

Positions of Dalits in Indian Social System

Dr. M. M. Abu Tayyab

Department of Sociology
Shia P.G. College, University of Lucknow,
Lucknow-226020

Abstract

The Dalit Movement began as a protest movement in India. The Dalits (formerly correctly known as "Untouchables") with the "Other Backward Castes" are the majority of the Indian population. The word "Dalit" means "crushed" or "Crushed into a mass". The Dalits, also called as Atisudra, Panchama or Outcasts, at present constitute one of the most depressed and marginalized sections of Indian society. Socio-cultural exclusion, economic deprivation and political exploitation of centuries made them to break out of such kinds of age-old prejudices. Hence, they began to protest with the help of literatures, or forming organization, which came to be recognized as the Dalit Movement. This paper is an attempt to bring forth the various aspects of Dalit's lives that led to the movement, in the radiance of Dalit literatures and their current populations, positions and constitutional remedies in the society. As untouchability was outlawed under the Constitution of the Republic of India, when that Constitution was adopted in 1951, and as a policy was put in place of reserving a few seats for Dalits in government schools, hospitals, bureaucratic jobs, and so on, the fortunes of some Dalits improved to the point that there is now a so-called "Creamy layer" among Dalits. The existence of this "Creamy layer" along with the existence of what one may call a "Dry layer" among other castes, makes many Indians think that the problem of untouchability and caste-discrimination has been resolved and that nothing further needs to be done in fact, many are seeking even to abolish the reservations that exist for Dalits. There is also the complication that non-Untouchables have got them classified as "Dalits" in order to benefit from the reservations! However, the "Creamy layer" among the Dalits is extremely thin, and the vast majority of Dalits continue to face discrimination against them in social life as well as in employment opportunities. In fact, the reservations offer, in many cases, only a theoretical benefit, as many government schools exist even today only on paper! However, what is clear is that the policy of abolishing untouchability and offering reservations based on caste has been a mixed success - and that, so far, the majority of Dalits continue to be the majority of those who have benefited least from India's development since the country became independent. Much more needs to be done to ensure that the Dalits are on the path of progress. Fully one-third of India lives on less than US Dollars 1.25 a day. Another one-third of India's population lives on more than US Dollars 1.25 but less than US Dollars 2.50 a day. The majority of Dalits fall into these two categories. Some time ago, the Government of India commented to private companies that, in a liberalizing economy, private companies needed to do much more than they were doing to employ Dalits, and that if private companies did not improve their record, then the government would consider requiring private companies by law to reserve a proportion of positions for Dalits. Companies have done something but, like the government itself, too little so far and it is not clear whether the current administration has the ability or the determination to do more on that front. Meanwhile, the picture is complicated because for example there are now many poor families from other castes of course, they should also be helped to stand again on their own feet. On the other hand, some Dalits have made significant or even substantial economic progress. That progress is used as an excuse by the educated classes not to exert oneself greatly in relation to these problems (with a handful of exceptions, of course). My conclusion is that the problems that Dalits face have become invisible to educated Indians but are glaringly obvious to any interested observer of the country.

Keywords: Caste, Dalits, Sudra, Untouchable.

1. Introduction

The Dalit Movement can be called as a collective agitation of Dalits against the exploitation both in the form of class, caste and creed, cultural and social exploitation in the society. This exploitation is due to the discrimination followed by age old caste hierarchical tradition in the Hindu society. This hierarchy has been the cause for oppression of dalits in each and every sphere of society for long periods. It has subjected the Dalits to poverty and humiliation. The Dalit movement is a struggle that tries to counter attack the socio-cultural hegemony of the upper castes. It is a movement of the masses that craves for justice through the speeches, literary works, dramas, songs, cultural organizations and all the other possible measurers. So it can be called as a movement which has been led by Dalits to seek equality with all other castes of the Hindu society. According to Navsarjan (a Dalit organization) India's caste system assigns individuals a certain hierarchical status according to Hindu beliefs. Traditionally, there are four principal castes i.e., divided into many sub-categories and one category of people who fall outside the caste system that is the Dalits. As members of the lowest rank of Indian society, Dalits face discrimination at almost every level in the society from access to education and medical facilities to restrictions on where they can live and what jobs they can have. The discrimination against the Dalits is especially significant because of the number of people affected; there are more than 250 million Dalits in India, constituting over 24 percent of the total population. Within the Dalit community, there are many divisions into sub-castes. Dalits are mainly divided into leather workers, street sweepers, cobblers, agricultural workers, and manual "scavengers". The scavenger are considered as the lowest of the low and officially estimated at one million, traditionally are responsible for digging village graves, disposing of dead animals, and cleaning human excreta. The three-quarters of the Dalit workforce are working in the agricultural sector of the economy. A majority of the country's i.e., more than forty million people who are bonded laborers are Dalits. These jobs rarely provide enough income for them to feed their families or to send their children to school and medical facility. As a result of which, most of Dalits are uneducated, illiterate and poor in our society. The principals of untouchability and "purity and pollution" dictate what Dalits are and are not allowed to do; where they are and are not allowed to live, go, or sit; who they can and cannot give water to, eat with, or marry; extending into the minutia of all aspects of daily life. Now, the discrimination for Dalits does not end if they convert from Hinduism to another religion. In India, Islam, Sikhism, and Christianity among other religions maintain some form of caste despite the fact that this contradicts their religious precepts. As a result of which, the dominant castes maintain their leadership positions while Dalit members of these religions are often marginalized and flagrantly discriminated against.

1.1 The Caste System

The word Dalit literally translating to "oppressed" or "broken", is generally used to refer the people who were once known as "untouchables", those belonging to castes outside the fourfold Hindu Varna system. According to the 2011 census, there are some 250 million Dalits (referred to in the census as SC/ ST) in India alone, though there are tens of millions in other South Asian countries, as well. The caste system finds its origin in the form of functional groups, known as *varnas*, which have their origins in the Aryan society of ancient northern India. In their creation myth, four varnas are said to have emanated from Primeval Being. The Creator's mouth became the

Brahman priests, his two arms formed Rajanya warriors and kings, his two thighs formed Vaishya landowners and merchants, and from his feet were born Shudra artisans and servants. After, there developed a so-called fifth varna: Untouchables. The caste system became fixed and hereditary with the emergence of Hinduism and its beliefs of pollution and rebirth. The Laws of *Manusmitri*, which date roughly to the 3rd century A.D. and parts of which form the Sanskrit syllabus of graduation studies in Gujarat even today preach the sanctity of varnas and uphold the principles of gradation and rank. They refer to the impurity and servility of the outcastes, while affirming the dominance and total impunity of upper caste i.e., mainly Brahmins. Those from the lower castes are told that their place in the caste hierarchy is only due to their sins in a past life. The different punishments of torture and death are assigned for crimes such as gaining literacy or insulting a member of a dominant caste. In the writings of Hindu religious matters, the *Manusmitri* is one of the most authoritative one, legitimizing social exclusion and introducing absolute inequality as the guiding principle of social relations [1].

