

# Scheduled Caste Welfare in India

Scheduled castes are those castes/races in the country that suffer from extreme social, educational and economic backwardness arising out of age-old practice of untouchability and certain others on account of lack of infrastructure facilities and geographical isolation, and who need special consideration for safeguarding their interests and for their accelerated socio-economic development. These communities were notified as Scheduled Castes as per provisions contained in Clause 1 of Article 341 of the Constitution.

## Constitutional mechanism for upliftment of SC

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The deep concern of the framers of the Constitution for the uplift of the Scheduled Castes and Scheduled Tribes and Other Backward Classes is reflected in the elaborate constitutional mechanism set-up for their uplift.

- Article 17 abolishes Untouchability.
- Article 46 requires the State 'to promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and to protect them from social injustice and all forms of exploitation.
- Article 335 provides that the 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 15(4) refers to the special provisions for their advancement.
- Article 16(4A) speaks of "reservation in matters of promotion to any class or classes of posts in the services under the State in favour of SCs/STs, which are not adequately represented in the services under the State".
- Article 338 provides for a National Commission for the Scheduled Castes and Scheduled Tribes with duties to investigate and monitor all matters relating to safeguards provided for them, to inquire into specific complaints and to participate and advise on the planning process of their socio-economic development etc.
- Article 330 and Article 332 of the Constitution respectively provide for reservation of seats in favour of the Scheduled Castes and the Scheduled Tribes in the House of the People and in the legislative assemblies of the States. Under Part IX relating to the Panchayats and Part IXA of the Constitution relating to the Municipalities, reservation for Scheduled Castes and Scheduled Tribes in local bodies has been envisaged and provided.

The Constitution of India has prescribed, protection and safeguards for the Scheduled Castes (SCs), Scheduled Tribes (STs) and other weaker sections; either specially or the way of insisting on their general rights as citizens; with the object of promoting their educational and economic interests and removing social disabilities. These social groups have also been provided institutionalized commitments through the statutory body, the National Commission of SCs. The Ministry of Social Justice & Empowerment is the nodal Ministry to oversee the interests of the Scheduled Castes.

## Ministry of Social Justice and Empowerment

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The Ministry of Social Justice and Empowerment is the nodal Ministry to oversee the interests of the Scheduled Castes. Though the primary responsibility for promotion of interests of the Scheduled Castes rests with all the Central Ministries in the area of their operations and the State Governments, the Ministry complements their efforts by way of interventions in critical sectors through specifically tailored schemes. The Scheduled Castes Development (SCD) Bureau of the Ministry aims to promote the welfare of Scheduled Castes through their educational, economic and social empowerment. Efforts made by State Governments and Central Ministries for protecting and promoting the interests of Scheduled Castes are also monitored.

# Initiatives taken for SC development

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## *Educational Empowerment*

Various scholarships are provided to the students belonging to the Scheduled Castes (SCs) to ensure that education is not denied due to the poor financial condition of their families. These Scholarships are provided at both pre-matric and post-matric levels. Scholarships are also provided to SC students for obtaining higher education in India and abroad, including premier educational institutions. The Scholarships can broadly be classified into the following three types:

- **Pre-Matric Scholarships** : The objective of the pre-matric Scheme is to support the parents of SC children for educating their wards, so that the incidence of drop outs at this stage is minimized.
- **Pre-Matric Scholarship to SC Student** : The objective of the pre-matric Scheme is to support the parents of SC children for educating their wards, so that the incidence of drop outs at this stage is minimized.
- **Pre-Matric Scholarship to the Children of those engaged in occupations involving cleaning and prone to health hazards**: This is also a centrally sponsored scheme, which is implemented by the State Governments and Union Territory Administrations, which receive 100% central assistance from the Government of India for the total expenditure under the scheme, over and above their respective Committed Liability.
- **Post Matric Scholarship for Scheduled Caste Students (PMS-SC)**: The Scheme is the single largest intervention by Government of India for educational empowerment of scheduled caste students. This is a centrally sponsored scheme. 100% central assistance is released to State Governments/UTs for expenditure incurred by them under the scheme over and above their respective committed liability.
- **Scholarships for obtaining Higher Education and Coaching Scheme**: These include:
- **Top Class Education for Scheduled Caste Students** : The objective of the Scheme is to promote qualitative education amongst students belonging to Scheduled Castes, by providing full financial support for pursuing studies beyond 12th class, in notified institutes of excellence like IITs, NITs, IIMs, reputed Medical/Law and other institutions. Scholarship is awarded to the eligible SC students on securing admission in any of the institutions notified by the Ministry.
- **National Fellowship**: The Scheme provides financial assistance to SC students for pursuing research studies leading to M.Phil, Ph.D and equivalent research degrees.
- **National Overseas Scholarship**: The Scheme provides assistance to students belonging to SCs, de-notified, nomadic, semi-nomadic tribes etc for pursuing higher studies of Master level courses and PhD programmes abroad.
- **Free Coaching for SC and OBC Students**: The objective of the Scheme is to provide coaching of good quality for economically disadvantaged SC and OBC candidates to enable them to appear in competitive examinations and succeed in obtaining an appropriate job in Public/Private sector. The Scheme provides central assistance to institutions/centres run by the Central/State Governments/UT Administrations, Central/ State Universities, PSUs, Registered Private Institutions, NGOs, etc. Coaching is provided for Group 'A' & 'B' examinations conducted by the UPSC, SSC, various Railway Recruitment Boards and State PSCs; Officers' Grade examinations conducted by Banks, Insurance Companies and PSUs; and Premier Entrance examinations for admission in Engineering, Medical and Professional courses like Management, Law etc.

