a fixed criterion on the basis of which vulnerability can be defined?

There are multiple and complex factors behind vulnerability with different layers and it often cannot be analyzed in isolation. Further, a section of the population may face discrimination on a number of grounds due to their multiple identities. For example, in a patriarchal society, disabled women face double discrimination of being a women and being disabled. So it is difficult to provide a fixed criterion or classify vulnerable sections into separate watertight compartments.

However, for our purposes we can identify the prominent factors on the basis of which individuals or members of groups are discriminated in India, as structural factors, age, disability, caste, class, gender etc. It is usually these factors, which become the basis of discrimination and vulnerability.

Q3. On basis of the above definitions and criteria which sections do you think we can include as being ‘vulnerable’ in India?

If we use the above criteria and definitions, in the context of India, we can include the following sections as vulnerable sections:

- Differently Aabled Persons
- Old age people/ Senior Citizens
- Orphans and Street Children
- Women
- Sexual Minorities
- Schedule Caste/ Schedule Tribe/ Minorities/ Other Vulnerable groups

Q4. So now we know the sections that are vulnerable in India. But we don’t yet know whether it is an individual or a group phenomenon. Discuss.

Vulnerability is not confined to individuals, rather relates to groups or sections. Thus, a social component is usually involved. This is particularly true in the case of India where inequality and exclusion are facts of life. Thus, some people not only have a greater share of valued resources – money, property, education, health, and power – than others, but social identities play a dominant role in acquiring these resources.

This can be more easily understood if we divide these social resources into three forms of capital- economic capital in the form of material assets and income; cultural capital such as educational qualifications and status; and social capital in the form of networks of contacts and social associations. Often, these three forms of capital overlap and one can be converted into the other. For example, a person from a well-off family (economic capital) can afford expensive

higher education, and so can acquire cultural or educational capital. Someone with influential relatives and friends (social capital) may – through access to good advice, recommendations or information – manage to get a well-paid job.

A section of society that lacks a plurality of these resources is more prone to discrimination than others in a number of spheres.

Q5. We mentioned that caste is one of the factors on the basis of which individuals or members of groups are discriminated in India. Explain how caste can perpetuate vulnerability among some sections of our population?

The caste system is a distinct Indian social institution that legitimizes and enforces practices of discrimination against people born into particular castes. These practices of discrimination are humiliating, exclusionary and exploitative.

Historically, the caste system classified people by their occupation and status. In actual practice both economic and social status tended to coincide. There was thus a fairly close correlation between social (i.e. caste) status and economic status – the high castes were almost invariably of high economic status, while the ‘low’ castes were almost always of low economic status.

Even now the caste-class correlation is still remarkably stable at the macro level. As the system has become less rigid, the distinctions between castes of broadly similar social and economic status have weakened. Yet, between different socio-economic groupings, the distinctions continue to be maintained. Therefore, caste continues to affect the life chances of Indians in the twenty-first century.

Q6. It is often mentioned that untouchability is an extreme and particularly vicious aspect of the caste system. Explain what untouchability is and analyze the vulnerable status of dalits in the light of untouchability practiced in the caste system.

Untouchability is indeed an extreme and particularly vicious aspect of the caste system that prescribes stringent sanctions against members of castes located at the bottom of the caste pyramid. Notions of ‘distance pollution’ existed in many regions of India for a long time.

However, untouchability refers not just to the avoidance or prohibition of physical contact but to a much broader set of social sanctions. For instance, it is almost always associated with economic exploitation of various kinds, most commonly through the imposition of forced, unpaid (or under-paid) labour, or the confiscation of property. There are three main dimensions of untouchability- namely exclusion, humiliation-subordination and exploitation – all are equally important to understand the phenomenon.

Although other (i.e., ‘touchable’) low castes are also subjected to subordination and exploitation to some degree, they do not suffer the extreme forms of exclusion reserved for ‘untouchables.’ Dalits experience forms of exclusion that are unique and not practiced against other groups – for instance, being prohibited from sharing drinking water sources or participating in collective religious worship, social ceremonies and festivals. At the same time, untouchability may also involve forced *inclusion* in a subordinated role, such as being compelled to play the drums at a religious event. The performance of publicly visible acts of (self-) humiliation and subordination is an important part of the practice of untouchability. Further, it is a pan-Indian phenomenon, although its specific forms and intensity vary considerably across regions and socio-historical contexts.

The word ‘Dalit’ which has been coined to refer to the ex-untouchable community means ‘downtrodden’ and conveys the sense of an oppressed people. Though it was not coined by Dr. Ambedkar, it resonates with his philosophy and the movement for empowerment that he led.

Q7. It is evident that untouchability is an extremely exploitative system that has been in practice for ages. Does the Constitution of India contain any provision to curb its practice?

Yes, the Constitution abolished untouchability and its practice in any form. Article 17 of the Constitution (Fundamental Right) that abolishes untouchability has been provided without any exception. It empowers the State to

prescribe by law providing punishment for the practice of untouchability. The Parliament enacted the Untouchability Offences Act, 1955 which has been subsequently amended and renamed as the Civil Rights Protection Act, 1976. It provides stringent punishment for the practice of untouchability. However, neither the Constitution nor the law defines what untouchability is. But the Judiciary has defined it as a social practice among the Hindus where a person is looked down upon and discriminated against solely on the basis of his birth.

Q. 8 Given the vulnerable status of Scheduled Castes, the Constitution includes certain provisions for their welfare. List them.

The Constitution includes the following provisions for the Scheduled castes:

- Article 15(4): It was introduced by the first Amendment Act after the SC judgment in the case of Champakam Dorairajan vs. State of Madras. Under this the State can make special provisions for the advancement of socially and educationally backward class of citizens including SCs and STs.
- Article 16(4): This clause allows the state to reserve vacancies in public service for any backward classes of the state that are not adequately represented in the public services.
- Article 16 (4A): It empowers the State to provide by law for the reservation of seats in favour of SCs and STs in public employment in promotions.
- Article 16(4B): It states the carry forward policy followed in favour of SCs and STs where the unfilled vacancies of the SCs and STs in a particular year are carried forward to the following years and filled up from among SCs and STs. It provides that the carry forward policy would be valid even if the overall reservation exceeds 50% in the subsequent years.
- Article 40: Provides reservation in one-third seats in Panchayats to SC/ST.
- Article 46: Enjoins the states to promote with care the educational and economic interests of the weaker sections, specially SC and STs.
- Article 330/332: Allows reservation of seats for SC/ST in the parliament as well as in state legislatures.
- Article 335: It states that claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State
- Article 338/338A/339: Establishes a National Commission of SCs and STs. Article 339 allows the central govt. to direct states to implement and execute plans for the betterment of SC/STs.
- Article 340: Allows the President to appoint a commission to investigate the condition of socially and economically backward classes and table the report in the parliament.