2. Dalit Movement

The term Dalit movement is normally used in Kannada literature; it generally refers to the movement of the 1970's and after 70's of the 20th century. But it is not in the first time that such movement has taken place. There are many such movements in the annals of Karnataka history. In the history of Karnataka, it was in the first time, in 12th century Basavanna raised his voice against caste discrimination in the northern part of Karnataka state. This social reform movement led by Basavanna in 12th century A.D. gave rise to a new kind of writing in Kannada literature. It is named as *Vachana Sahitya*. After this, a non- Brahmin movement took place in the old Mysore state in the year 1917. It was led by Vokkaligas and Lingayats of the then Mysore state. Its aim was to uplift the Socio-economical status of non Brahmin castes. This movement was supported by some organizations. They are-The Vokkaliga Sangha set up in 1906 and Central Muslim Association set up in 1909. After these developments among the non Brahminical castes of the then Mysore state, the honorable Maharaja of Mysore, Krishna Raja Wodeyar IV decided to give 75% reservation for non Brahmin castes in the administration of the State, other than these two movements it was *Dalit Movement* which emerged in 1970's aimed to bring social change. It took the responsibility of achieving equality in all spheres of life and establishing social justice to each member of the society. The other movements emerged during this period were Peasants Movement, Language Movement, Women's Movement, etc. The word *Dalit* was firstly, dominantly used by, the writers and Artist Federation of Karnataka in 1973. To understand the meaning of the word *Dalit* it is useful to know a few definitions about the word, Gangadhar Patwade, a Marathi Dalit writer says : For me the word Dalit denotes not Only caste, if means the man who is exploited economically, socially by the Traditional of the country. He does not believe in God, religion, rebirth, Holy books, Heaven, Hell of this land, since all these things have made Him a slave, he believes in Humanism, The real symbol of present Dalit is Change and revolution. According to Basavalingappa a Dalit ex-minister of Karnataka Government, the word *Dalit* means: The word *Dalit* is not pertaining to any caste, it includes the poor, exploited, and workers of all castes. Who are unable to work upright in the society are regarded as Dalits But a few others gave different definition for the word *Dalit*. Among them Prof. Aravinda Malagatti defines: The people who are economically, socially Politically exploited from centuries, unable to live in the society of human beings have been living outside the village depending on lower level of occupation, and unable to spell Out their names, lived as *untouchable* are regarded as *Dalits* This difference of opinion can be seen on the question who are Dalits? But most of the people believe that, the word Dalit mainly pertaining to the untouchables. The untouchables are the group of people, who exploited in every sphere of life. The Dalits are called by other different names also: Dasyu, Dasa, Atisudra, Panchama, Tirukulattar, Adikarnataka, Adi Dravida, Schedule-Caste etc. but Dr. Ambedkar termed them as *Depressed Class* [2].

2.1 The Birth of Dalit Movement:

The opportunity to get education after independence ushered new thinking from among the Dalits. One of the causes for emergence of Dalit movement in Karnataka was the speech of Basavalingappa. Basavalingappa was then one of the ministers of Karnataka Government. He was invited to a function in Mysore on 15.11.1973, and then in his speech on “*Tradition, social structure and New Views*”, he said that Kannada Literature is Boosa literature. The intension behind calling Kannada literature as *Boosa* (fodder) was misinterpreted in media. Then pseudo Kannada lovers protested against this statement and demanded for the resignation of Mr. Basavalingappa. Basavalingappa was made to resignation for his ministerial berth. This incident made the Dalits to get knit together to lit the lamp of enlightenment. The second incident happened in Kolar on October 23rd 1971. The Potter Sheshagiriappa was killed by upper castes in a land dispute. This incident was also taken up by the Dalita Sangharsha Samiti to seek justice. The third factor was the problems of factory workers in Badravathi, Shimoga District. It gave rise to the establishment of *Dalita Sangarsha Smithi* (DSS) in Badravathi. In spite of all these stray incidents, the main guiding principle was Ambedkar and his writings. Ambedkarism is the main back bone of all Dalit movements, emerged from the different parts of India in general, Karnataka in particular. All these factors become important reasons for the emergence of Dalit movement in 1974 under the eminent leadership of Prof. B. Krishnappa in Karnataka. The Dalit movement erupts like a volcano all over India around 1970. The Dalit movements are called by different names in different states of the country [7], such as:

1. *Dalit movement* in karnataka
2. *Nama Sudra* movement in Bengal
3. *Adi-Dravida* movement in Tamilnadu
4. *Adi-Hindu* movement in Kanpur
5. *Ad-Dharm Movement* in Punjab
6. *Untouchable movement* in Maharashtra
7. *Pulaya movement* in Kerala

2.2 Growth of Dalit movement in Karnataka:

The birth of Dalit movement in a way, it is the birth of awareness among Dalit's, which can be termed as *Dalit consciousness*. Dalit consciousness is a mental state of people, who always aspire to throw away the yokes of exploitation. It may be economical inequality, social inequality, or cultural inequality in the society. Dalit consciousness does not accept somebody is superior to others. It rejects such an ideology. Due to Dalit movement D.S.S. branches were opened in many villages of Karnataka state. New revolutionary songs were written by eminent writers and activities. These songs were sung in every village. Educated Dalit and intellectuals begin to talk about the problems of poor and about exploitation and humiliations from the upper castes without any hesitation educated Dalits tried to explain to the other illiterate brothers about the required change in the society. Dalit Movement gave rise to the birth of many writers and journalists. Due to the new consciousness about the ideas of Dr. Ambedkar a new group of thinkers emerged among Dalit community. Many writers and journalists through their writing made the people to be aware of exploitation and atrocities carried on them. Inspired by the intelligentsia of the Dalit community, thousands of students, lawyers, peasants, workers, officers, writers, and people of all occupations joined the movement to wrestle against the age old caste imposition put on them. The important writers of Dalit movement in Karnataka are Devanoor Mahadeva, Dr. Siddalingaiah, Prof. Arvinda Malagatti, Mullur Nagaraj, Ganga Ram Chandala. Dr. M.N. Javaraiah (MANAJA) Dr. Govindaiah, Munivenkatappa, K.B. Siddaiah, L. Hanumanthaiah, H. Balaraju, Indudhar Honnapura, Devaiah Harave, and Mogally Ganesh etc. As the results of movement, number of Journals and Dailies came out. Many of them served as the mouth piece of the movement. The important journals among them are:

1. 'Ambedkar Vahini' by Polanki Ramamurthy
2. 'Andholana' by Rajashekar Koti
3. 'Panchama' by Govindaiah
4. 'Dalit voice' by V.T. Rajashekar
5. 'Hosa Dikku' by M. Gopinath etc.

