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HAS THE NATION RENEGED ON ITS PROMISE

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DALITS, meaning 'broken' or 'oppressed', is a synonym for the 'depressed classes' (DCs). Both these terms are now too loosely and indiscriminately applied to an assortment of social groups, variously labelled as oppressed, deprived, downtrodden, disabled, disadvantaged, weaker sections, Other Backward Classes (OBCs), minorities, Scheduled Tribes (STs), untouchables, Scheduled Castes (SCs), Harijans, and so on.

The lumping of all these groups and the use of the terms DCs and Dalits as 'catch-all' categories are for at least two reasons: First, the failure to grasp the magnitude of the disparate socio-cultural, educational, and economic conditions of these groups. Second, as a ploy of the self-serving politicians pretending to be the protagonists of backward classes for invidiously extending the constitutional safeguards meant for the real Dalits to the less deserving groups as well. In either case the losers are undoubtedly the really deprived and disabled bottom groups which alone are Dalits and which now see the non-Dalits nestling under the umbrage of the OBCs as their immediate oppressors and enemies as against the 'twice-born' castes in the past.

In this connection it is pertinent to recall Dr BR Ambedkar's usage of the term DCs. That was in the limited sense of untouchables.<sup>1</sup> Among other things, in his written statements and oral evidence before the Simon (Indian Statutory) Commission of 1928 and the Round Table Conferences of 1930-31 and their

subcommittees he made it explicit that he was using DCs and untouchables as convertible terms. More often than not, he preferred to address the untouchables as just untouchables as though to remind them of their plight as a 'beseiged', 'broken', and 'dehumanised' people. If he addressed them as DCs it was primarily because this term was already in circulation as a British officialese covering the untouchables and a few other groups such as the aboriginal and hill tribes.

But when occasion arose Ambedkar did not hesitate to condemn this usage. Thus, in a supplementary memorandum on the claims of the DCs for special representation, submitted (along with Rao Bahadur R Srinivasan) on November 4, 1931 to the Minorities Subcommittee of the second Round Table Conference, he made it clear that the term DCs was degrading and contemptuous, and its use objectionable to the members of the concerned class and others interested in them. So, he demanded its substitution with the less derogatory 'non-caste Hindus', 'protestant Hindus', or 'non-conformist Hindus', or some such appellation. In his note on the untouchables, submitted on May 1, 1932, to the Indian Franchise (Lothian) Committee of the same Conference, Ambedkar again objected to the use of this term. He also noted that the term had led to a great deal of confusion in the Census as it included other groups who were not strictly untouchables. Therefore, he insisted on describing the untouchables by the more expressive term 'exterior castes' or 'excluded castes' (see Government of Maharashtra 1982, 2: 474, 499-500, 672).

While Ambedkar had no difficulty in accepting the British officialese SCs (or scheduled classes as they were also known then) as incorporated into the Government of India Act of 1935, he detested Gandhi's grandiloquent appellation Harijans. In January 1938 when the Bombay Legislative Council refused to accept an amendment for deletion of this term from the Local Boards Act Amendment Bill, Ambedkar along with members of his Republican Party walked out of the house. The reasoning of BK Gaikwad, who moved the amendment, was that through several conferences the untouchables had voiced their opposition to this usage. If they were people of god, that is Harijans, were the touchables monsters, he asked (see Keer 1987: 301-2; also Government of Maharashtra 1982, 2: 127-8).

In view of the fact that untouchables have been the largest category and the most depressed and downtrodden of all the bottom groups of Indian society, and in keeping with Ambedkar's usage of the DCs only with reference to the untouchables, the term DCs as well as its vernacular equivalent Dalits is used here in the limited sense of untouchables or their constitutional equivalent SCs.<sup>2</sup> Such a restricted usage also assumes significance because of Ambedkar's role as the greatest of all the hitherto leaders of the untouchables, who launched a life-long crusade for their liberation from centuries-old enslavement and ostracism.

Ambedkar contemplated various means for liberating the Dalits. However, it was primarily through the numerous safeguards incorporated into the Indian Constitution, of which he himself was the chief architect, that he hoped to arm them with political power, to improve their socio-economic, educational, and cultural

conditions, and to actualise their gradual deliverance from rhetoric to reality, from deprivation to development, from social stigma and suffering to social respect, solace, and equality.

As Ambedkar's legacy to Dalits is thus primarily the constitutional safeguards for the SCs, the celebration of his birth centenary year should at least serve as an occasion to take stock of the fate of his legacy, and to ascertain if the nation has really honoured it or reneged on its promises to honour it. This calls for an examination of the performance of the various measures undertaken in pursuance of these safeguards.

#### Constitutional safeguards

The specific constitutional provisions intended to safeguard the interests of the SCs are on the abolition of untouchability and prohibition on its practice in any form (Article 17); prohibition on begar or forced or bonded labour (Article 23), consideration of the claims of the SCs (and the STs) in the making of appointments to services and posts in connection with the affairs of the Union or a State (Article 335); and reservation of seats in proportion to their numbers for the SCs (and the STs) in the Lok Sabha (Article 330) and in the Vidhan Sabhas (Article 332).

Some of the other provisions also reinforce the status of the SCs as a protective weaker section. They include the departures from the anti-discriminatory and formal equality provisions of the constitution, empowering the State to make any provision for the advancement of any socially and educationally backward class of citizens (Article 15(4)), and 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 (Article 16(4)). They also include the directive in Article 46 that the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the SCs and the STs, and shall protect them from social injustice and all forms of exploitation.<sup>3</sup>

For analytical purposes the measures undertaken in pursuance of the various constitutional provisions for the SCs may be treated as of three broad categories, namely, protective, developmental, and preferential. Abolition of untouchability and the disabilities arising out of its practice in any form, and prohibition on bonded labour come under the first category. Various educational schemes such as post-matric scholarships and girls hostels under the Central sector, and pre-matric stipends, reimbursement of tuition fee, book banks, and hostels under the State sector, special component plans of the Centre and States, special central assistance, and the SCs Development Corporations are of the second category. Legislative, educational and employment reservations are of the third category. Of these, the effective implementation of the measures of the first two categories is a precondition for actualising the measures of the third category.<sup>4</sup>

#### Safeguards in a shambles

However, the hitherto implementation of these measures has been too ineffective as to achieve their intended objectives. This has been brought to light time and again by a number of studies, and in particular, by the Commissioner (and also the Commission since 1978-79) for SCs and STs.

### Persistence of untouchability

The Untouchability (Offences) Act of 1955 was intended to wipe out untouchability and the social disabilities arising out of it, by making its practice in any form punishable under law. But, the total number of cases registered with the police from 1955 to 1970 were only 6778 for the country as a whole, with only 1779 or 26 per cent of them ending up in conviction.<sup>5</sup>

As this Act proved to be too weak and inadequate to meet the constitutional requirement, in November 1976 it was amended and amplified as the Protection of Civil Rights (PCR) Act, 1955,<sup>6</sup> with the resolve to totally eradicate untouchability within five years of its implementation. But, even this Act has not fared any better.