Q. 9 In addition to the Constitutional provisions, the Government of India has also constituted certain mechanisms, laws, institutions and bodies for their protection and betterment. Discuss.

The Ministry of Social Justice and Empowerment is the nodal Ministry to oversee the interests of the Scheduled Castes. Under the Scheduled Castes Development Bureau, the Ministry implements Scheduled Castes Sub-Plan (SCSP) which is an umbrella strategy to ensure flow of targeted financial and physical benefits from all the general sectors of development for the benefit of Scheduled castes. Under the strategy, states/UTs are required to formulate and implement Special Component Plan (SCP) for Scheduled Castes as part of their Annual Plans by earmarking resources. Another policy initiative for the development of Scheduled Castes is Special Central Assistance to Special Component Plan, in which cent percent assistance is given as additive to Scheduled Caste Sub-Plan of the States/UTs on the basis of certain criteria such as SC population of the States/UTs, relative backwardness of the States/UTs, percentage SC families in the States/UTs, covered by composite economic development programmes in the State Plan to enable them to cross the poverty line, percentage of SCP to the Annual Plan as compared to SC population percentage of the States/UTs.

The Ministry implements two acts for protecting the civil rights of the Scheduled Castes, viz.:

- Protection of Civil Rights Act, 1955; and
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act, 1989)

Constitutional Measures:

- **National Commission for Scheduled Castes**

The National Commission for Scheduled Castes, a Constitutional body monitors the safeguards provided for Scheduled Castes and also reviews issues concerning their welfare. The Commission has wide powers to protect, safeguard and promote the interests of the SCs. The Commission has been conferred powers of a civil court trying a suit, to summon and enforce the attendance of any persons from any part of India and examining on oath, receiving evidence on affidavits.

- **National Commission for Safai Karmacharis**

The National Commission for Safai Karmacharis, a statutory body has, inter-alia, been empowered to investigate into specific grievances as well as matters relating to implementation of programmes and schemes for welfare of Safai Karmacharis.

- **Protection of Civil Rights Act, 1955**

In pursuance of article 17 of the Constitution of India, the Untouchability (Offences) Act, 1955 was enacted. Subsequently it was amended and renamed in the year 1976 as the “Protection of Civil Rights Act, 1955”. Rules under this Act, viz. “The Protection of Civil Rights Rules, 1977” were notified in 1977. The Act extends to the whole of India and provides punishment for the practice of untouchability. It is implemented by the respective State Governments and Union Territory Administrations.

- **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, specifies offences, which are considered as atrocities, and provides for deterrent punishments for commission of the same. Comprehensive Rules were also framed under the SCs and STs (POA) Act in 1995, which among other things provided for relief and rehabilitation of the affected people.

- **Committee to review implementation of PCR and POA Acts**

Educational Development

- **Pre Matric Scholarship**
- **Pre-Matric Scholarships for Children of those engaged in Unclean Occupations:**
- **Rajiv Gandhi National Fellowship Scheme**
- **National Overseas Scholarship**
- **Upgradation of Merit for SC Students**
- **Free Coaching for SCs and OBCs**
- **Babu Jagjivan Ram Chhatrawas Yojana**
- **Dr. Ambedkar Foundation**

Economic Empowerment

- **Special central Assistance to Scheduled Castes Sub Plan (SCSP)**
- **Assistance to State Scheduled Castes Development Corporations**
- **National Scheduled Castes Finance Development Corporation**
- **Self-Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)**
- **Voluntary Organizations Working for the Welfare of SCs**
- **National Safai Karmacharis Finance and Development Corporation**

(Refer the chapter on Welfare in India Year Book and Economic Survey for details of these schemes).

Q. 10 Adivasis or tribals are another section of the population who often face discrimination. Explain who they are and why they are included as a vulnerable section.

Tribes or Adivasis in India have generally been defined in terms of what they were *not*. Tribes were defined as communities that did not practice a religion with a written text; did not have a state or political form of the normal kind; did not have sharp class divisions; and, most important, did not have caste and were neither Hindus nor peasants.

Like the Dalits, Tribes as social groups were recognized by the Indian Constitution as specially marked by poverty, powerlessness and social stigma. They were believed to be 'people of the forest' whose distinctive habitat in the hill and forest areas shaped their economic, social and political attributes. However, their long and close association with Hindu society and culture, made the boundaries between 'tribe' and 'caste' quite porous.

In the areas where tribal populations are concentrated, their economic and social conditions are usually much worse than those of non-tribals. The impoverished and exploited circumstances under which adivasis live can be traced historically to the pattern of accelerated resource extraction started by the colonial British government and continued by the government of independent India. The independence of India in 1947 should have made life easier for adivasis but this was not the case. Firstly, the government monopoly over forests continued. If anything, the exploitation of forests accelerated. Secondly, the policy of capital-intensive industrialization adopted by the Indian government required mineral resources and power-generation capacities which were concentrated in Adivasi areas. Adivasi lands were rapidly acquired for new mining and dam projects. In the process, millions of adivasis were displaced without any appropriate compensation or rehabilitation. Justified in the name of 'national development' and 'economic growth', these policies were actually a form of internal colonialism, subjugating adivasis and alienating the resources upon which they depended.

Q. 11 Mention the Constitutional provisions and other laws and institutions established for the welfare of Scheduled Tribes.

Constitutional Provisions:

Refer the Constitutional provisions mentioned above for Scheduled castes. Apart from them, certain other articles deal exclusively with problems faced by STs. They are as follows:

- Article 19(5): It allows the state to impose restriction on freedom of movement or of residence in the benefit of Scheduled Tribes.
- Article 164: Appoint special minister for tribal welfare in the states of MP, Bihar, and Orissa.
- Article 275: Allows special grant in aids to states for tribal welfare.