Nowdays the *Dalapada* awards are given by 'The Karnataka Dalapada Academy' for the writers and workers who work for the movement and for the social change. The early period of the Dalit movement was restricted only for the social problems of poor without putting any barrier of caste. The movement entered politics in 1983. Then the ambiguity can be seen among the leaders of the movement while taking political stand. One of the founder leaders of Dalit movement in Karnataka, Professor Krishnappa wanted to follow the footsteps of Dalita Soshita Samaj Sangarsha Samiti of Uttarpradesh and ask the people to support B.S.P. in the state. But rational thinkers like professor K. Ramdas and others wanted to continue this movement without entering directly to the politics of the state, but by becoming the pressure group in the politics. A few more leaders in the movement began to think that our nation and state was ruled by Congress party since independence and it failed to eradicate Dalit problems. It proves futile to achieve constitutional goal. It was the party which defeated Dr. Ambedkar in his contest for the drafting committee of the constitution. They decided to support a non-congress party in the state. The leaders of the Dalit movement argued that our political leaders who were elected from reserved constituency were unable to avoid the atrocities which have been happening on Dalits. They never raised their voice in assembly to get facilities for the poor dalits from the government. So they made canvas against those Dalit politicians and it resulted in defeat of Dalit politicians in KGF and in T. Narasipura etc. in 1985 DSS declared its support to Janata Party. This decision of the leaders led to the partition in D.S.S. The people who were supporting political parties believed that, our problems can be solved through politics. And they believed in *Ballot* than *Bullet*. They argued that „being the citizens of democratic country they believed in the ways of *Buddha*, *Basvanna*, and *Ambedkar* and they recognized their group as *Active Committee* (Sanchalaka Samithi) of D.S.S. The other group of people who thought of staying away from the politics was influenced by Karl Marx theory, they showed their interest to struggle against government themselves as “*Coordination committee*” (*Sanyojaka Samithi*) of D.S.S. In the later period even is the Active committee of D.S.S. again splits in to two divisions. They are '*Praja Vimochana Chaluvali*' (PVC) Karnataka *Samata Sainkika Dala* (SSD). The group of people who believed in Democracy again supported the Janata Party. But local parties were able to attract the local leaders of the movement by offering money, and position in the party, gradually lost its importance as a movement having the aim of social change. It is became a puppet in the hands of professional politicians, mean while the Dalit movement in the different states also entered politics for example *Dalita Mahasabha* of Andra Pradesh, *Dalit Panthors* of Maharashtra. The leaders of the movement entered into the politics because they believed that: “*The power is needed to destroy the power*”, they having a great faith in the political power, enthusiastically entered the politics. But due to the lack of quality leadership and organizing capacity, they failed to get the real political power. The entry of D.S.S. to the field of politics created a gap between the leaders and cadres of the movement. The common people were more confused by the leaders in supporting a particular party, because the leaders of the movement were supporting different parties for the sake of money and to fulfill them personal desires.

The other organizations of the Dalit movement are:

1. Karnataka Dalita Sangarsha Samithi (Active Committee)
2. Karnataka Dalita Sangarsha Samithi (Coordination committee)
3. Karnataka Dalita Sangarsha Samithi (Ambedkar Vada)
4. Karnataka Dalit Federation Committee
5. Karnataka Dalit Kriya Samithi

6. Karnataka Samata Sainka Dala
7. Karnataka Janandolan Sangha
8. Karnataka Dalita Kriya Vedike
9. Praja vimochana movement
10. Ambedkar Jagratha Maha Samithi
11. Karnataka Dalita Jagruthi Samithi
12. Dalit writers forum
13. Karnataka State SC/ST Federation
14. Karnataka Dalita Artists Federation
15. Karnataka Dalita Vidyarthi Okkuta
16. Karnataka Madiga Dandora
17. Karnataka Women Federation

The Dalit movement in Karnataka worked through these organizations. Recently the D.S.S. has launched a new party in the state named as *Sarvodaya Karnataka Party* with the help of *Raitha Sangha* of Karnataka, Devanoor Mahadeva and K.S. Puttannaiah of the Raitha Sangha, are the main leaders of this party. But we have to wait and see the progress of this party in Karnataka state politics. Other than this a few leaders of D.S.S. began to introspect themselves for the result of D.S.S. struggle in Karnataka and many leaders agreed that, they have not succeeded in their attempt to take this movement for a higher level so a few people like Sridhar Kaliveer and other thought of going for a different way and they suggested *Bahujana Samaj Party* is other alternative for the prevailing condition in Karnataka. Now, Dalits of Karnataka are eagerly waiting for the result how for this decision is going to give fruit to Dalit people. It is concluded that the Dalit movement which was born to achieve its aims of bringing equality and peace and prosperity to the people has not achieved its goal, may be due to the fact that it had become a reactive element. The protests or the strikes are happening only when exploitation come to light through newspapers. A few programmes are arranged, only during the birth day of Ambedkar, and the day of his Parinibbana (death day) on 14th of April and 6th of December respectively. Otherwise, the movement and the organizations are inactive without any protest or agitations, till they come across any new atrocities. But one has to agree to the point that, the Dalit movement as created awareness in the society and it gave self respect to the poor Dalits. It really created an identity to the people. This movement opened the eyes of upper caste educated masses about their wrongdoings, and their unjustified atrocities on the weaker sections of the society, for the first time in the history of Karnataka. People came to know about their strength and they had come to know that the practice of untouchability is punishable according to the law. It was the first time after independence people began to revolt against wrong conventions, they made number of protest all over the state irrespective of castes. This movement helped many microscopic minorities to unite among themselves under one organization. This period is considered as questioning period, about the inhuman behavior of conventionalists. And it affects every field in the state of Karnataka. It is known that the pioneers of many movements were the commoners. They only have the capacity to bring in change in the existing order. Movements are needed for the poor only. The people who are the beneficiary of the present may not bother about the people who are suffering, because they have utilized the disunity, dis-integrity and poor conditions of the lower caste people to their advantage. They have collected all the fruits of hard work done by poor. So they are never bothered about the condition of the society, therefore these kinds of movements are necessary for the depressed classes of the society to make revolutionary and radical changes in the society, such movement play a surgical role in the society, where all the people can live with equality. In one of his speeches, about the importance of the movement to the society professor, D. Javaregowda, ex-vice Chancellor of Mysore University has said: *The decline of this country means the decline of sudra and atisudras of this land.* They were exploited for thousands of years, to uplift these people it may take

one or two centuries in order to decrease this period, this kind of movements and revolutions are necessary.