Data on PCR cases indicate the persistence of untouchability in virtually all the states.<sup>7</sup> This is especially so in Andhra Pradesh, Gujarat, Karnataka, Madhya Pradesh, Rajasthan, Tamil Nadu, and sadly enough, even in Ambedkar's home state Maharashtra. The only state reported to be relatively free from untouchability (and from related atrocities against the SCs) is West Bengal (Table 1).

Of the yearly average of PCR cases from 1977 to 1985 only about 62 per cent of those registered with the police were 'challaned' or filed before the courts; only about 31 per cent of those before the courts were disposed of; and only about 20 per cent of these disposals ended up in conviction. Stated differently, of the total cases registered with the police on an average not even 10 per cent (including cases brought forward) ended up in

Table 1 PCR cases in States by SC population

SN States/PCR cases	1977	1978	1979	1980	1981	1982	1983	1984	1985	Yearly average	Population %
1 Andhra Pradesh											
No.	89	151	144	168	238	263	385	269	NA	190	7.6
%	3.3	3.6	2.9	3.9	5.9	6.5	9.6	7.1	NA	4.9	
2 Bihar											
No.	2	51	36	17	17	28	16	11	18	22	9.7
%	0.1	1.2	0.7	0.4	0.4	0.7	0.4	0.3	0.7	0.6	
3 Gujarat											
No.	570	716	506	408	281	347	386	271	169	406	2.3
%	20.9	17.0	10.3	9.5	6.9	8.5	9.6	7.2	6.8	10.6	
4 Haryana											
No.	5	5	3	1	6	5	5	0	NA	3	2.4
%	0.2	0.1	0.1	0.0	0.1	0.1	0.1	0.0	NA	0.1	
5 Himachal Pradesh											
No.	NA	30	18	14	16	6	6	4	7	11	1.0
%	NA	0.7	0.4	0.3	0.4	0.1	0.1	0.1	0.3	0.3	
6 Karnataka											
No.	329	426	550	488	581	674	567	532	659	534	5.3
%	12.1	10.1	11.2	11.4	14.3	16.6	14.1	14.1	26.7	13.9	
7 Kerala											
No.	32	49	46	29	38	29	37	37	41	38	2.4
%	1.2	1.2	0.9	0.7	0.9	0.7	0.9	1.0	1.7	1.0	
8 Madhya Pradesh											
No.	321	398	307	247	237	337	390	370	NA	290	7.0
%	11.8	9.4	6.3	5.8	5.9	8.3	9.7	9.8	NA	7.6	
9 Maharashtra											
No.	266	1283	1604	1576	998	769	558	510	NA	840	4.3
%	9.8	30.4	32.7	36.9	24.6	18.9	13.5	13.5	NA	21.9	
10 Orissa											
No.	49	106	151	147	106	125	90	NA	88	96	3.7
%	1.8	2.5	3.1	3.4	2.6	3.1	2.2	NA	3.6	2.5	
11 Punjab											
No.	7	5	0	5	0	4	0	NA	2	3	4.3
%	0.3	0.1	0.0	0.1	0.0	0.1	0.0	NA	0.1	0.1	
12 Rajasthan											
No.	119	168	136	124	173	186	193	168	207	164	5.6
%	4.4	4.0	2.8	2.9	4.3	4.6	4.8	4.4	8.4	4.3	
13 Tamil Nadu											
No.	792	547	1157	858	1136	1105	1205	1402	1280	1054	8.5
%	29.1	13.0	23.6	20.1	28.0	27.2	30.0	37.1	51.8	27.5	
14 Uttar Pradesh											
No.	143	287	251	191	224	186	173	208	NA	185	22.4
%	5.2	6.8	5.1	4.5	5.5	4.6	4.3	5.5	NA	4.8	
15 West Bengal											
No.	0	0	0	1	0	0	0	0	0	0	11.5
%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total											
No.	2724	4222	4909	4274	4051	4064	4011	3782	2471	3834	98.0
%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	

Note: NA = Not available. Table shows only the fresh cases for each year. Popn % as per 1981 census.

Source: Tabulated from Reports of the Commissioner and the Commission for SCs and STs, 1978-79 to 1985-86.

conviction (Table 2).

If this all-India pattern is any indication of the poor performance of the PCR Act, data available for some of the states indicate that the variations at the state level have been mostly for the worse: Despite a relatively higher percentage of challaning by the police in at least two states (Gujarat and Karnataka), and despite a relatively higher percentage of disposals by the courts in at least one of them (Gujarat) and two others (Kerala and Tamil Nadu), in all the states most of the cases have ended up in acquittals. Stated differently, only less than 9 per cent of the cases before the courts and only less than 4 per cent of the cases registered with the police have ended up in conviction. The relatively smaller proportion of cases challaned by the police and the smaller proportion of disposals by the courts tend to magnify the proportion of convictions in Rajasthan (Table 3).

While the large number of cases pending with the courts is a reflection of the tardy judicial process, the larger number of cases ending up in acquittals is for other reasons as well. As the reports of the Commission/er for SCs and STs indicate, these include the weak socio-economic condition of the victims and their witnesses, defective investigation by the police, ineffective or indifferent handling of cases by the prosecution staff, victims yielding to pressures, promises, allurements, or intimidation, and the long drawn out trials which alone can discourage any victim from pursuing the case effectively.

Though the foregoing Tables give some idea of the persistence of untouchability, they are too inadequate to bring out the real

Table 2 PCR cases by nature of disposal, all India.

Year	Police			Courts						
	Total cases for disposal	Challaned		Total cases for disposal	Disposals					
		In number	As % to total		Convicted	Acquitted	Total	Column 8 as % of column 5	Column 6 as % of column 8	Column 6 as % of column 2
1	2	3	4	5	6	7	8	9	10	11
1977	2799	1325	47.3	5193	551	1463	2014	38.8	27.4	19.7
1978	4976	3751	75.4	7704	490	2002	2492	32.3	19.7	9.8
1979	4769	2662	55.8	5827	261	1069	1330	22.8	19.6	5.5
1980	5230	3550	67.9	9129	1267	2866	4133	45.3	30.7	24.2
1981	4783	2865	59.9	7860	441	2085	2526	32.1	17.5	9.2
1982	4777	2665	55.8	7212	199	1633	1832	25.4	10.9	4.2
1983	4829	2902	60.1	9249	243	1707	1950	21.1	12.5	5.0
1984	4261	2708	63.6	8414	325	1781	2106	25.0	15.4	7.6
1985	2789	1926	69.1	3892	97	1294	1391	35.7	7.0	3.5
Yearly average	4357	2706	62.1	7164	430	1767	2197	30.7	19.6	9.9

Note: The Table does not contain data for 1984 and 1985 for a number of states as shown in Table 1.  
Source : As in Table 1.

Table 3 PCR cases by nature of disposal, 1985.