Other welfare schemes, laws, mechanisms, bodies and institutions:

- **Scheduled Areas and Tribal Areas**

Scheduled Tribes live in contiguous areas unlike other communities. It is, therefore, much simpler to have an area-approach for development activities and also regulatory provisions to protect their interests.

In order to protect the interests of Scheduled Tribes with regard to land alienation and other social factors, provisions of "Fifth Schedule and "Sixth Schedule" have been enshrined in the Constitution.

The Fifth Schedule under Article 244(1) of Constitution defines "Scheduled Areas" as such areas as the President may by Order declare to be Scheduled Areas after consultation with the Governor of the State.

The Sixth Schedule under Article 244 (2) of the Constitution relates to those areas in the States of Assam, Meghalaya, Tripura and Mizoram which are declared as "Tribal Areas" and provides for District Councils and/or Regional Councils for such Areas. These Councils have been conferred with wide ranging legislative, judicial and executive powers.

- **The Fifth Schedule Areas**

The criteria for declaring any area as a "Scheduled Area" under the Fifth Schedule are: (a) Preponderance of tribal population, (b) Compactness and reasonable size of the area, (c) A viable administrative entity such as a district, block or taluk, and (d) Economic backwardness of the area as compared to neighbouring areas.

The advantages of Scheduled Areas are as follows:

- The Governor of a state, which has Scheduled Areas, is empowered to make regulations in respect of the following:
 - a. Prohibit or restrict transfer of land from tribal people;
 - b. Regulate the business of money lending to the members of Scheduled Tribes.
- The Governor may be public notification direct that any particular Act of Parliament or of the Legislature of the State, shall not apply to a Scheduled Area or any part thereof in the State or shall apply to such area subject to such exceptions and modifications as he may specify.
- The Governor of a State having Scheduled Areas therein, shall annually, or whenever so required by the President of India, make a report to the President regarding the administration of the Scheduled Areas in that State and the executive power of the Union shall extend to the giving of directions to the State as to the administration of the said area.
- Tribes Advisory Council (TAC) shall be established in States having Scheduled Areas. The role of TAC is to advise the State Government on matters pertaining to the welfare and advancement of the Scheduled Tribes in the State as may be referred to it by the Governor.
- The Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) which were extended to Scheduled Areas, also contain special provisions for the benefit of Scheduled Tribes.

- **The Sixth schedule – Tribal Areas**

The Sixth Schedule under Article 244 of the Constitution identifies Autonomous districts in the Tribal Areas in the states of Assam, Meghalaya, Tripura and Mizoram. It also makes provisions for recognition of Autonomous Regions within these Autonomous Districts. These have been specified in Parts I, II, IIA & III of the table appended to paragraph 20 of the Sixth Schedule. In other words, areas where provisions of Sixth Schedule are applicable are known as Tribal Areas. The State-wise details of Tribal Areas are as under:

- Part-I Assam
 - 1. The North Cachar Hills District
 - 2. The Karbi-Anglong District
 - 3. The Bodo Land Territorial Area Districts
- Part II Meghalaya
 - 1. Khasi Hills District
 - 2. Jaintia Hills District
 - 3. The Garo Hills District
- Part IIA Tripura
 - 1. Tripura Tribal Areas District
- Part III Mizoram
 - 1. The Chakma District
 - 2. The Mara District
 - 3. The Lai District

The administration of Autonomous Districts and Autonomous Regions is done through District Councils/Regional Councils. These Councils are elected bodies and have powers of legislation, administration of justice apart from executive, developmental and financial responsibilities. The District or Regional Councils are empowered to make rules with the approval of the Governor with regard to matters like establishment, construction or management of primary schools, dispensaries, markets, cattle ponds, ferries, fisheries, roads, road transport and waterways in the district. The Autonomous Councils of the North Cachar Hills and Karbi Anglong have been granted additional powers to make laws with respect to other matters like secondary education, agriculture, social security and social insurance, public health and sanitation, minor irrigation, etc.

The Councils have also been conferred powers under the Civil Procedure Code and Criminal Procedure Code for trial of certain suits and offences, as also the powers of a revenue authority for their area for collection of revenue and taxes and other powers for the regulation and management of natural resources.

- **Tribal Sub-Plan (TSP)**

Upgradation of administration through the innovative strategy of the Tribal Sub-Plan (TSP) for STs was launched at the beginning of the 5th Five Year Plan in 1974-75, covering 21 States and 2 U.T.s., where Scheduled Tribes constitute a sizeable population.

This special strategy was expected to ensure that all the general development sectors, both at the Central and State levels, earmark funds for STs in proportion to their population so that adequate benefits from all the concerned sectors flow to this disadvantaged group. Thus the TSP strategy seeks to ensure adequate flow of funds for tribal development not only under every State Plan funds, but also from all the Central Ministries/Departments. TSP is a part of the overall plan of a State/UT or a Central Ministry/Department, and is therefore called a Sub-Plan.

The TSP promotes development activities through legal and administrative support. The TSP strategy is being implemented through 195 Integrated Tribal Development Projects (ITDPs)/Integrated Tribal Development Agencies (ITDAs), 259 Modified Area Development Approach (MADA) and 82 Clusters. The benefits of the Tribal Sub-Plan are also extended to the scattered tribal population.

The TSP is financed by four sources namely, flow from Centrally Sponsored Schemes. Special Central Assistance, State Plan, and Institutional finance. The Central Ministries have also been requested to utilize at least 8% of their budget for the welfare and development of Scheduled Tribes.

- **Special Central Assistance for Tribal Sub-Plan**

In support of TSP, the Government of India launched the SCA scheme in 1974 to the States and the UTs, as an additive to fill up the gaps, especially in the family based income-generating programmes. As a result, there has been a substantial increase in the flow of funds during the Ninth Five Year Plan for the development of STs besides enlargement of the share of benefits for STs under all the development programmes.

The SCA to TSP is provided by the Ministry of Tribal Affairs to 21 Tribal Sub- Plan States including North Eastern States of Assam, Manipur and Tripura. Since 2003-04 the Ministry of Home Affairs is releasing the funds under SCA to TSP meant for the UTS.