2.3 Dalit Literature:

While talking about Dalit movement in Karnataka, one cannot forget its contribution to the field of Kannada literature. It gave rise to a new trend in literature named as *Dalit Literature*. It emerged out of friction in religion, political, economical and social fields. Dangle, a Marathi Dalit writer and the thinker says that “the Dalit literature is neither a caste literature nor a literature of vengeance and not a literature which spreads hatred but it is associated with Dalit movement to bring change.” The Kannada Dalit literature emerged in a different platform due to the disagreement of *Kannada Sahitya Parishath* (The State association for Kannada literature) to present a programme named as *Dalita Bandaya Sahitya Sammelana*, in 1979 in the annual programme of Association. It led to the separate forum in literature called Dalit literature by Dalit writers Association. After having different literary forum it began to include the women writings, and writings of minorities (Muslims), by thinking that, they are also exploited from the Hindu society and they too expect change in the existing condition. Some educated sudra writers also contributed for the growth of Kannada Dalit literature. After sometimes the sudra’s who had sudra consciousness in their mind, they revolted against the Brahmanical tradition to bring equality in society. They decided to go hand in hand with Dalits and Dalit movement. They realized that it is a healthy society, that they can live peacefully only when there is a harmony between both Dalits and Sudras. What is Dalit literature? Is it a literature written by Dalits on their own lives or it includes the literature written by non Dalits on Dalits? The questions lead to a very comprehensive discussion. But it is very difficult to draw a boundary line in between these two types. Dalit literature refers to the writings of Dalits on Dalit life. The Dalit writers argued that the experiences and the humiliation undergone by Dalits cannot be imagined or explained by non dalit writers. So anyone may find slight difference in the writings of non dalits on dalits. In this discussion many writers from both dalit and non-dalit communities were participated. Non dalits who wrote about Dalit life were identified as only *protest writers*. Because they were not suffers of “untouchability”. They expressed their anger against the injustice of the society. Their ideas were more concerned with economic inequality. But the prime concern of Dalit writers was social injustice. So these Dalit writers considered their own writings as Dalit literature. They concluded the writings of *non-dalit* on *dalits* as protest literature. This conclusion of few Dalit writers has made a negative impact on the non dalit writers who were writing on Dalit life. If more works to come out by non-dalits on dalits, it may contribute towards making Dalit literature more fascinating. Dalit literature has expressed itself in several genres such as:

1. Poetry
2. Prose
3. Short stories
4. Autobiography
5. Drama

Through these genres Dalit literature serve the society to remind the mistakes and faults of the society. The writings of non-dalits on dalits and Dalits on themselves is differentiated by Narendra Jadhav as follows: “The difference is that between the love of a mother and love of a nurse” The Dalit literature is comparable to the Black literature of Africa, the notion, feelings, pain, exploitation, harassment, expressed here could be seen even the writings of Chinua Achebe, N.Gugi Wa Thiango, Wole soyinka etc. There is a similarity between the tradition and cultures expressed in the writings of Dalits of India and these African writers. Dalit literature is special than other literature because the Dalits who lived out of villages able to preserve their rich culture. It is not contaminated or altered by mingling with other cultures. Such culture gets expressed of its custom, belief in its adaptability of language. The language looks totally different from the other existing languages, style, presentation, subject matter etc. The feature of Dalit literature is, it tries to compare the past situation of Dalits to the present and future generation not because to create hatredness in Dalits towards upper

castes. But to make them aware of their pitiable condition and to show them a way to channel their struggle against the oppressors. Many writers in the past were writings about the kings and queens and their pastimes. All those writings came out just to get benefit from the kings by praising them. Some poets compared their guardians or kings and queens for the great heroes and heroines of legends. Even they went up to the extent of comparing them to the Gods and Goddesses. All these metaphors are questionable in the present time. They were not successful themselves in bringing their contemporary world or situation to the present readers. They never dealt about the common people, who had been working since morning till evening. One can find hardly the works which subjected common man, who served in the court of king by undergoing through the process of castration. There are not many poems about common soldier, who dies for the eccentric wars which king made against his neighbor without caring for the lives of soldiers. There are not many works which were written on these subjects in the past days. One never gets the description of women whose husbands died in the war field and about their condition. It happened because the situation or the atmosphere which existed in those days restricted the writers to write on a few subjects. Therefore, it was Dalit movement which made everyone in the society to look towards the last man of the social hierarchy of the caste system. Before Dalit literature, the literature which existed earlier, concentrated only on one class of people and it gave lesser importance for the subjects concerning the Dalits. So without Dalits as a subject the past works may be regarded as a partial literature because of its failure to concentrate on the last human being who lived contemporary life. Dalit literature is rare and rich literature, its variety was available through the writings of new writers. Its importance is rightly put forth by eminent writer Devanoor ahadeva: If handful of depiction of Dalit world in my stories could change the direction of Kannada literature, it is unimaginable to think what change may happen if every man of this Dark Continent speaks. Dalit literature came out by the educated Dalits, and it successfully reached uneducated Dalits also, through folk songs and simplicity of language. It created awareness among the sleeping community in the den of illiteracy, without knowing the reason for their plight. Through this successful reaching their men, it fulfilled the message of Dr. Babasaheb Ambedkar who instructed the educated Dalits about what are their responsibilities in awakening, uplifting them to achieve equality. One of the Chief features of Dalit literature is protest and rejection of Brahmanism but not the Brahmins. The Brahmanism is a mental state which accepts superiority over another man. It affixes inferiority to another fellow in the hierarchy of caste system. It gives more respect and more profit for the caste which is up in the ladder of caste system, and as it goes down the ladder Profit and respect also decreases. Its contribution for the dalit (Scheduled) caste which is lowest of all the castes is nothing but exploitation, jeering, mockery, and slavery. This mental state of Brahmanism not only exists in Brahmins but also be in Sudras, who simply ape the ideas of Brhmanical practices without testing them with scientific temperament. The contribution of Dalit literature in Karnataka to the field of Kannada literature is less in size, if it compared with Marathi Dalit literature. But it has clearly depicted the pangs of Dalits to the external world which they had been tolerating since centuries together.