## *Economic Empowerment:*

- **National Scheduled Castes Finance and Development Corporation (NSFDC)**: Set up under the Ministry, to finance income generating activities of Scheduled Caste beneficiaries living below double the poverty line limits (presently Rs 98,000/- per annum for rural areas and Rs 1,20,000/- per annum for urban areas). NSFDC assists the target group by way of refinancing loans, skill training, Entrepreneurship Development Programmes and providing marketing support through State Channelizing Agencies, RRBs, Public Sector Bank and Other Institutions
- **National Safai Karamcharis Finance and Development Corporation (NSKFDC)**: It is another corporation under the Ministry which provides credit facilities to beneficiaries amongst Safai Karamcharis, manual scavengers and their dependants for income generating activities for socio-economic development through State Channelizing Agencies
- **Special Central Assistance (SCA) to Scheduled Castes Sub-Plan (SCSP)**: It is a policy initiative for development of Scheduled Castes in which 100 % assistance is given as an additive to SCSP of the States/ UTs on the basis of certain criteria such as SC population of the States/UTs, relative backwardness of States/UTs, percentage of SC families in the States/ UTs covered by composite economic development programmes in the State Plan to enable them to cross the poverty line, etc. It 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 this Scheme, the States /UTs are required to formulate and implement Special Component Plan (SCP) for Scheduled Castes as part of their annual plans by earmarking resources
- **Scheme of Assistance to Scheduled Castes Development Corporations (SCDCs)**: Share Capital contribution is released to the State Scheduled Castes Development Corporations (SCDCs) under a Centrally Sponsored Scheme in the ratio of 49:51 between Central Government and State Governments. There are in total 27 such State-level Corporations which are working for the economic development of Scheduled Castes, although some of these Corporations are also catering to the requirements of other weaker sections of the Society, e.g. Scheduled Tribes, OBCs, Minorities etc. The main functions of SCDCs include identification of eligible SC families and motivating them to undertake economic development schemes, sponsoring the schemes to financial institutions for credit support, providing financial assistance in the form of the margin money at a low rate of interest, providing subsidy out of the funds made available to the States under the Scheme of Special Central Assistance to Scheduled Castes Sub Plan of the States to reduce the repayment liability and providing necessary tie up with other poverty alleviation programmes. The SCDCs are playing an important role in providing credit and missing inputs by way of margin money loans and subsidy to the target group. The SCDCs finance the employment oriented schemes covering diverse areas of economic activities which inter-alia include (i) agriculture and allied activities including minor irrigation (ii) small scale industry (iii) transport and (iv) trade and service sector
- **Venture Capital Fund for Scheduled Castes**: The objective of the fund is to promote entrepreneurship amongst the Scheduled Castes who are oriented towards innovation and growth technologies and to provide concessional finance to the scheduled caste entrepreneurs. The fund has been launched on 16.01.2015. During 2014-15, Rs.200 Crore were released initially for the Fund to IFCI Limited, which is a Nodal agency to implement it

- **Credit Enhancement Guarantee Scheme for Scheduled Castes:** The objective of this Scheme is to provide credit guarantee facility to Young and start-up entrepreneurs, belonging to Scheduled Castes, who aspire to be part of neo middle class category, with an objective to encourage entrepreneurship in the lower strata of the Society resulting in job creation besides creating confidence in Scheduled Castes. The Scheme has been launched on 06.05.2015. Initially, Rs.200 Crore has been released under the Scheme to IFCI Limited, which is a Nodal agency to implement it.

## *Social Empowerment*

- ***The Protection of Civil Rights Act, 1955:*** In pursuance of Article 17 of the Constitution of India, the Untouchability (Offences) Act, 1955 was enacted and notified on 08.05.1955. 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. Assistance is provided to States/ UTs for implementation of Protection of Civil Rights Act, 1955.
- **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989:** Assistance is provided to States/ UTs for implementation of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Financial assistance is provided to the States/ UTs for implementation of these Acts, by way of relief to atrocity victims, incentive for inter-caste marriages, awareness generation, setting up of exclusive Special courts, etc. Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No. 1 of 2016) was notified in the Gazette of India (Extraordinary) on 01.01.2016. The Amended Act came into force w.e.f 26.01.2016.
- **Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995:** PoA Rules were amended in June 2014 for enhancing the relief amount to the victims of atrocities to become between Rs.75,000/- to Rs. 7,50,000/- depending upon the nature of an offence. Further Amendment done in the Principal Rules namely the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016 have been notified in the Gazette of India Extraordinary on 14th April, 2016.
- **The 'Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013' (MS Act, 2013):** Eradication of dry latrines and manual scavenging and rehabilitation of manual scavengers in alternative occupation has been an area of high priority for the Government. Towards this end, a multi-pronged strategy was followed, consisting of the following legislative as well as programmatic interventions:
  1. Enactment of "Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993(1993 Act);"
  2. Integrated Low Cost Sanitation (ILCS) Scheme for conversion of dry latrines into sanitary latrines in urban areas; and
  3. Launching of National Scheme for Liberation and Rehabilitation of Scavengers (NSLRS).
  4. Self Employment Scheme for Rehabilitation of Manual Scavengers.

In spite of the above measures taken by the Government, manual scavenging continued to exist which became evident with the release of 2011 the Census data indicating existence of more than 26 lakh insanitary latrines in the country. Therefore, Government decided to enact another law to cover all types of insanitary latrines and situations which give occasion for manual scavenging. The 'Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013' (MS Act, 2013) was passed by the Parliament in September, 2013 and has come into force from 6th December, 2013. This Act intends to, inter alia, achieve its objectives to:

1. Identify and eliminate the insanitary latrines.
2. Prohibit:- i) Employment as Manual Scavengers and ii) Hazardous manual cleaning of sewer and septic tanks
3. Identify and rehabilitate the manual scavengers.