The SCA is to be utilised in conjunction with the TSP flow with a view to meeting the gaps, which are not otherwise taken care of by the State Plan. The objective and scope of SCA to TSP was originally meant for filling up of the critical gaps in the family-based income-generation activities of the TSP. From the Tenth Five Year Plan, the objective and scope of SCA to TSP has been expanded to cover the infrastructure incidental to income-generation.

- Grants under the First Proviso to Article 275(1) of the Constitution
- Program for development of Forest Villages
- Scheme for Primitive Tribal Groups (PTGs)
- Scheme of Construction of Hostels for ST Boys and Girls
- Establishment of Ashram Schools in Tribal Sub-Plan Area
- Upgradation of Merit of ST students
- Post Matric Scholarships for ST students
- Vocational Training in Tribal Areas
- Education of Girls in Low Literacy Pockets
- Grants-in-Aid to Voluntary Organisations
- Rajiv Gandhi National Fellowship (RGNF)
- National Overseas Scholarship Scheme for Scheduled Tribes (NON-Plan)
- Scheme of TOP Class Education for ST Students
- Grants-in-Aid for Minor Forest Produce (MPP) Operations
- Exchange of visits by STs

- **National Scheduled Tribes Finance and Development Corporation**
- **Special Schemes**
 - Adivasi Mahila Sashaktikaran Yojana (AMSY)
 - Micro-credit scheme – launch of a new scheme
- Tribal Cooperative Marketing Development Federation of India Ltd. (TRIFED)

(Refer the chapter on Welfare in India Year Book and Economic Survey for details of these schemes).

Q. 12 Having discussed Tribals, we now discuss who the Backward Classes are.

Though untouchability was the most visible and comprehensive form of social discrimination. However, there were a large group of castes that were of low status and were also subjected to varying levels of discrimination short of untouchability. These were the service and artisan castes who occupied the lower rungs of the caste hierarchy. The Constitution of India recognizes the possibility that there may be groups other than the Scheduled Tribes and Scheduled Castes who suffer from social disadvantages. These groups – which need not be based on caste alone, but generally are identified by caste – were described as the ‘socially and educationally backward classes’. This is the constitutional basis of the popular term ‘Other Backward Classes’ (OBCs), which is in common use today.

Like the category of the ‘tribe’ the OBCs are defined negatively, by what they are not. They are neither part of the ‘forward’ castes at the upper end of the status spectrum, nor of the Dalits at the lower end. But since caste has entered all the major Indian religions and is not confined to Hinduism alone, there are also members of other religions who belong to the backward castes and share the same traditional occupational identification and similar or worse socio-economic status.

However, the OBCs are severely under-represented in all spheres except landholding and political representation (they have a large number of MLAs and MPs). Although the upper OBCs are dominant in the rural sector, the situation of urban OBCs is much worse, being much closer to that of the Scheduled Castes and Tribes than to the upper castes.

Q. 13 The Government has enacted schemes for the welfare of backward classes. Discuss them.

Statutory Body

- **National Commission for Backward Classes**

In pursuance of the Supreme Court Judgement popularly known as Mandal Judgement (1992), the National Commission for Backward Classes was set up in 1993 as a permanent body for entertaining, examining and advising the Government on requests for inclusion and complaints of over-inclusion and under inclusion in the lists of Other Backward Classes (OBCs) of citizens. As per the provision of the Act, the advice tendered by the Commission shall ordinarily be binding upon the Government.

Educational Development

- Pre-matric Scholarships for OBCs
- Post-matric Scholarships for OBCs
- Hostels for OBC Boys and Girls
- Assistance to Voluntary Organisations for Welfare of OBCs

Economic Development

- National Backward Classes Finance and Development Corporation

(Refer the chapter on Welfare in India Year Book and Economic Survey for details of these schemes)

Reservation in Services

Reservation is given to Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in services under the control of Government. Reservation is also provided to persons with disabilities and the ex-servicemen in certain categories of posts. The quantum of reservation for SCs, STs, and OBCs in direct recruitment on all-India basis by open competition is 15 per cent, 7.5 per cent and 27 per cent respectively. In direct recruitment on all-India basis, otherwise than by open competition, reservation is 16.66 per cent for SCs, 7.5 per cent for STs and 25.84 per cent for OBCs. In case of promotion SCs and STs get reservation at the rate of 15 per cent and 7.5 per cent respectively. There is no reservation for OBCs in case of promotion. Three per cent of vacancies are kept reserved for persons with disabilities. Ten per cent of the vacancies in the posts of the level of Assistant Commandant in all paramilitary forces, 10 per cent of the vacancies in Group-C posts and 20 per cent of the vacancies in Group-D posts are reserved for the ex-servicemen.

Article 341 and 342 of the Constitution define as to who would be the SCs and the STs with respect of any State or Union Territory. The Government has prepared a list of OBCs has been prepared by the Government. The inter-state area restrictions have been imposed so that the people belonging to the specific community residing in a specific area which has been assessed to qualify for SC, ST and OBC status only benefit from the facilities provided for them. Definition of 'ex-servicemen' for the purpose of getting reservation in services is contained in Ex-servicemen (Reemployment in Civil Services and Posts) Rules, 1979 and conditions for reservation to persons with disabilities are given under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. To ensure that reserved vacancies are filled by candidates belonging to appropriate category, certain relaxations and concessions like relaxation in upper age-limit, etc., are provided. Liaison officers have been appointed for SCs/STs and OBCs in each Ministry/Department to ensure proper implementation of reservation policy for them.

Q. 14 Let us discuss the issues related to minorities next.

The notion of minority groups is widely discussed and is more than a merely numerical distinction – it usually involves some sense of relative disadvantage. Thus, privileged minorities such as extremely wealthy people are not usually referred to as minorities; if they are, the term is qualified in some way, as in the phrase 'privileged minority'. When minority is used without qualification, it generally implies a relatively small but also disadvantaged group.

The sociological sense of minority also implies that the members of the minority form a collectivity – that is, they have a strong sense of group solidarity, a feeling of togetherness and belonging. This is linked to disadvantage because the experience of being subjected to prejudice and discrimination usually heightens feelings of intra-group loyalty and interests. Thus, groups that may be minorities in a statistical sense, such as people who are left-handed or people born on 29th February, are not minorities in the sociological sense because they do not form a collectivity.