		Police			Courts						
SN State		Total cases for disposal	Challaned		Total cases for disposal	Disposals					
			In number	As % to total		Convicted	Acquitted	Total	Column 9 as % of column 6	Column 7 as % of column 9	Column 7 as % of column 3
1	2	3	4	5	6	7	8	9	10	11	12
1	Gujarat	179	153	85.5	484	2	200	202	41.7	1.0	1.1
2	Karnataka	765	591	77.3	568	2	21	23	4.0	8.7	0.3
3	Kerala	44	24	54.5	81	0	31	31	38.3	0.0	0.0
4	Orissa	121	66	54.5	405	2	34	36	8.9	5.6	1.7
5	Rajasthan	216	108	50.0	446	38	17	55	12.3	69.1	17.6
6	Tamil Nadu	1393	944	67.8	1853	50	982	1032	55.7	4.8	3.6
Total		2718	1886	69.4	3837	94	1285	1379	35.9	6.8	3.5

Source: Tabulated from the Commission for SCs and STs, 8th report, 1985-86.

magnitude of this evil. For, more often than not most of the cases go unnoticed and unreported. The seventh report (1984-85) of the Commission for SCs and STs noted that quite a large number of the victims do not seek legal redress, and that though in states like Bihar and Orissa the problem of untouchability is acute, they have been reporting significantly lower number of cases compared to states like Tamil Nadu, Maharashtra, and Karnataka. The reason for this is not far to seek. Economically the SCs are still dependent on caste Hindus, and as such they do not risk approaching the police.

A survey by the All-India Harijan Sevak Sangh conducted about a decade ago in 1155 villages spread over twelve states, clearly brought out the widespread practice of untouchability in the rural areas in terms of denial of access to the SCs to wells, temples, hotels and restaurants, barbershops, laundries, and so on.<sup>8</sup> That this evil practice still persists unabated in many areas is evident from the subsequent reports of the Commission/er for SCs and STs. Stating that untouchability persists in one form or the other, particularly in rural areas, the eighth report (1985-86) of the Commission for SCs and STs brought to light instances of discrimination against the SCs even in urban areas, especially in Andhra Pradesh, Bihar, Karnataka, Madhya Pradesh, Orissa, Rajasthan, Tamil Nadu, and Uttar Pradesh.

#### Perpetration of atrocities

Closely related to the persistence of untouchability is the perpetration of atrocities<sup>9</sup> against the SCs. The atrocity cases registered have continued to be relatively more in Bihar,

Gujarat, Kerala, Madhya Pradesh, Maharashtra Rajasthan, Tamil Nadu, and Uttar Pradesh. Of late, there has also been a considerable increase in the number of atrocity cases in some states, especially in Gujarat, Madhya Pradesh, Rajasthan, and Tamil Nadu (Table 4).

Of the different types of atrocity cases registered in the whole country at least one-fourth have involved grievous hurt, followed by arson, rape, and murder (Table 5). The nature of disposal of these cases has not been any better: Data available for some of the states indicate that of the total atrocity cases for disposal by the police during 1985 only about 53 per cent were challaned, that of the total cases for disposal by the courts only about 5 per cent were disposed of, and that of these only about 34 per cent ended up in conviction. Stated differently, of the total cases for disposal by the police not even 10 per cent (including cases brought forward) ended up in conviction. The performance was especially poor in Karnataka, Madhya Pradesh, Orissa, Punjab, and Tamil Nadu (Table 6).

These cases again do not reflect the real magnitude of atrocities; more so when contrasted against the recurrent press reports from different parts of the country about the crimes on the SCs. The reasons mentioned earlier for the PCR cases also apply to this and to the large number of cases pending with the courts and ending up in acquittal.

As atrocities against the SCs are closely related to untouchability, their perpetration has to be partly explained by the persistence of untouchability and by the increasing resentment of the SCs against the social indignities emanating

Table 4 Atrocity cases against SCs by States and SC population

SN States/Atrocity cases	1977	1978	1979	1980	1981	1982	1983	1984	1985	Yearly average	Population %
1 Andhra Pradesh											
No.	102	110	92	152	206	213	181	190	166	157	7.6
	0.9	0.7	0.7	1.1	1.5	1.4	1.2	1.1	1.1	1.1	
2 Bihar											
No.	681	1911	2153	1890	1983	2073	1809	1845	1402	1750	9.7
	6.3	12.7	15.6	13.8	14.0	13.8	12.2	11.1	9.3	12.2	
3 Gujarat											
No.	331	540	475	498	654	455	476	690	750	541	2.3
	3.0	3.6	3.4	3.6	4.6	3.0	3.2	4.2	5.0	3.8	
4 Haryana											
No.	26	66	80	78	74	144	113	120	117	91	2.4
	0.2	0.4	0.6	0.6	0.5	1.0	0.8	0.7	0.8	0.6	
5 Himachal Pradesh											
No.	42	66	83	68	69	73	47	56	49	61	1.0
	0.4	0.4	0.6	0.5	0.5	0.5	0.3	0.3	0.3	0.4	
6 Karnataka											
No.	59	376	500	377	397	363	194	169	294	303	5.3
	0.5	2.5	3.6	2.7	2.8	2.4	1.3	1.0	2.0	2.1	
7 Kerala											
No.	233	767	887	478	260	145	149	148	300	374	2.4
	2.1	5.1	6.4	3.5	1.8	1.0	1.0	0.9	2.0	2.6	
8 Madhya Pradesh											
No.	3366	3240	3866	3877	4033	4749	5292	6128	4890	4382	7.0
	31.0	21.5	27.9	28.2	28.5	31.7	35.7	37.0	32.6	30.6	
9 Maharashtra											
No.	570	1053	503	518	695	680	704	579	428	637	4.3
	5.2	7.0	3.6	3.8	4.9	4.5	4.8	3.5	2.9	4.4	
10 Orissa											
No.	69	135	43	80	80	150	46	46	159	90	3.7
	0.6	0.9	0.3	0.6	0.6	1.0	0.3	0.3	1.1	0.6	
11 Punjab											
No.	84	84	171	79	51	73	36	47	32	73	4.3
	0.8	0.6	1.2	0.6	0.4	0.5	0.2	0.3	0.2	0.5	
12 Rajasthan											
No.	261	886	760	1180	1562	1731	1604	1648	1437	1230	5.6
	2.4	5.9	5.5	8.6	11.0	11.5	10.8	9.9	9.6	8.6	
13 Tamil Nadu											
No.	54	141	115	140	199	153	299	689	841	292	8.5
	0.5	0.9	0.8	1.0	1.4	1.0	2.0	4.2	5.6	2.0	
14 Uttar Pradesh											
No.	4974	5660	4102	4279	3865	3977	3851	4200	4135	4338	22.4
	45.8	37.6	29.7	31.2	27.3	26.5	26.0	25.3	27.5	30.3	
15 West Bengal											
No.	7	6	2	33	23	17	17	18	11	15	11.5
	0.1	0.0	0.0	0.2	0.2	0.1	0.1	0.1	0.1	0.1	
Total											
No.	10859	15041	13832	13727	14151	14996	14818	16573	15011	14334	98.0
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	

Note: Population percentage as per 1981 census. Source: As in Table 1.

Table 5 Atrocity cases against SCs by type of atrocity, all India.