3. Present Scenario of Dalits Population

The Indian caste system spreads a sequence of same type of system in the surrounding parts of the sub-continent which includes Nepal, Pakistan, Sri Lanka and Bangladesh. In general, as Hinduism spread from northern India to the southern part of the peninsula establishing itself as the dominant religion by the pre-Christian era, so spread the caste system and its ideology justifying the superior standing of the system's aristocracy. The Caste even migrated with the South Asian Diaspora to firmly take root in East and South Africa, Mauritius, Fiji, Suriname, the Middle East, Malaysia, the Caribbean, the United Kingdom, and North America. But the Asia remains the continent with the largest populations of Dalits. There are today in Asia well **over 200 million men, women and children enduring near complete social ostracism on the grounds of their descent.**

In the neighboring countries, Bangladesh and Nepal, the types of discrimination faced by Dalits are similar to those existing in India. Notions of purity and pollution are prevalent within society, social restrictions, and discrimination in access to public places or jobs are therefore commonplace. The Nepal's situation is noteworthy as not even a fringe of the 4.5 million Dalits i.e., over 20% of the Nepalese population, has been able to significantly emancipate itself. Due to no affirmative action measures, there are practically no Dalits in Nepal's legislative assemblies. The literacy rate of Nepalese Dalits is only around 10%, while that of Nepalese Dalit women is even lower. Now over 80% of Nepal's Dalits find themselves below the official poverty line and their life expectancy is not more than 50 years. Also in Pakistan, as well as in Sri Lanka, the caste system is somewhat less rigid in the sense that it does not hold any ritual pollution concepts. The features such as social distance and restricted access to land are still very much a reality. Now the Swat region in northern Pakistan also practices extreme forms of humiliation against Dalits, and especially Dalit women.

According to the 1991 Census there were about 138,200,000 Dalits in India and they constituted about 16.5% of the entire population of India. The 2001 Census has now been completed. The total population has risen to over one billion, but we do not know yet what the Dalit total is; however, if past trends continue, we may safely assume not only that the Dalit population will also have increased but also that the Dalit proportion of the total population has risen as well. *Dalit* (Oppressed) is the name which the people belonging to those castes at the very bottom of India's caste hierarchy have given themselves. Formerly, they were known as Untouchables, because their presence was considered to be so polluting that contact with them was to be avoided at all costs. The official label for them has been Scheduled Castes, because if their caste is listed on the government schedule, caste members become eligible for a number of affirmative action benefits and protections. Dalits have chosen the *Dalit* label for themselves for at least three important reasons. First, the label indicates that the condition of the Dalits has not been of their own making or choosing; it is something which has been inflicted upon them by others. Thus, secondly, there is an element of militancy built into the label; Dalits seek to overcome the injustices and indignities forced upon them so as to gain the equality and respect hitherto denied them. "Dalit" also indicates that all these castes (Pariahs, Chamars, Mahars, Bhangis, etc.) share a common condition and should therefore unite in a common struggle for dignity, equality, justice and respect under a common name. Even with this promise of upliftment through reservation, Dalits continue to be discriminated against throughout Gujarat. The number of atrocity cases against Dalits and the practice of untouchability continue to occur at alarming rates throughout the state, especially when compared to other Indian states [6].

According to 2001 census, Dalits make up **16.2% of the total Indian population**, but their control over resources of the country is marginal less than 5%. The half of the Dalit population lives under the Poverty Line, and even more than 62% are illiterate. Among the Dalits, most of those engaged in agricultural work are landless or nearly landless agricultural laborers. The average household income for Dalits was of Rs. 17,465 in 1998, just 68% of the national average. Less than 10% of Dalit households can afford safe drinking water, electricity and toilets, which is

indicative of their deplorable social condition. Moreover, Dalits are daily victims of the worst crimes and atrocities, far outnumbering other sections of society in that respect as well. The vast majority of these crimes remain unreported due to the omnipresent fear, and those that are reported are often ignored by police or end up languishing in the backlogged court system. Between 1992 and 2000, a total of 334,459 cases were registered nationwide with the police as cognizable crimes against SCs. The Dalits remain the most vulnerable, marginalized and brutalized community in the country. If we compared to the states like Punjab, Himachal Pradesh or West Bengal where Dalits constitute more than 20 per cent of the population, Gujarat counts a fairly low proportion of Dalits. According to the 2001 Census, there are approximately 3.6 million members of Scheduled Castes in Gujarat, which represents **7.1% of the state's total population**. This relatively low figure is, however, inversely indicative of their miserable condition. The above 80 per cent of the Dalits in Gujarat are daily wages labourers, the majority of which are in the agricultural sector. The half of the SC population is landless or owns less than one acre of land, which forces them to work on higher castes' land for their survival. Due to the dependence and the quasi-inexistence of labour welfare in Gujarat, Dalits are subject to immense pressure and utter discrimination. The atrocities committed against them are a daily reality, with more than 4,000 cases reported in the span of 3 years in just 14 districts. Manual scavenging is still very much prevalent also, the State's institutions in Gujarat themselves employing Dalits to clean dry latrines. The Gujarat has a poor human rights record and must extend and focus its attention to its minorities if it is to be worthy of the kind of image it likes to give itself. The government of Gujarat has implemented certain policies designed to uplift those belonging to the Scheduled Castes into higher positions. The most prominent is the reservation system, where certain seats in the government are set aside only for Dalits. In Gujarat, 7% of seats in the government and education sectors are reserved for Dalits in comparison to 14% set aside on the national level. This amounts to 2 of the 26 Members of Parliament (MP) and 13 of the 182 Members of Legislative Assemblies (MLA) currently held by members of the SC. Even with this promise of upliftment through reservation, Dalits continue to be discriminated against throughout Gujarat. The number of atrocity cases against Dalits and the practice of untouchability continue to occur at alarming rates throughout the state, especially when compared to other Indian states. There are also established reservation systems in place at the district, block, and village levels throughout the state. According to 2011 census, there are 166,635,700 SC and 84,326,240 ST in India that covers around 16.2% and 8.2% of the total Indian populations.

4. The Political Strategy

By historically and currently Dalits have adopted four strategies, singly or in combination, in order to attain these ends. The first and most dominant has been the political strategy of gaining power either as an end in itself (if you have power, others come to you and you do not have to go begging to them) or as a means to other ends (e.g., greater economic and educational opportunities). International Journal of Frontier Missions However, Dalits has been divided over whether to pursue political power independently of other castes or in alliance with those members of other castes and communities whose interests and ideals are close to their own. For example, there are at present Dalit members of Parliament and of State Legislative Assemblies, as well as Dalit party

workers, in virtually all the major political parties, including the Prime Minister's Bharatiya Janata Party, which in its traditionalist Hindu ideology, is quite anti-Dalit. There are also exclusively Dalit political parties at the regional level and two Dalit led political parties, the Bahujan Samaj Party of Kanshi Ram and Ms. Mayawati as well as the Republican Party of India, have members of Parliament as well. The Dalit debate within and between the various parties over whether to get whatever share of power Dalits can through whatever alliances are most expedient or to maintain pressure from outside on those in power by maintaining some ideological and programmatic unity, at least among Dalits themselves if not with other disadvantaged groups (tribals, religious minorities, women, the poor in general) as well, has yet to be resolved. As this brief description suggests, there is little political unity among Dalits at the present time and many are wondering out loud whether the political process can deliver what Dalits have every right to expect from it.