However, it is possible to have anomalous instances where a minority group is disadvantaged in one sense but not in another. Thus, for example, religious minorities like the Parsis or Sikhs may be relatively well-off economically. But they may still be disadvantaged in a cultural sense because of their small numbers relative to the overwhelming majority of Hindus. Religious or cultural minorities need special protection because of the demographic dominance of the majority. In democratic politics, it is always possible to convert a numerical majority into political power through elections. This means that religious or cultural minorities – regardless of their economic or social position – are politically vulnerable. They must face the risk that the majority community will capture political power and use the state machinery to suppress their religious or cultural institutions, ultimately forcing them to abandon their distinctive identity.

Q. 15 List the measures taken by the Government to address the problems of the minorities in India.

Constitutional Measures

- **National Commission for Minorities**

The Minorities Commission which was set up in January 1978 by a Resolution issued by Ministry of Home Affairs became a statutory body with the enactment of the National Commission for Minorities Act, 1992 and renamed as The National Commission for Minorities.

- **National Commission for Religious and Linguistic Minorities**

The Government of India has been seized of the welfare needs of socially and economically backward sections among religious and linguistic minorities. For having a detailed examination to determine the criteria for identifications of socially and economically backward sections among religious and linguistic minorities and to suggest measures for their welfare, the Government has constituted a National Commission for Religious and Linguistic Minorities, with the following terms of reference: (a) to suggest criteria for identification of socially and economically backward sections among religious and linguistic minorities; (b) to recommend measures for welfare of socially and economically backward sections among religious and linguistic minorities, including reservation in education and government employment; (c) to suggest the necessary constitutional, legal and administrative modalities, as required for the implementation of their recommendations; and to present a Report of their deliberations and recommendations.

- **Special Officer for Linguistic Minorities**

The Office of the Special Officer for Linguistic Minorities (commonly known as the Commissioner for Linguistic Minorities) was created in July 1957, in pursuance of the provision of Article 350-B of the Constitution. The Commissioner for Linguistic Minorities of India (CLM) has his Headquarters at Allahabad with Regional Offices at Kolkata, Belgaum and Chennai. The CLM takes up all the matters pertaining to the grievances arising out of the non-implementation of the Constitutional and Nationally Agreed Scheme of Safeguards provided to linguistic minorities that come to its notice or are brought to its knowledge by the linguistic minority individuals, groups, associations or organisations at the highest political and administrative levels of the State Governments and UT Administrations and recommends remedial actions to be taken.

- **The Central Wakf Council**

A Wakf is a permanent dedication of movable or immovable properties for purposes recognised by the Muslim Law as religious, pious or charitable. Apart from these religious aspects, the Wakfs are also instruments of social and economic upliftment.

Administration of Central Legislation for Wakfs is the responsibility of the Ministry of Social Justice and Empowerment. For the purpose of advising it on matters relating to working of the Wakf Boards and the proper administration of Wakfs in the country, the Central Wakf Council was established as a statutory body by the Central Government in December, 1964 under Section 8A of the Wakf Act, 1954 (now read as Sub-Sec(1) of the Section 9 of Wakf Act, 1995). The Council implements schemes for development of urban Wakf properties and educational programmes schemes.

- **The Durgah Khwaja Saheb Act, 1955**

It is an Act to make provision for the proper administration of Durgah and Endowment of the Durgah Khwaja Moinuddin Chisty (R.A.). Under this Central Act the administration, control and management of the Durgah Endowment has been vested in a representative Committee known as the Durgah Committee appointed by the Central Government.

- **Prime Minister's 15 Point Programme for the Welfare of Minorities**
- **Exclusive scholarship schemes for students belonging to the minority communities**
 - Merit-cum-Means Scholarship
 - Post-Matric Scholarships
 - Pre-Matric Scholarships
- **Identification of Minority Concentration Districts**
- **Free Coaching and Allied Scheme**
- **National Minorities Development and Finance Corporation**
- **Initiatives taken in Pursuance of the Sachar Committee Recommendations**

(Refer the chapter on Welfare in India Year Book and Economic Survey for details of these schemes)

Q. 16 Explain the term - Persons with Disabilities. What are the kind of problems that this section of the population faces.

The differently abled are not 'disabled' only because they are physically or mentally impaired' but also because society is built in a manner that does not cater to their needs. In contrast to the struggles over Dalit, adivasi or women's rights, the rights of the differently abled have been recognized only very recently. Yet in all historical periods, in all societies there have been people who are differently abled.

The social construction of disability has another dimension. There is a close relationship between disability and poverty. Malnutrition, mothers weakened by frequent childbirth, inadequate immunization programmes, accidents in overcrowded homes, all contribute to an incidence of disability among poor people that is higher than among people living in easier circumstances. Furthermore, disability creates and exacerbates poverty by increasing isolation and economic strain, not just for the individual but for the family; there is little doubt that disabled people are among the poorest in poor countries.

Q. 17 List the measures taken by the government to address the concerns of the Persons with Disabilities.

- **Persons with Disabilities Act, 1995**

A comprehensive law, namely, the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 has been enacted and enforced in February 1996. The law deals with both prevention and promotion aspects of the rehabilitation such as education, employment and vocational training, creation of barrier-free environment, provision of rehabilitation services for persons with disabilities, institutional services and supportive social security measures like unemployment allowance and grievance redressal machinery both at the Central and State-Level.

- **National Trust for the Welfare of Persons with Autism, Cerebral palsy, Mental Retardation and Multiple Disabilities**

The National Trust is a statutory body under "The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999". The main objectives of the Trust are to enable and empower persons with these disabilities to live independently as fully as possible, to extend support to registered organisations providing need-based services and to evolve procedure for appointment of legal guardians for persons with disabilities requiring such protection.

- **Office of the Chief Commissioner for Persons with Disabilities**

The Chief Commissioner is an important statutory functionary, appointed under Section 57 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. The functions and duties of the Chief Commissioner include coordinating the work of State Commissioners for persons with disabilities, monitoring of utilisation of funds disbursed by the Central Government, taking steps to safeguard rights and facilities made available to persons with disabilities and also to look into complaints with respect to deprivation of rights of persons with disabilities.