Year	Murder		Grievous hurt		Rape		Arson		Others		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
1977	334	3.1	1341	12.3	332	3.1	716	6.6	8156	75.0	10879	100.0
1978	457	3.0	1582	10.5	541	3.6	1203	8.0	11287	74.9	15070	100.0
1979	388	2.8	1441	10.3	430	3.1	1013	7.2	10703	76.6	13975	100.0
1980	500	3.6	1411	10.2	551	4.0	991	7.1	10413	75.1	13866	100.0
1981	493	3.4	1492	10.4	604	4.2	1245	8.7	10474	73.2	14308	100.0
1982	514	3.4	1429	9.5	635	4.2	1035	6.9	11441	76.0	15054	100.0
1983	525	3.5	1362	9.2	641	4.3	994	6.7	11324	76.3	14846	100.0
1984	551	3.3	1468	8.9	696	4.2	988	6.0	12883	77.7	16586	100.0
1985	489	3.3	1357	9.0	674	4.5	972	6.5	11525	76.7	15017	100.0
Yearly à average è	472	3.3	1431	9.9	567	3.9	1017	7.1	10912	75.8	14400	100.0

Source : As in Table 1.

Table 6 Atrocity cases against SCs by nature of disposal, 1985.

SN	States	Police			Courts						
		Total cases for dispo- sal	Challaned		Total cases for dispo- sal	Disposals					
			In number	As % to total		Convicted	Acquitted	Total	Column 9 as % of column 6	Column 7 as % of column 9	Column 7 as % of column 3
1	2	3	4	5	6	7	8	9	10	11	12
1	Himachal Pradesh	67	48	71.6	174	27	51	78	15.5	34.6	40.3
2	Karnataka	464	337	72.6	337	3	77	80	0.9	3.8	0.6
3	Madhya Pradesh	6791	2526	37.2	6472	277	104	381	4.3	72.7	4.1
4	Maharashtra	482	356	73.9	1436	176	364	540	12.3	32.6	36.5
5	Orissa	215	131	60.9	505	4	54	58	0.8	6.9	1.9
6	Punjab	33	26	78.8	40	2	8	10	5.0	20.0	6.1
7	Rajasthan	1511	1026	67.9	5905	162	244	406	2.7	39.9	10.7
8	Tamil Nadu	948	655	69.1	1079	47	419	466	4.4	10.1	5.0
9	Uttar Pradesh	4826	3017	62.5	15080	803	1536	2339	5.3	34.3	16.6
	Total	15337	8122	53.0	31028	1501	2857	4358	4.8	34.4	9.8

Source: Tabulated from the Commission for SCs and STs, 8th report, 1985-86.

from its practice in different forms. These include denial of entry into public places of worship, discrimination and differential treatment in hotels and tea-stalls, refusal of service by washermen and barbers, and restriction on movement in certain localities, on wearing sandals, riding horses, and leading marriage processions through certain caste-Hindu localities.

The other major factors listed in the various reports of the Commission/er for SCs and STs include envy of the caste-Hindus for the various welfare measures adopted by the government to ameliorate the socio-economic conditions of the SCs, the wide economic disparities arising out of landlessness, wage labour, bondage, non-payment of fair share of agricultural produce to the SC share croppers, forced harvesting of crops, forced eviction of the SCs from their land and house-sites, dispute over non-payment of minimum wages prescribed by the State, and land disputes, especially as a result of land reforms and the redistribution of surplus lands.

The reports also reveal that of late many of the atrocities committed have been by some of the affluent sections of the middle caste peasantry,--the so-called backward classes (OBCs)--, who have been the major beneficiaries of agrarian reforms and other rural development programmes and of the resultant changes in the economic and political structure in the villages. It is important to note that, as observed in the seventh report (1984-85) of the Commission for SCs and STs, the incidence of atrocities is relatively lower in states where literacy rates and

economic development of the SCs are relatively higher.

#### Abetment of exploitative bondage

Closely related to the persistence of untouchability and atrocities is the existence of SCs as bonded labourers. As the second report (1979-80) of the Commission for SCs and STs noted, "bonded labourers represent the extreme situation of abject prostration of landless agricultural labourers in the rural economy." The 21st report (1971-73) of the Commissioner for SCs and STs described the bonded labour system as follows:

The prominent feature of the system is that a man pledges his person or sometimes a member of his family against a loan. The pledger or his nominee is released only on its discharge. Until then the man himself or the member of the family is required to work for his creditor against his daily meals. Since he gets no money, he has to depend upon someone in the family to procure the sum required for his release and this, of course, is rarely available. The relationship lasts for months and sometimes years, occasionally for an entire life time and not infrequently follows the male heir.

The Bonded Labour System (Abolition) Act of 1976 is intended to abolish this evil practice, and identify, free, and rehabilitate its victims of whom at least 80 per cent are reported to be SCs and STs. But its implementation has not served this purpose so far. For one thing, under this Act the term bonded labour itself is defined in a limited sense. Of this the fifth report (1982-83) of the Commission for SCs and STs wrote:

The very definition of the term 'bonded labour' restricts its meaning so much that its connotation excludes many who are virtually compelled but may not be forced to work as bonded labourers. It is particularly difficult to establish the element of force applied by the creditors with the result that many labourers are excluded from the meaning of the term though their condition is by no means better than that of others. Because of the apparent loophole in the law, in states like Bihar systems like "attached labour" cannot be brought under the purview of the Bonded Labour System (Abolition) Act, 1976. Terms like "attached labour" are nothing but a euphemism for bonded labour.

For another, the implementation of the Act has been far from effective even to release and rehabilitate those bonded labourers who come under its purview. Consequently, in practice the system still persists in some form or another in many parts of the country.

Data available in the eighth report (1985-86) of the Commission for SCs and STs reveal that as on 31 March 1986 only about 2 lakhs bonded labourers were identified and freed, and of them only about 1.6 lakhs (78%) were rehabilitated (Table 7). But, if the estimate of bonded labourers in the country at about 22.4 lakhs as made by a survey conducted in 1978 by the Gandhi Peace Foundation in collaboration with the National Labour Institute is any indication, by its implementation the Act has so far only scratched the surface. Even going by the conservative estimate of 3.4 lakhs as made by the 32nd round of the NSS, the implementation of the Act has to cover a lot more ground. What is more, due to inadequacies in the rehabilitation scheme and lack of follow up action, even the freed bonded labourers are either back in or on the verge of further bondage. Of this, the fifth report (1982-83) of the Commission for SCs and STs wrote:

Rehabilitation measures in many cases do not appear to be sufficient or are adopted unimaginatively. One of the reasons for unimaginative rehabilitation is that, due to poverty, illiteracy and economic backwardness, freed bonded labourers are not in a position to exercise option and preference for a particular scheme of rehabilitation. In such a situation, the field functionaries have to decide for themselves the role of freed bonded labourers, taking a decision about what would be the form of rehabilitation.

As examples the report pointed out that in certain land-based schemes the agricultural land allotted was too inadequate for the

Table 7 Bonded labourers identified, released and rehabilitated, 1986.

SN States	Identified & freed	Rehabili- tated	Per- centage
1 Andhra Pradesh	24788	18418	74.3
2 Bihar	11002	9569	87.0
3 Gujarat	62	57	91.9
4 Haryana	295	295	100.0
5 Karnataka	62689	40033	63.9
6 Kerala	823	823	100.0
7 Maharashtra	780	626	80.3
8 Madhya Pradesh	4761	3630	76.2
9 Orissa	42421	30256	71.3
10 Rajasthan	6836	6382	93.4
11 Tamil Nadu	33132	32517	98.1
12 Uttar Pradesh	18334	17662	96.3
Total	205923	160268	77.8

Source: Tabulated from the Commission for SCs & STs, 8th Report, 1985-86.

maintenance of a family, and that sometimes such land itself was fallow and unfit for cultivation.