5. The Economic Strategy

The next second strategy has been economic. Not only are Dalits extremely poor (almost half of them living below the poverty line as compared to less than one-third of the rest of the population) but they are also almost totally dependent upon the dominant castes for their livelihoods as agricultural or urban labor. Thus many Dalits have sought greater economic independence, both as an end in itself and as a means to other ends (e.g., political power, educational opportunity). During the past decade a good number of international development agencies, both religious and secular, have also adopted this strategy by funding a variety of grassroots Dalit organizations engaged in a range of community development activities. These activities focus on such things as small-scale industries, teaching new skills, educating Dalits on how to take advantage of government development assistance, developing cooperatives. The task is enormous. Over 75% of the Dalit population is still rural and so these activities have to be carried out village by village. They also face opposition within each village from members of the dominant castes who want to keep Dalits as an impoverished and dependent source of cheap labor.

6. The Social Strategy

The third next strategy, which can be described as social, has two components. Education is one. If Dalits become literate (10.2% in 1961, 37.4% in 1991) or even educated, they can move beyond unskilled labor, earn more money, and so gain greater respect. The other is making life-style changes which get rid of those practices considered especially *low* or *polluting* and substituting those of the *higher* castes instead. For example, they should give up eating certain meats and cease working at certain jobs (e.g., cleaning latrines). The aim of education and life-style change has been to remove some of the more obvious reasons for anti-Dalit prejudice. The social strategy was adopted by the Christian missions over a century ago and it still dominates the churches thinking about improving the Dalits. Today there are churches which are not only giving special priority to Dalits in some of their institutions of formal education, but are also developing job oriented, non formal educational projects to enhance skill development. The social strategy has also undergirded much of the affirmative action policy built into India's constitution. The assumption is that if Dalits get educated, get better jobs, and earn more money so as to raise their class status, then their caste status (measured in terms of mutually respectful and friendly relations with members of *higher* castes) would improve also. The problem has been that the government (controlled by the dominant *higher* castes) has never fully implemented all the progressive affirmative action legislation it has passed into law. This is a source of great resentment, especially among educated Dalits [6].

7. The Religious Strategy

The fourth and final strategy has been religious in nature. Its moderate form involves reform from within one's own religious tradition. For example, some Hindu sects have renounced caste hierarchy and some Hindu reformers, Gandhi being the best known; have sought to *uplift* the Untouchables. The more radical religious option, however, has been The Dalit Situation in India Today. Over the past 125 years, so many Dalits have converted to Christianity that today the majority of the Christian population of India is Dalit! For example, over the past 125 years, so many Dalits have

converted to Christianity that today the majority of the Christian population of India is Dalit! Following the induction of their great leader, Dr. B. R. Ambedkar, into the Buddhist Sangha in 1956, several million Dalits have become Buddhists. What a new religion offered to the Dalits was a new identity defined by religion rather than by caste, as well as a more egalitarian religious counterculture. This has been only partially successful. No matter what goes on in Christian or Buddhist circles, most Indians still think in terms of caste and so simply assume that anyone who is a Christian or Buddhist is a Dalit. Moreover, both Christian and Buddhist Dalits were denied the affirmative action benefits and protections granted to other Dalits; in 1990 the Buddhist Dalits became eligible and Dalit Christians are still ineligible. By denying these to Christian (and Muslim) Dalits the government is in fact providing strong economic disincentives to conversion and strong economic incentives to Christian Dalits to return to the Hindu fold.

8. The Christian Dalits:

As this brief analysis suggests, the present situation of Dalits in India is complex and confusing. There are no obvious, agreed upon solutions to the problems which the Dalits face; the way forward in the Dalit struggle is by no means clear. However, there are a few trends visible among Christian Dalits which are quite important for Christian thinking on this subject. First and foremost among these is a growing acknowledgement that they are Dalits and that conversion to Christianity has not really changed that significant fact of their lives, despite hopes and promises to the contrary. Most Christian Dalits thus have a dual social and psychological identity, Christian as well as Dalit, and have to live with the tensions built into that dual identity. A second trend is an increasing assertion of Dalit identity as a positive thing, a source of pride rather than of shame. In this they (rightly) challenge pervasive cultural norms. One expression of this assertiveness is Dalit Theology; another is a harsh critique of those missionary and Indian Church leaders who, in their efforts to *Indianize* the Church, have equated "Indian" culture with Brahmanic instead of Dalit culture. (One reason why Dalit Christians have resisted a lot of efforts to *Indianize* the theology and liturgy of the Church is because they are fed up with the Brahmanic culture which they converted to get away from!) Perhaps most obvious of all are the persistent efforts to *raise the caste issue* and exorcise the demon of caste discrimination (which is *Legion* and takes many forms) within the churches themselves. Until this is done, the churches cannot embody much *good news* for their own Dalit members, let alone for other Dalits. Finally, there are Christian Dalits who are staunch advocates of each of the four Dalit strategies described above and are working hard at implementing those strategies. I see no evidence that one strategy, or even one combination of strategies, has become clearly predominant in Dalit Christian circles. What does seem evident, however, is that over the past two decades Christian Dalits are working more closely with other Dalits to achieve common aims and objectives than was true earlier. *Dalit Solidarity* is an end and means much desired but difficult to achieve; yet many Dalit Christian leaders have come to the conclusion that their Christian hopes for their own people cannot be realized in isolation from the realization of the hopes of all the Dalit people.

9. Ambedkar's View on Dalits

In the case of Dalit's analysis the contribution of Dr. B. R. Ambedkar is much important. He analyzed the Hindu society and the caste system before starting his fight against untouchability and the caste system. He was a scholar as much as a man of action in any case before becoming one. In his writings, Ambedkar tried hard to show the mechanisms of the caste system and clarified the origin of untouchability in order to support his fight against inequality. According to him, if the lower castes were not in a position to overthrow their oppressors, it was due to two reasons: they had partially internalised hierarchy; and because of the very characteristics of caste based inequality. The internalization of hierarchy was largely due to that M.N. Srinivas was to call the sanskritisation process that Ambedkar, in fact, had identified very earlier. As early as in 1916, Ambedkar presented his first research paper at Columbia University and explained that the caste system could not have been imposed by the Brahmins over society, but that it took shape when they were able to persuade other groups that their values were universally superior and that they had to be emulated by other persons of the society, including endogamy, a marital rule which closed the system upon itself. The

kind of inequality inherent in the caste system is called *graded inequality* by Ambedkar in a very perceptive manner. In *Untouchables or the Children of the India's Ghetto*, he contrasts it with other varieties of inequality which were not so difficult to abolish or correct. In the Ancient Regime, the Third State was able to raise itself against the aristocracy and the monarchy. In the industrial societies, working class can raise itself against the bourgeoisie. The type of inequality from which the caste ridden society suffers is of a different kind because its logic divides the dominated upper caste groups and, therefore, prevents them from overthrowing the oppressor. In a society of *graded inequality*, the Bahujan Samaj i.e., the big mass of society is divided into the lower castes the Dalits and the Shudras and the Dalits themselves are divided into many jatis. One of the main objectives of Dr. Ambedkar was first to unite the Dalits and, then, the Bahujan Samaj and, second to endow them with a separate identity which would offer them an alternative route different from sanskritisation. [3].