The Chief Commissioner can also take suo motu notice of non-implementation of any Rule, Law, etc. meant for persons with disabilities and is vested with the powers of a civil court relating to summoning of witness, discovery, requisitioning and production of any document, etc.

- **Rehabilitation Council of India**

The Rehabilitation Council of India is a statutory body set up under the Rehabilitation Council of India Act, 1992. The Council is responsible for regulating the training policies and programmes for various categories of professionals in the area of rehabilitation and special education. Its functions include: (i) standardization and regulation of training courses at different levels in all the training institutions throughout the country, (ii) recognition of institutions/universities running training courses in the area of rehabilitation of the disabled within and outside the country on a reciprocal basis, (iii) promotion of research in rehabilitation and special education, (iv) maintenance of a Central Rehabilitation Register for professionals possessing the recognized qualifications in the area of rehabilitation

and (v) encouragement of Continuing Rehabilitation Education programmes in collaboration with organisations working in the area of disability.

- India is a signatory to the Declaration on the Full Participation and Equality of People with Disabilities in the Asia Pacific Region. India is also a signatory to the **Biwako Millennium Framework** for action towards an inclusive, barrier free and rights based society. India signed the UN Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities on 30th March, 2007, the day it opened for signature. India ratified the UN Convention on 1st October, 2008.
- **National Handicapped Finance and Development Corporation**
- **Scheme for Assistance to disabled Persons for Purchase/Fitting of aids and appliances**
- **Artificial Limbs Manufacturing Corporation of India**
- **Composite Regional Centers and Regional Rehabilitation Centers**

Q. 18 Explain the issues related to an ageing population. How does the Government plan to address them?

Demographic ageing is a global phenomenon. It has implications at both the macro and household level. It is true that due to strong family ties in India, majority of elderly people live with their sons or are supported by them in one way or the other. However, there have been changes in recent times, which have made the position of many elderly people vulnerable. These have mainly to do with changing nature of occupations of the children, changing life styles, extended periods of dependency and higher health and other costs.

Constitutional and Other Provisions

- Article 41 of the DPSP directs that the State shall, within the limits of its economic capacity and development, make effective provision for securing the right of public assistance in cases of old age.
- **National Social Assistance Programme (NSAP)**

The National Social Assistance Programme (NSAP) which came into effect from 15th August, 1995 represents a significant step towards the fulfillment of the Directive Principles in Article 41 of the Constitution. It introduces a National Policy for Social Assistance for the poor and aims at ensuring minimum national standard for social assistance in addition to the benefits that the states are currently providing and might provide in future. NSAP at present comprises of the following:

- Indira Gandhi National Old Age Pension Scheme (IGNOAPS)
 - Indira Gandhi National Widow Pension Scheme (IGNWPS)
 - Indira Gandhi National Disability Pension Scheme (IGNDPS)
 - National Family Benefit Scheme (NFBS)
 - Annapurna Scheme
- **Integrated Programme for Older Person**

Objectives:

- Providing support for the capacity building of senior citizens by establishing and maintaining Old Age Homes; Day Care Centers; Mobile Medicare Units and Non-Institutional services.
- Popularize the concept of life through re-enforcement & strengthening of the ability & commitment of the family to provide care to older persons.
- Productive ageing.
- Preparation of old age.
- Generating greater awareness on issues concerning older persons

Q. 19 Who are Sexual Minorities? Why are they considered a vulnerable section of the population? Does the Constitution provide for any provisions to safeguard their interests?

Another group that faces stigma and discrimination are the sexual minorities. Those identified as gay, lesbian, transgender, bisexual, kothi and hijra, experience various forms of discrimination within the society and the health system. Due to the dominance of hetero-sexual relations as the only form of normal acceptable relations within the society, individuals who are identified as having same-sex sexual preferences are ridiculed and ostracized by their own family and are left with very limited support structures and networks of community that provide them conditions of care and support. Their needs and concerns are excluded from the various health policies and programmes.\

Constitutional Provisions for sexual minorities

- Art. 15(1): The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

Others:

- National AIDS Prevention and Control Policy.

Q. 20 Orphans and street children are also considered as vulnerable sections. Explain how.

A Street child is a term used to refer to a child who lives on the streets of a city. Such children are deprived of family care and protection. Most children on the streets are between the ages of about 5 and 17 years old, and their population between different cities is varied. Street children live in abandoned buildings, cardboard boxes, parks or on the street itself. A great deal has been written defining street children, but the primary difficulty is that there are no precise categories, but rather a continuum, ranging from children who spend some time in the streets and sleep in a house with ill-prepared adults, to those who live entirely in the streets and have no adult supervision or care. A widely accepted set of definitions, commonly attributed to UNICEF, divides street children into two main categories:

Children on the street are those engaged in some kind of economic activity ranging from begging to vending. Most go home at the end of the day and contribute their earnings to their family. They may be attending school and retain a sense of belonging to a family. Because of the economic fragility of the family, these children may eventually opt for a permanent life on the streets.

Children of the street actually live on the street (or outside of a normal family environment). Family ties may exist but are tenuous and are maintained only casually or occasionally.

Q. 21 List the Constitutional provisions that safeguard the interests of children.

Constitutional Provisions for children

- Article 15(3) empowers the state to make special provisions for welfare of children and women.
- Article 19 A: Education up to 14 yrs has been made a fundamental right. Thus, the state is required to provide school education to children.
- In the case of Unni Krishnan vs State of AP, SC held that right to education for children between 6 to 14 yrs of age is a fundamental right as it flows from Right to Life U/A 21. After this decision, education was made a fundamental right explicitly through 86th amendment in 2002.
- Article 24: Children have a fundamental right against exploitation and it is prohibited to employ children below 14 yrs of age in factories and any hazardous processes. Recently the list of hazardous processes has been update to include domestic, hotel, and restaurant work.
- Article 39(e) of DPSP puts responsibility of State to ensure that children of tender age should not be misused.
- Several PILs have been filed in the benefit of children. For example, MC Mehta vs State of TN, SC has held that children cannot be employed in match factories or which are directly connected with the process as it is hazardous for the children.
- In the case of Lakshmi Kant Pandey vs. Union of India, J Bhagwati has laid down guidelines for adoption of Indian children by foreigners.
- Article 45: Urges the state to provide early childhood care and education for children up to 6 years of age.