### Economic dependence

That many of the social disabilities of the SCs are because of their continuing existence as the poorest of the poor is stating the obvious. Available data also point towards this.

### Low access to land

In 1982 the SCs owned only about 8 per cent of the total land owned in the rural areas in the country as a whole, though their households accounted for about 20 per cent of the total rural households. The index of their access to land ownership (that is, percentage of area owned divided by percentage of households) reveals that the land owned by them was virtually nil in Haryana and Punjab, and that the ratio of percentage of land owned to the percentage of households was not even one-fourth in Kerala and Bihar, was only between one-fourth and one-half in Gujarat, Andhra Pradesh, Tamil Nadu, Maharashtra, Uttar Pradesh, and Himachal Pradesh, and only between one-half and two-thirds in Karnataka, Madhya Pradesh, Orissa, Rajasthan, and West Bengal (Table 8).

This low access to land, the principal resource and the main source of power, dominance, oppression and exploitation in rural India, has several implications:

First, the higher percentage of landless households among the SCs compared to the rest of the population. This is so in virtually all the states, in particular in Bihar, Gujarat, Haryana, Rajasthan, Kerala, and Madhya Pradesh.

Second, the smaller area of land owned by most of the SC land

Table 8 Percentage of SC HHs to total HHs and % of area owned by them to total area owned, 1982.

SN States	Households	Area owned	Index of access to ownership
1 Haryana	23.4	0.8	0.03
2 Punjab	39.3	2.1	0.05
3 Kerala	13.2	2.2	0.17
4 Bihar	14.9	3.2	0.21
5 Gujarat	11.7	3.2	0.27
6 Tamil Nadu	24.0	8.2	0.34
7 Andhra Pradesh	22.9	7.9	0.34
8 Maharashtra	8.5	3.5	0.41
9 Uttar Pradesh	24.7	10.5	0.42
10 Himachal Pradesh	28.0	13.9	0.49
11 Karnataka	17.6	8.9	0.51
12 Orissa	18.6	9.6	0.52
13 Madhya Pradesh	14.9	7.9	0.53
14 Rajasthan	20.1	12.5	0.62
15 West Bengal	29.5	20.6	0.70
All India	19.7	7.9	0.40

Source: NSS, 37th round, no. 330, January-December 1982.

owning households. In most states the SC households are conspicuous by their absence or negligible presence in the large ownership category, and by their concentration in the marginal ownership category. In Andhra Pradesh, Bihar, Haryana, Himachal Pradesh, Kerala, Orissa, Punjab, Tamil Nadu, and Uttar Pradesh between 72 per cent and 92 per cent of the land owning households among the SCs were in the marginal ownership category as against only between 39 per cent and 58 per cent of the non-SC households in all but Bihar and Kerala.

That the area of land owned by the SC households in the marginal category is too inadequate for their economic use should be only too obvious from the average size of their holdings in all the ownership categories combined. At the all India level, it is only about one-third of that among the non-SCs. At the state level it is even less. This is especially so in Punjab and Haryana, followed by Kerala, Bihar, Gujarat, Andhra Pradesh, Tamil Nadu, and Uttar Pradesh. In fact, even most of the SC households coming under the marginal ownership category should be treated as landless, inasmuch as a large number of the landless SC households have been pushed into this category consequent on the distribution of the often barren surplus and government waste lands. This is especially so in Tamil Nadu, where the percentage of landless households among the SCs appears smaller than that among the non-SCs (Table 9).

Third, the greater incidence of poverty among the SCs, and their greater deprivation by and dependence on the caste-Hindus. As the Planning Commission's Working Group on SCs and STs (1980-

Table 9 Distribution of HHs among SCs vs non-SCs by landownership categories, area owned &amp; size of holding, 1982.

SN States/Population categories	Landless HHs	Marginal		Small		Semi-medium		Medium		Large		Average size in hectares
		HHs	Area	HHs	Area	HHs	Area	HHs	Area	HHs	Area	
1 Andhra Pradesh												
SCs	13.6	71.9	34.1	8.3	24.3	5.2	28.9	1.0	12.0	0.0	0.7	0.44
Non-SCs	11.4	50.7	9.3	15.7	14.5	11.4	20.1	8.4	31.3	2.3	24.8	1.54
2 Bihar												
SCs	7.9	88.8	60.2	2.0	17.3	1.1	17.3	0.2	5.2	0.0	0.0	0.15
Non-SCs	3.4	69.7	25.9	14.2	13.0	9.0	30.9	3.3	23.3	0.4	6.9	0.60
3 Gujarat												
SCs	23.9	62.2	17.9	3.7	12.2	8.6	44.9	1.3	15.2	0.4	9.8	0.50
Non-SCs	15.9	37.5	6.3	14.9	10.7	15.8	21.9	12.8	40.3	3.0	20.8	2.00
4 Haryana												
SCs	10.1	88.9	33.6	0.3	6.2	0.6	25.1	0.3	35.2	0.0	0.0	0.06
Non-SCs	4.9	39.0	4.8	20.1	13.5	17.2	21.5	16.2	45.0	2.5	15.2	2.23
5 Himachal Pradesh												
SCs	6.6	81.2	44.9	5.9	12.0	1.3	5.9	5.0	38.1	0.0	0.0	0.61
Non-SCs	8.2	43.7	17.1	24.6	24.9	16.7	29.3	6.5	26.2	0.3	2.5	1.49
6 Karnataka												
SCs	14.5	60.6	12.5	12.3	17.7	8.0	25.6	2.8	21.0	1.7	23.2	0.90
Non-SCs	13.5	36.5	5.6	17.8	13.2	18.7	25.4	10.7	32.5	2.9	23.4	1.97
7 Kerala												
SCs	16.6	83.1	92.1	0.4	7.9	0.0	0.0	0.0	0.0	0.0	0.0	0.06
Non-SCs	12.2	77.1	44.7	6.9	23.9	2.9	19.5	0.8	10.3	0.1	1.6	0.41
8 Madhya Pradesh												
SCs	18.1	44.3	11.3	19.0	23.1	10.0	24.7	8.5	39.3	0.1	1.6	1.08
Non-SCs	13.7	32.6	4.6	15.8	10.5	19.7	25.2	14.7	35.3	3.5	24.3	2.22
9 Maharashtra												
SCs	26.4	46.2	9.5	12.4	22.7	10.2	34.4	4.5	27.8	0.4	5.6	0.81
Non-SCs	20.8	32.5	4.5	15.2	10.5	15.3	20.3	12.5	36.5	3.8	28.2	2.08
10 Orissa												
SCs	7.2	75.5	33.3	11.4	31.2	4.5	20.1	1.4	12.8	0.1	2.6	0.52
Non-SCs	7.8	54.5	18.5	23.0	29.6	10.4	25.6	3.9	20.2	0.4	6.2	1.12
11 Punjab												
SCs	6.0	91.9	42.8	0.9	16.6	1.2	35.3	0.1	5.3	0.0	0.0	0.08
Non-SCs	6.7	40.1	4.8	16.1	10.6	18.4	22.6	16.3	43.0	2.4	19.0	2.26
12 Rajasthan												
SCs	12.9	37.6	6.2	18.5	13.6	17.2	25.1	10.8	30.3	3.1	24.8	2.10
Non-SCs	6.9	26.8	3.3	16.3	6.4	20.8	16.2	21.8	35.9	7.4	38.3	3.72
13 Tamil Nadu												
SCs	14.5	80.7	53.3	3.5	22.7	0.7	9.2	0.6	14.8	0.0	0.0	0.19
Non-SCs	20.6	57.1	20.9	13.2	27.6	6.3	24.8	2.6	21.5	0.2	5.1	0.68
14 Uttar Pradesh												
SCs	7.2	79.8	45.4	8.9	27.1	3.6	22.9	0.5	4.6	0.0	0.0	0.43
Non-SCs	4.1	57.6	16.3	20.2	24.1	12.4	29.1	5.2	24.6	0.5	5.9	1.21
15 West Bengal												
SCs	19.1	67.5	34.3	9.6	34.5	2.9	19.7	0.9	11.6	0.0	0.0	0.38
Non-SCs	16.4	63.1	29.3	12.3	27.3	6.7	29.2	1.5	12.3	0.1	1.9	0.62
All India												
SCs	12.6	72.4	26.3	8.4	22.6	4.5	24.2	1.8	19.2	0.3	7.7	0.51
Non-SCs	11.0	51.1	11.0	16.2	16.0	12.3	23.3	7.6	30.7	1.7	19.0	1.46