10. Gandhi's View on Dalits

The Harijan word was generally used by Gandhi ji and his harijan upliftment movement was an important part in the constructive programme. Some of the readers of Navajivan suggested Gandhi to use the word Harijan as a substitute for the word *Antyaja* means *last born*. The word Harijana was first used by a Gujarati poet that means *men of god* who are abandoned by society. It was started to eradicate the evil of untouchability but it in an indirect way helped the Indian national movement. Most of the movements which started and confined locally provided an atmosphere which was conducive for the ongoing Indian national movement. It helped to mobilize the masses those were till then kept distant from the political activities. Later it helped in generating a spirit among these untouchables to organize them. The old Indian social organization and society was based on the Varnas. The religious, economic, political and social life of the individual was determined by the Varna in which he was born. His or her rights and duties were determined by the very birth in a particular Varna. This system put the Brahman at the top and the Shudras at the lowest strata of the social organization. There is a clear difference between the Varna and the caste. The word Varna refers to the *colour* and consequently to the duties assigned to the persons born in their respective Varnas. The Caste refers to profession which a person adopts. Thus there may be many professions in the same Varna. In the beginning, persons adopted different professions on the basis of their own choice-physical fitness and mental aptitude-but for long it remained confined to their own Varnas. Gandhi ji firmly believed in the Varnadharma and never doubted its utility. According to him, Varnashrama does not mean a graded system of untouchability, it does not mean to me grades at all. It is not a vertical division. It is a horizontal one. In my view, all Varnas stand absolutely on the same plane, i.e., of equality. Hence there can be no question of untouchability. Varnadharma is a mighty economic law which, if we subscribe to it, would save us from the catastrophe that is in store for the world. The caste-Hindus had certain privileges which were denied to the lower castes of the society. Later on a fifth group named *Namasudras* were added to the already existing division. They were even lower in social scale than the sudras. They were also called *Panchamas* or *pariahs*. As these, the people were very much lower than even the sudra, they were called *untouchables*. They were required to do the *unclean* work, such as sweeping, scavenging etc. In some parts of South India, the shadow of those untouchables was regarded as pollution. In rural as well as in urban areas also the conditions of the untouchables were the same. The rural population who went to the urban areas absorbed almost entirely in ill-paid, menial service jobs or in work connected with handling leather, in keeping with their traditional *low* or *impure* occupations, and alternative avenues of employment for them were virtually non-existent. The untouchables also had a very little opportunity to enter educational institutions and move in other part of the society, both because they were unable to afford the expense and because these institutions were usually unwilling to accept untouchable students. Being mostly illiterate, they were seldom employed in the lower government services in clerical posts. Before 1934, they were not recruited to the subordinate ranks of the police force. The occupational divisions along caste lines, prevalent in the rural situation, were thus being replicated in urban area, notwithstanding the direct cast-domination in employment relations. The disabilities which the Depressed Classes suffered with regard to the use of amenities such as wells, roads and temples or status symbols such as dress and ornaments were generally more severe in Madras Presidency than elsewhere. In the late nineteenth and early centuries, therefore, the untouchable migrants to the towns were exposed to two

contrary trends. On the one hand, caste-domination ceased, to a large extent, to be a feature of occupational relations. It would be reasonable to surmise that this was also likely to have created expectations and aspirations for economic advancement, improved living conditions, and education. On the other hand, continued caste-distinctions in employment or educational opportunities and settlement patterns, as well as their general poverty, economic or social improvement among untouchables. The Untouchability is a notion of defilement, contempt and hatred towards a section of people called untouchables. It survived because it formed part of practices of Hinduism. As a mental attitude it was manifested through several acts which are as follows:

- (i) to prevent them from entering any place of public worship
- (ii) to refuse them to admit to hospitals, educational institutions and public employment
- (iii) for enforcement of disability with regard to access to watering place, public charitable institutions, public conveyance and such other places
- (iv) to boycott or perpetration of atrocities on the untouchables as a reprisal or revenge for having attempted to exercise their legitimate rights
- (v) for discriminations to the prejudice of untouchables at public and private places and institutions
- (vi) to restrict them to use of jewellery and finery
- (vii) for compulsion to perform menial and low status services like scavenging, etc.

Hence Untouchability is considered as an integral part of Hindu religion which had the sanction of Hindu traditions. 'According to Hindu religion as traditionally practiced, communities such as Bhangi etc., known as the names of Anlyaj, Pancham and Achhut and so on, are looked upon as untouchable. Hindus belonging to other communities believe that they will be defiled if they touch a member of any of the said communities and, if anyone does so accidentally, he thinks that has committed a sin. Under the leadership of M. K. Gandhi, the Indian National Congress kept alive the question of caste and untouchability while undertaking the task of removing these evils. In the interests of carrying on an effective crusade, Gandhi started an All-India Anti-Untouchability League in 1932, the name being subsequently changed to Harijan Sevak Sangh. Through the Sangh, the Congress confidently entered Dalit colonies and villages and initiated the process of mobilizing and absorbing Dalits as 'Harijans' or 'children of god'. Harijan Sevak Sanghs were established throughout India. Branches were opened enthusiastically in the Andhra region and in the Hyderabad. The Sangh actively undertook several programmes for 'Harijan uplift', also called 'constructive programmes' [5].

11. The Constitutional Remedies for Dalits

Article 15 (*Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth*)

- (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them.
- (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regarding to
 - (a) access to shops, public restaurants, hotels and places of public entertainment or
 - (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.
- (3) Nothing in this article shall prevent the State from making any special provision for women and children.
- (4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.
- (5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally

backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.

Article 16 (*Equality of opportunity in matters of public employment*)

(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office

(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

(4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

(4B) Nothing in this article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty per cent. reservation on total number of vacancies of that year.

Article 330 (*Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People*)

(1) Seats shall be reserved in the House of the People for

- (a) the Scheduled Castes;
- (b) the Scheduled Tribes except the Scheduled Tribes in the autonomous districts of Assam;
- (c) the Scheduled Tribes in the autonomous districts of Assam.

(2) The number of seats reserved in any State [or Union territory] for the Scheduled Castes or the Scheduled Tribes under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats allotted to that State [or Union territory] in the House of the People as the population of the Scheduled Castes in the State [or Union territory] or of the Scheduled Tribes in the State or Union territory] or part of the State or Union territory, as the case may be, in respect of which seats are so reserved, bears to the total population of the State or Union territory.