Q. 22 Apart from the Constitutional provisions which other policies and schemes have been enacted to protect the rights of children? Specify.

Statutory Bodies

- **National Commission for protection of Child Rights**

The Commissions for Protection of Child Rights Act, 2005 was notified in 2006. It has started functioning from March 2007. The National Commission for Protection of Child rights is a statutory body. Its mission is to protect, promote and defend child rights in India. Its mandate is to ensure that all laws, policies, programmes, practices and administration structure in the country are in consonance with the child rights perspective as enshrined in the constitution of India and also the UN Convention on the Rights of Children.

Policies

- **National Policy for Children**

The National Policy for Children was adopted in 1974. This policy lays down that the State shall provide adequate service for children, both before and after birth and during the growing stages for their full physical, mental and social development. The measures suggested in the policy include, amongst others, a comprehensive health programme, supplementary nutrition for mothers and children, free and compulsory education for all children up to the age of 4 years, promotion of physical education and recreational activities, special consideration for children etc. The Policy is being reviewed by the Ministry as per present needs and priorities.

- **National Charter for Children**

The Government of India adopted the National Charter for Children in 2004. The National Charter is a statement of intent embodying the Government's agenda for children. The document emphasizes GOI's commitment to children's rights to survival, health and nutrition, standard of living, play and leisure, early childhood care, education, protection of girl child, empowering adolescents, equality of life and liberty, name and nationality, freedom of expression, freedom of association and peaceful assembly, the right to a family and right to be protected from economic exploitation and all forms of abuse. It also provides for protection of children in difficult circumstances, children with disabilities, children from marginalized and disadvantaged communities and child victims. The document, while stipulating the duties of the State and the Community towards children, also emphasizes the duties of children towards family, society and the Nation.

Schemes

- **Integrated Child Development Services (ICDS) Scheme**

The Integrated Child Development Services (ICDS) Scheme was launched in 1975 as a Centrally Sponsored Scheme with the following objectives: (a) to improve the nutritional and health status of children below the age of six years and pregnant and lactating mothers; (b) to lay the foundation for the proper psychological, physical and social development of the child, (c) to reduce the incidents of mortality, morbidity, malnutrition and school dropouts, (d) to achieve effective coordination of policy and implementation among various departments to promote child development, (e) to enhance the capability of the mother to look after the health and nutritional needs of the child through proper health and nutrition education. The Scheme provides for a package of services to children below 6 years and pregnant women and lactating mothers, comprising (i) Supplementary nutrition (ii) Immunization, (iii) Health check-ups, (iv) Nutrition and Health education, (v) Referrals, (vi) Pre-school, non formal education.

- Rajiv Gandhi National Creche Scheme for the Children of Working Mothers
- Integrated Child protection Scheme (ICPS)
- Scheme for Welfare of Working Children in Need of Care and Protection
- Dhanlakshmi-Conditional Cash Transfer for Girl Child with insurance Cover
- Rajiv Gandhi Manav Seva Award For Service To Children
- Balika Samriddhi Yojana (BSY)
- Kishori Shakti Yojana (KSY)

- Nutrition Programme for Adolescent Girls (NPAG)
- Early Childhood Education for 3-6 Age Group Children Under the Programme of Universalisation of Elementary Education.
- Central Adoption Resource Agency (CARA)
- General Grant-in-Aid Scheme in the field of Women and Child Development.

(Refer the chapter on Welfare in India Year Book and Economic Survey for details of these schemes)

Q. 23 Women comprise roughly half of the population of our country. What is the reason that they are still a vulnerable section?

Because of the obvious biological and physical differences between men and women, gender inequality is often treated as natural. However, despite appearances, scholars have shown that the inequalities between men and women are social rather than natural. For example, there are no biological reasons that can explain why so few women are found in positions of public power. Nor can nature explain why women generally receive a smaller or no share in family property in most societies. But the strongest argument comes from the societies that were different from the 'normal' or common pattern. If women were biologically unfit to be inheritors and heads of families, how did matrilineal societies (as the Nairs of Kerala used to be, and as the Khasis of Meghalaya still are) work for centuries? How have women managed to be successful farmers and traders in so many African societies? There is, in short, nothing biological about the inequalities that mark the relations between men and women. Gender is thus also a form of social inequality and exclusion like caste and class, but with its own specific features.

Women's reform was a major issue much before independence. While in the nineteenth century reform movements, the emphasis had been on the backward aspects of tradition like sati, child marriage, or the ill treatment of widows, two decades after Independence, women's issues re-emerged in the 1970s with emphasis on 'modern' issues – the rape of women in police custody, dowry murders, the representation of women in popular media, and the gendered consequences of unequal development. The law was a major site for reform in the 1980s and after, specially when it was discovered that many laws of concern to women had not been changed since the 19th century. As we enter the twenty-first century, new sites of gender injustice are emerging. The sharp fall in the child sex ratio and the implicit social bias against the girl child represents one of the new challenges of gender inequality.

Q. 24 Mention the Constitutional provisions laid down for the welfare of women.

- Article 15(3): It allows the state to make special provisions for women and children. Several acts such as Dowry Prevention Act have been passed including the most recent one of Protection of women from domestic violence Act 2005.
- Article 23: Under the fundamental right against exploitation, forcing people into immoral activities has been prohibited.
- Article 39: Ensures equal pay to women for equal work.

In the case of *Randhir Singh vs Union of India*, SC held that the concept of equal pay for equal work is indeed a constitutional goal and is capable of being enforced through constitutional remedies under Art. 32.

- Article 40: Provides one-third reservation in panchayats.
- Article 42: Provides free pregnancy care and delivery.
- Article 44: It urges the state to implement uniform civil code, which will help improve the condition of women across all religions. It has, however, not been implemented due to political compulsions. In the case of *Sarla Mudgal vs Union of India*, SC has held that in Indian Republic there is to be only one nation i.e. Indian nation and no community could claim to be a separate entity on the basis of religion.

Q. 25 Give an account of the various policies, schemes, mechanisms and bodies constituted as a safeguard against women vulnerability.