Note : HHs = Households. Ownership categories in hectares: Marginal = <1.01; small = 1.01 - 2.02; semi-medium = 2.03 - 4.04; medium = 4.05 - 10.12; large = 10.13+. Figures in all but the last column in %. Source: Tabulated from NSS, 37th round, no. 330, January-December 1982.

85) reported, the SCs have few assets; "are generally unable to avail themselves of the new employment opportunities generated through various economic development programmes", and "are in fact caught up in a vicious circle in which they are dependent upon their exploiters for their sustenance and are largely denied opportunities to develop the capabilities of attaining an independent livelihood".

Fourth, in the absence of access to land, as either owners or protected tenants, the SCs are forced to eke out a living mostly by working on the land of others as agricultural labourers on daily wages, by attaching themselves to landlords or cultivators, and as bonded labourers, and partly by pursuing their traditional 'uncleaned' and socially low' occupations of sweeping, scavenging, carrying nightsoil', leather work, and mat weaving.

According to the 1981 Census, cultivators accounted for only about 28 per cent, whereas agricultural labourers accounted for as much as 48 per cent of the total working population among the SCs. The corresponding percentages among the general population (including SCs) were 42 and 25 respectively. The composition of the SC workforce in Andhra Pradesh, Gujarat, Karnataka, Maharashtra, Orissa, and Tamil Nadu was more or less of this all-India pattern. In the remaining states, with the exception of Himachal Pradesh and to some extent even Madhya Pradesh, that is, in Bihar, Haryana, Kerala, Punjab, Rajasthan, and Uttar Pradesh, the proportion of cultivators among the SCs was much less and that of the agricultural labourers much more than the corresponding proportions among the general population.

Between 1971 and 1981 there was not any drastic change in the composition of the SC workforce in most states. The only exception is Kerala, where the percentage of SC cultivators dropped from about 21 in 1971 to just 2 in 1981, and of agricultural labourers from 56 to 50, with many persons moving into the category of "other workers". In Kerala there was considerable fall in the percentage of agricultural labourers in the general population as well from about 31 to 20 (Table 10). The fragmentation of agricultural holdings and their uneconomic nature, especially after the decade long land reforms implementation of the Seventies abolishing landlordism and tenancy, conferring ownership rights on cultivating tenants, and distributing part of the surplus land, and the increasing scarcity of water for agricultural purposes, probably caused this major shift.

#### Educational condition

As the SCs can take advantage of the measures of the third and most important category of safeguards, especially of employment and educational reservations, only with educational advancement, and educational advancement can come about only with socio-economic advancement, their educational condition can be a crucial indicator of their overall status as beneficiaries of the implementation of the various constitutional provisions.

#### Literacy

No doubt, there has been some progress in the growth of literacy among the SCs: In 1961 the literacy percentages among them and the general population including them were 10.3, and 24, whereas in 1981 these were 21.4 and 36.2 respectively. Compared to the

Table 10 Industrial classification of SCs vs general population.

SN State/Population categories	Cultivators		Agrl. labourers		HH industry workers		Other workers	
	1971	1981	1971	1981	1971	1981	1971	1981
1 Andhra Pradesh								
SCs	14.3	17.4	71.4	68.2	1.9	1.4	12.3	12.9
General	32.2	32.6	37.9	36.7	4.9	5.4	25.1	25.3
2 Bihar								
SCs	11.4	13.6	77.2	72.9	2.2	2.2	9.2	11.4
General	43.3	43.8	38.9	35.4	2.5	3.0	15.3	17.8
3 Gujarat								
SCs	18.3	16.0	46.6	41.2	5.2	5.3	29.9	37.5
General	43.1	37.8	22.5	22.8	2.8	2.7	31.6	36.7
4 Haryana								
SCs	16.1	11.9	50.4	51.3	5.2	3.6	28.3	33.5
General	49.1	45.0	16.2	16.4	3.3	3.4	31.5	35.3
5 Himachal Pradesh								
SCs	70.5	71.7	9.4	4.9	5.8	4.1	14.3	19.3
General	70.7	69.4	4.2	2.9	2.6	2.7	22.6	25.0
6 Kerala								
SCs	20.1	2.3	65.9	58.1	3.6	3.4	10.4	36.2
General	17.8	13.2	30.7	28.2	4.3	4.1	47.2	54.5
7 Karnataka								
SCs	27.9	27.4	47.4	46.2	2.8	2.8	22.2	23.6
General	40.0	38.5	26.7	26.7	4.3	4.6	29.0	30.3
8 Madhya Pradesh								
SCs	37.5	37.0	43.7	38.7	6.3	7.0	12.6	17.4
General	52.9	52.1	26.6	24.2	3.6	3.8	16.9	19.9
9 Maharashtra								
SCs	13.1	15.6	54.7	46.8	8.0	6.4	24.3	31.2
General	35.6	34.8	29.3	26.8	3.1	3.1	32.1	35.2
10 Orissa								
SCs	27.4	28.9	49.2	47.4	5.4	4.9	18.0	18.8
General	49.2	47.0	23.3	27.7	3.6	3.5	18.9	21.9
11 Punjab								
SCs	10.7	6.7	58.0	60.0	4.7	3.2	26.6	30.1
General	42.6	36.3	20.1	22.8	3.2	3.4	34.2	37.4
12 Rajasthan								
SCs	53.2	52.1	21.3	17.1	6.3	5.6	19.2	25.2
General	64.9	62.2	9.3	7.4	3.4	3.7	22.3	26.8
13 Tamil Nadu								
SCs	18.4	18.2	63.8	63.0	1.2	1.3	16.7	17.5
General	31.2	29.4	30.5	31.5	4.5	5.1	33.7	34.0
14 Uttar Pradesh								
SCs	43.4	47.7	42.2	35.0	2.6	3.1	11.8	14.2
General	57.4	58.0	20.0	16.3	3.7	4.4	19.0	21.3
15 West Bengal								
SCs	33.4	30.2	42.6	42.7	2.1	3.0	21.9	24.2
General	32.0	30.6	26.5	24.8	2.7	4.1	38.9	40.4
All India								
SCs	27.9	28.2	51.7	48.2	3.3	3.3	17.1	20.3
General	43.3	41.5	26.3	25.2	3.5	4.0	26.8	29.3

Note: HH = households. Figures in %. Source: Tabulated from Report of the Commission for SCs and STs, 1982-83.

general population the increase is relatively more significant in Kerala, Himachal Pradesh, Maharashtra, Gujarat and Tamil Nadu.