(3) Notwithstanding anything contained in clause (2), the number of seats reserved in the House of the People for the Scheduled Tribes in the autonomous districts of Assam shall bear to the total number of seats allotted to that State a proportion not less than the population of the Scheduled Tribes in the said autonomous districts bears to the total population of the State. Explanation—In this article and in article 332, the expression “population” means the population as relevant figures have been published: Provided that the reference in this Explanation to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 1[2026] have been published, be construed as a reference to the 2001 census.

Article 332 (*Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States*)

(1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes, except the Scheduled Tribes in the autonomous districts of Assam, in the Legislative Assembly of every State.

(2) Seats shall be reserved also for the autonomous districts in the Legislative Assembly of the State of Assam.

(3) The number of seats reserved for the Scheduled Castes or the Scheduled Tribes in the Legislative Assembly of any State under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats in the Assembly as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State or part of the State, as the case may be, in respect of which seats are so reserved, bears to the total population of the State.

(3A) Notwithstanding anything contained in clause (3), until the taking effect, under article 170, of the readjustment, on the basis of the first census after the year [2026], of the number of seats in the Legislative Assemblies of the States of Arunachal Pradesh, Meghalaya, Mizoram and Nagaland, the seats which shall be reserved for the Scheduled Tribes in the Legislative Assembly of any such State shall be

(a) if all the seats in the Legislative Assembly of such State in existence on the date of coming into force of the Constitution (Fifty-seventh Amendment) Act, 1987 (hereafter in this clause referred to as the existing Assembly) are held by members of the Scheduled Tribes, all the seats except one;

(b) in any other case, such number of seats as bears to the total number of seats, a proportion not less than the number (as on the said date) of members belonging to the Scheduled Tribes in the existing Assembly bears to the total number of seats in the existing Assembly.

(3B) Notwithstanding anything contained in clause (3), until the re-adjustment, under article 170, takes effect on the basis of the first census after the year [2026], of the number of seats in the Legislative Assembly of the State of Tripura, the seats which shall be reserved for the Scheduled Tribes in the Legislative Assembly shall be, such number of seats as bears to the total number of seats, a proportion not less than the number, as on the date of coming into force of the Constitution (Seventy second Amendment) Act, 1992, of members belonging to the Scheduled Tribes in the Legislative Assembly in existence on the said date bears to the total number of seats in that Assembly.

(4) The number of seats reserved for an autonomous district in the Legislative Assembly of the State of Assam shall bear to the total number of seats in that Assembly a proportion not less than the population of the district bears to the total population of the State.

(5) The constituencies for the seats reserved for any autonomous district of Assam shall not comprise any area outside that district.

(6) No person who is not a member of a Scheduled Tribe of any autonomous district of the State of Assam shall be eligible for election to the Legislative Assembly of the State from any constituency of that district. 4 Provided that for elections to the Legislative Assembly of the State of Assam, the representation of the Scheduled Tribes and non-Scheduled Tribes in the constituencies included in the Bodoland Territorial Areas District, so notified, and existing prior to the constitution of Bodoland Territorial Areas District, shall be maintained.

Article 243-D (*Reservation of seats in Panchayati Raj Institutions*)

(1) Seats shall be reserved for (a) the Scheduled Castes; and (b) the Scheduled Tribes, in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of Reservation of seats. Seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide: Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State: Provided further that not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level shall be reserved for women: Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

Article 243 T (*Reservation of seats in Municipality 243T*)

(1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in the Municipal area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality.

(4) The offices of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Municipality or offices of Chairpersons in the Municipalities in favour of backward class of citizens. .

Article 335 (*Claims of Scheduled Castes and Scheduled Tribes to services and posts*)

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: Provided that nothing in this article shall prevent in making of any provision in favour of the members of the Scheduled Castes and the Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State.

Article 338 (*National Commission for Scheduled Castes Article 338*)

(1) There shall be a Commission for the Scheduled Castes to be known as the National Commission for the Scheduled Castes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.

(3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure.

(5) It shall be the duty of the Commission:

- (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes.
- (c) to participate and advise on the planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development under the Union and any State;
- (d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- (e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes
- (f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

(6) The President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters as:

- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses and documents;
- (f) any other matter which the President may, by rule, determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Castes.

(10) In this article, references to the Scheduled Castes shall be construed as including references to such other backward classes as the President may, on receipt of the report of a Commission appointed under clause (1) of Article 340, by order specify and also to the Anglo-Indian community.

12. Conclusions

The Dalits with the *Other Backward Castes* are the majority of the Indian population. The word *Dalit* means *Crushed* or *Crushed into a mass*. As untouchability was outlawed under the Constitution of the Republic of India, when that Constitution was adopted in 1951, and as a policy was put in place of reserving a few seats for Dalits in government schools, hospitals, bureaucratic jobs, and so on, the fortunes of some Dalits improved - to the point that there is now a so-called *Creamy layer* among Dalits. The existence of this *Creamy layer* along with the existence of what one may call a *Dry layer* among other castes, makes many Indians think that the problem of untouchability and caste-discrimination has been resolved and that nothing further needs to be done - in fact, many are seeking even to abolish the reservations that exist for Dalits. There is also the complication that non-Untouchables have got them classified as *Dalits* in order to benefit from the reservations! However, the *Creamy layer* among the Dalits is extremely thin, and the vast majority of Dalits continue to face discrimination against them in social life as well as in employment opportunities. In fact, the reservations offer, in many cases, only a theoretical benefit, as many government schools exist even today only on paper! However, what is clear is that the policy of abolishing untouchability and offering reservations based on caste has been a mixed success - and that, so far, the majority of Dalits continue to be the majority of those who have benefited least from India's development since the country became independent. Much more needs to be done to ensure that the Dalits are on the path of progress. Fully one-third of India lives on less than US Dollars 1.25 a day. Another one-third of India's population lives on more than US Dollars 1.25 but less than US Dollars 2.50 a day. The majority of Dalits fall into these two categories. Some time ago, the Government of India commented to private companies that, in a liberalizing economy, private companies needed to do much more than they were doing to employ Dalits and that if private companies did not improve their record, then the government would consider requiring private companies by law to reserve a proportion of positions for Dalits. Companies have done something but, like the government itself, too little so far - and it is not clear whether the current administration has the ability or the determination to do more on that front. Meanwhile, as I said, the picture is complicated because for example there are now many poor families from other castes - of course, they should also be helped to stand again on their own feet. On the other hand, some Dalits have made significant or even substantial economic progress. That progress is used as an excuse by the educated classes not to exert oneself greatly in relation to these problems (with a handful of exceptions, of course). My conclusion is that the problems that Dalits face have become invisible to educated Indians but are glaringly obvious to any interested observer of the country.

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