Policies

- **National Policy for Empowerment of Women (NPEW)**

It was formulated in 2001 with the express goal of bringing about the advancement, development and empowerment of women. The NPEW laid down detailed prescriptions to address discrimination against women, strengthen existing institutions which includes the legal system,, provide better access to health care and other services, equal opportunities for women's participation in decision-making and mainstreaming gender concerns in the development process etc. The policies/programmes of the Government are all directed towards achieving inclusive growth with special focus on women in line with the objective of the NPEW.

Statutory and Autonomous Organizations

- **National commission for Women**

It is a statutory body constituted in 1992 under the National Commission for Women Act, 1990. The main task of the Commission is to study and monitor all matters relating to the Constitutional and legal safeguards provided for women and to review the existing legislations and suggest amendments, wherever necessary. The commission also ensures speedy redressal of grievances of women.

- **Rashtriya Mahila Kosh (RMK)**

Rashtriya Mahila Kosh (National Credit Fund for Women) was set up by the Government of India in March 1993 as an independent registered society. Its main objective was to provide micro credit to poor, assetless women for income generation activities for asset creation and for tiding over contingent consumption needs, as also as an instrument of socio-economic change and development of women. Government has proposed to restructure and strengthen RMK to scale up their activities including that of background and forward linkages to function as a single window facilitator and service provider for women self help groups (SHGs).

Schemes

- Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG) - SABLA
- Indira Gandhi Matritva Sahyog Yojana (IGMSY – CMB Scheme
- Support to Training and Employment Programme for Women (STEP)
- Women Empowerment and Livelihood Programme in Mid-Gangetic Plains
- Swadhar
- Short Stay Homes
- Working Womens' Hostel
- Ujjawala
- Gender Budgeting Initiatives
- National Mission for Empowerment of Women
- Family Counselling Centers
- Condensed Courses of Education of Women
- Awareness Generation Programme

Other Programmes

- General Grant-in-aid Scheme for Innovative Work on Women and Child Development
- Convention on Elimination of Discrimination against Women (CEDAW)
- Beijing Platform for Action
- UN Convention on the Rights of the Child

(Refer the chapter on Welfare in India Year Book and Economic Survey for details of these schemes)

Q. 26 Analyze India's Welfare Policy. What is the criteria on the basis of which an assessment of India's Welfare Policy and Schemes can be done.

Independent India embraced equality as a cardinal value against a background of elaborate, valued and clearly perceived inequalities. Her constitutional policies to offset these proceeded from an awareness of the entrenched and cumulative nature of group inequalities. The result has been an array of programmes that have been called as welfare schemes. It would not be unfair to say that these welfare schemes have been pursued with remarkable persistence and generosity (if not always with vigour and effectiveness).

Few in independent India have voiced disagreement with the proposition that the disadvantaged and vulnerable sections of the population deserve and need 'special help'. But there has been considerable disagreement about exactly who is deserving of such help, about the form this help ought to take and about the efficacy and propriety of what the government has done under this head.

There is no open defence of the practices followed in earlier times. Everyone is against untouchability and against caste discrimination. Public debate takes the form of argument among competing views of what is really good for the "lower" castes and for the country. These views involve a host of assertions about the effects – beneficial and deleterious – of social welfare schemes.

The evaluation of these schemes involves a two-stage inquiry. **First**, there is what we might call the problem of performance: does the scheme actually deliver the goods. **Second**, we need to evaluate what we might call the problem of achievement. Has the scheme produced the results that it is supposed to achieve – do more jobs for Scheduled Castes produce considerate treatment by officials, or stimulate educational accomplishment, or produce social integration? To what extent does delivering the jobs entail the costs alleged by critics of preferential treatment – stigmatizing the beneficiaries, fomenting group resentments, lowering self-esteem, and so on.

Q. 27 Based on the above mentioned scheme of evaluation can we say that India's welfare programmes have largely been able to meet their objectives?

Given the complexity and number of schemes, mechanisms, laws and institutions performance of these are difficult to measure: effects ramify in complex interaction with other factors. Compensatory policies are designed to pursue a multiplicity of incommensurable goals in unspecified mixtures that vary from programme to programme, from time to time, and from proponent to proponent.

However undeniably, welfare measures have produced substantive redistributive effects though redistribution is not spread evenly throughout the beneficiary groups. For instance, there has been a major redistribution of educational opportunities to the vulnerable sections. In the utilization of these opportunities, however, there is evidence for substantial clustering, which appears to reflect structural factors (for instance, the greater urbanization of some groups) more than deliberate group aggrandizement, as is often charged. The better situated among the beneficiaries enjoy a disproportionate share of programme benefits. This tendency, inherent in all government programmes is aggravated by a passive administration and by the concentration on higher echelon benefits.

The welfare schemes have brought a many-fold increase in the number of families liberated from circumscribing subservient roles, enabling them to utilize expanding opportunities and support high educational attainments.

However, if as critics of preferential programmes charge, receiving separate and special treatment in itself wounds and alienates the members of beneficiary groups, this is surely amplified by the hostility encountered on being identified as a recipient. As sources of alienation, these experiences must be placed against the background of more devastating manifestations of hostility, such as the much publicized assaults and atrocities perpetrated on Scheduled Castes.

Welfare programmes provide the basis for personal achievement and enlarge the beneficiaries' capacity to shape their own lives. However, though these programmes have kept the beneficiary groups and their problems visible to the educated public, they have not stimulated widespread concern to provide for the inclusion of the vulnerable sections, apart from what is mandated by government policy. Some may also offer these as an excuse to absolve themselves of any responsibility for the betterment of the vulnerable sections on the ground that it is responsibility of

the government. The pervasive overestimation of the amount and effectiveness of welfare reinforces the notion that enough (or too much) is already being done and nothing more is called for.

In conclusion, one can only say that these schemes should not be judged only for their instrumental qualities. They are also expressive: through it Indians tell themselves what kind of people they are and what kind of nation India is. These schemes express a sense of connection and shared destiny. Advantaged and disadvantaged are indissolubly bound to one another. There is continuity between past and future that allows past injustices to be rectified. They embody the brave hopes of India reborn that animated the freedom movement and were crystallized in the Constitution. If the reality has disappointed many fond hopes, the turn away from the older hierarchic model to a pluralistic participatory society has proved vigorous and enduring.

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