Despite this increase, the SCs are still far behind the general population (even including them) in most States. This is especially so in the case of women. While the male literacy among the SCs itself is much lower than that among the general population, female literacy is much more so. In fact, female literacy among the SCs is virtually nil or negligible in Bihar, Madhya Pradesh, Orissa, Rajasthan, and Uttar Pradesh, only about one-third of their male literacy at the all-India level, and only less than one-half in all but Kerala, Himachal Pradesh, and Maharashtra. At the all-India level female literacy among the SCs is only about three-fourths of the female literacy among the general population. At the state level, it is even less. Only in Gujarat, Kerala, Himachal Pradesh, and Maharashtra it is above this all-India rate (Table 11).

What is more, literacy, understood in the Census' sense of mere ability to read and write, is at best only the base of the educational pyramid, and any growth in it assumes meaning and significance only if it is sustained at the higher levels. But, this has not happened among the SCs.

The available data might give the impression that in the primary stage the SCs have almost caught up with the general population. But, this may not be true even with a steady increase in enrolment over the years. For, enrolment is just the first step in the educational process. The report on the programme of action on national educational policy, 1986 rightly pointed out

Table 11 Literacy percentages of SCs vs general population.

SN States/Population categories	Male			Female			Total		
	1961	1971	1981	1961	1971	1981	1961	1971	1981
1 Andhra Pradesh									
SCs	13.4	15.9	24.8	3.4	5.3	10.3	8.5	10.7	17.7
General	30.2	33.2	39.3	12.0	15.8	20.4	21.2	24.6	29.9
2 Bihar									
SCs	11.2	11.9	18.0	0.9	1.0	2.5	6.0	6.5	10.4
General	29.8	30.6	38.1	6.9	8.7	13.6	18.4	19.9	26.2
3 Gujarat									
SCs	33.9	39.9	53.1	10.7	15.0	25.6	22.5	27.7	39.8
General	41.1	46.1	54.4	19.1	24.8	32.3	30.5	35.8	43.7
4 Himachal Pradesh									
SCs	14.5	27.4	41.9	2.0	9.7	20.6	8.5	18.8	31.5
General	27.2	43.2	53.2	6.2	20.2	31.5	17.1	32.0	42.5
5 Karnataka									
SCs	14.9	20.7	29.4	3.0	6.7	11.6	9.1	13.9	20.6
General	36.1	41.6	48.8	14.2	21.0	27.7	25.4	31.5	38.5
6 Kerala									
SCs	31.6	47.1	62.3	17.4	33.4	49.7	24.4	40.2	56.0
General	55.0	66.6	75.3	38.9	54.3	65.7	46.8	60.4	70.4
7 Madhya Pradesh									
SCs	14.3	20.6	30.6	1.3	3.9	6.9	7.9	12.5	19.0
General	27.0	32.7	39.5	6.7	10.9	15.5	17.1	22.4	27.9
8 Maharashtra									
SCs	25.5	37.0	48.9	5.7	12.9	21.5	15.8	25.3	35.6
General	42.0	51.0	58.8	16.8	26.4	34.8	29.8	39.2	47.2
9 Orissa									
SCs	19.8	26.0	35.3	3.4	5.2	9.4	11.6	15.6	22.4
General	34.7	38.3	47.1	8.6	13.9	21.1	21.7	26.2	34.2
10 Rajasthan									
SCs	11.7	16.4	24.4	0.8	1.3	2.7	6.4	9.1	14.0
General	23.7	28.7	36.3	5.8	8.5	11.4	15.2	19.1	24.4
11 Tamil Nadu									
SCs	23.6	32.2	40.7	5.7	11.3	18.5	14.7	21.8	29.7
General	44.5	51.8	58.3	18.2	26.9	35.0	31.4	39.5	46.8
12 Uttar Pradesh									
SCs	12.8	17.1	24.8	1.1	2.5	3.9	7.1	10.2	15.0
General	27.3	31.5	38.8	7.0	10.6	14.0	17.6	21.7	27.2
13 West Bengal									
SCs	21.8	25.8	34.3	4.6	9.2	13.7	13.6	17.8	24.4
General	40.1	42.8	50.7	17.0	22.4	30.3	29.3	33.2	40.9
All India									
SCs	17.0	22.4	31.1	3.3	6.4	10.9	10.3	14.7	21.4
General	34.5	39.5	46.9	13.0	18.7	24.8	24.0	29.5	36.2

Source: Tabulated from Census of India, vol. 1, parts VA(i) and IIC(i) of 1961; series L, parts IIA(ii) and VA(ii) of 1971; and series 1, part IIB(ii-iii) of 1981.

that "enrolment by itself is of little importance if children do not continue education beyond even a year, many of them not seeing the school for more than a few days". The report noted that nearly 60 per cent of the children drop out between classes 1 to 5, and 75 per cent between classes 1 to 8, and that nearly 22 per cent of the enrolled at the primary stage are outside 6-11 age group, mostly over-aged. For obvious reasons the corresponding percentages among the SCs must be still higher.

This is partly evident from the lower enrolment ratios of the SCs at the middle stage. Here again there is considerable interregional variation. If the available data are any indication,<sup>10</sup> the position is far from satisfactory at least in Andhra Pradesh, Bihar, Haryana, Uttar Pradesh, and West Bengal (Table 12).

As the SCs move up further in the educational ladder, their enrolment ratio also shrinks or their drop out rate increases correspondingly: As the first report (1978-79) of the Commission for SCs and STs noted, for a population of about 15 per cent, at the all-India level the percentage of SC students in professional and other educational courses was only 4.3 in 1964-65, and only 5.7 in 1974-75. At the state level, it was only in Maharashtra that their enrolment as percentage of the total enrolment in high school, undergraduate (UG) and postgraduate (PG) equalled or exceeded their population percentage in 1976-78. In virtually all other States it was below their population percentage at all the three stages. In the high school itself the position was very bad in all but Gujarat, Kerala, and Tamil Nadu, while in the UG and PG it deteriorated even in these states. The position was

Table 12 Enrolment ratios of students among SCs vs general population.

SN State/Population categories	Classes I-V		Classes VI-VIII	
	1972-73	1984-85	1972-73	1984-85
1 Andhra Pradesh				
SCs	67.2	146.2	16.7	36.6
General	72.8	104.7	23.6	44.1
2 Bihar				
SCs	33.9	70.6	10.6	25.5
General	54.2	85.8	20.4	34.4
3 Gujarat				
SCs	92.0	149.5	45.9	69.6
General	88.6	115.6	44.0	52.7
4 Haryana				
SCs	46.3	91.5	22.3	38.1
General	68.7	92.4	47.5	59.5
5 Himachal Pradesh				
SCs	76.0	125.0	26.5	73.3
General	90.3	126.8	54.2	94.2
6 Kerala				
SCs	NA	123.2	NA	104.6
General	118.8	99.6	77.2	89.8
7 Karnataka				
SCs	63.0	38.4	19.0	123.7
General	89.0	89.4	35.7	54.3
8 Madhya Pradesh				
SCs	65.5	87.2	11.6	32.4
General	78.2	82.3	23.6	36.2
9 Maharashtra				
SCs	NA	264.8	NA	124.9
General	97.9	131.2	43.5	68.3
10 Orissa				
SCs	47.3	86.6	16.8	31.1
General	65.6	89.2	22.6	35.7
11 Punjab				
SCs	59.6	122.6	21.9	51.9
General	86.9	105.6	49.7	64.8
12 Rajasthan				
SCs	NA	48.6	NA	50.2
General	50.7	78.3	23.7	35.2
13 Tamil Nadu				
SCs	93.4	143.7	45.4	67.4
General	109.9	136.9	49.7	72.5
14 Uttar Pradesh				
SCs	NA	68.8	NA	28.6
General	97.7	82.9	34.2	45.7
15 West Bengal				
SCs	52.5	79.7	12.8	22.7
General	81.3	98.5	33.9	53.5
All India				
SCs	64.1	94.5	21.0	47.0
General	83.5	94.1	35.6	50.6

Note: NA = not available. Enrolment ratios to the popn in corresponding age groups. Source: Educational Statistics At A Glance, 1973, and 1984-85, Government of India, Education Department, New Delhi, 1974, and 1986.

especially bad in Andhra Pradesh, Bihar, Karnataka, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, and West Bengal in the case of both UG and PG courses (Table 13). While there might have been some change in these percentages in the subsequent years as well, it would not have been so dramatic as to equalise the educational status of the SCs with the general population.

The access of the SCs to higher education is further reduced by the fact that the instructions issued by the Government of India for reservation of seats are not followed by a number of States.

#### Representation in public services

If the SCs are thus still far behind the general population in their educational attainments, it is only to be inferred that they are more so in their representation in public services.

#### Low access to public services

Though the representation of the SCs in the Central Services has increased over the years in all the four classes of jobs, it is only in class 4 that it has been adequate. In classes 1 to 3, especially in classes 1 and 2, it has been far below their population percentage (Table 14).

Comparison of the data on the representation of the SCs in the services of the States for the earliest and latest available years reveals similar shortfalls, despite an increasing trend over the years.

It is only in Maharashtra that the representation of the SCs has been adequate in all but class 1; and it is only in Gujarat, and Rajasthan that it has been so at least in classes 3 and 4. In all other states their representation has been well below their

Table 13 Percentage enrolment of SCs to total enrolment, 1976-78.

SN States	Popn %	HS	UG	PG
1 Andhra Pradesh	14.9	7.8	7.1	7.1
2 Bihar	14.5	5.9	3.6	1.5
3 Gujarat	7.2	6.3	6.0	2.4
4 Haryana	19.1	10.2	4.6	4.6
5 Himachal Pradesh	24.6	13.8	4.1	NA
6 Karnataka	15.1	4.9	5.9	4.3
7 Kerala	10.0	8.5	3.8	6.4
8 Madhya Pradesh	14.1	6.7	6.0	5.5
9 Maharashtra	7.1	9.0	9.4	11.4
10 Orissa	14.7	8.9	3.5	3.5
11 Punjab	26.9	17.9	8.7	5.8
12 Rajasthan	17.0	7.5	4.8	5.2
13 Tamil Nadu	18.4	15.0	7.4	6.5
14 Uttar Pradesh	21.2	10.5	10.8	10.9
15 West Bengal	22.0	7.9	11.0	6.2
All India	15.8	9.3	7.5	7.5

Note: Popn % as per 1981 census. HS = High/higher secondary; UG = Undergraduate; PG = Postgraduate. HS figures for 1976-77; UG and PG figures for 1977-78. Source: Report of the Commissioner for SCs and STs, 1979-81, part 2.

Table 14 Percentage representation of SCs in Central services.

Date	Class 1	Class 2	Class 3	Class 4	Population %
1-1-1960	1.2	2.5	7.2	17.2	è 14.7
1-1-1965	1.6	2.8	8.9	17.8	è
1-1-1970	2.3	3.8	9.9	18.1	è 14.8
1-1-1975	3.4	5.0	10.7	18.6	è
1-1-1984	6.9	10.4	14.0	20.2	è 15.8

Note: Corresponding popn %s as per the Censuses of 1961, 1971, and 1981 respectively. Source: Government of India, Report of the Planning Commission's Working Group on SCs and STs, 1980-85; Reports of the Commissioner for SCs and STs, 1970-71 to 1979-81; and of the Commission for SCs and STs, 1978-79 to 1985-86.

population percentage. Their representation in classes 1 and 2 has been especially poor in Haryana, Himachal Pradesh, Madhya Pradesh, Orissa, Punjab, Tamil Nadu, Uttar Pradesh, and West Bengal (Table 15).

### Limitations

As the data thus portray a dismal picture of the nation's efforts in honouring Ambedkar's legacy, there is urgent need for streamlining the implementation of the various provisions. For doing this, some of its present limitations have to be borne in mind. These limitations stem from at least nine sources:

1) The continuing absence of social conscience, a condition so necessary for the implementation of the programmes aimed at eliminating the disabilities of the SCs. In this context it is pertinent to recall Ambedkar's observation that "rights are protected not by law but by the social and moral conscience of society", that "[i]f social conscience is such that it is prepared to recognize the rights which law chooses to enact, rights will be safe and secure", and that if the "rights are opposed by the community, no Law, no Parliament, no Judiciary can guarantee them in the real sense of the word".<sup>11</sup> It is in this sense that the repeated pleas by the Commission/er for SCs and STs for creating awareness among the masses and for involving them in the implementation of the various constitutional provisions have to be understood.

2) Lack of an appropriate machinery for effectively enforcing the various measures. The official status accorded, and the facilities and personnel made available, to the Commissioner for SCs and STs appointed under Article 338 have not been

Table 15 Percentage representation of SCs in State services.

SN States/Year of representation	Popn %	Class 1	Class 2	Class 3	Class 4
1 Gujarat					
1971	6.8	1.6	2.3	4.8	18.3
1981	7.2	5.3	4.5	10.6	24.2
2 Haryana					
1970	18.9	1.6	2.7	5.6	17.4
1985	19.1	3.0	5.2	8.1	42.5
3 Himachal Pradesh					
1967	22.2	1.4	7.6	8.5	15.3
1983	24.6	5.4	7.9	12.0	20.5
4 Karnataka					
1971	13.1	3.5	3.6	6.9	17.1
1985	15.1	12.6	8.8	10.3	21.0
5 Kerala					
1974	8.3	2.0	2.7	7.0	2.5
1984	10.0	< 6.8 >	<	8.6	>
6 Madhya Pradesh					
1972	13.1	1.7	2.1	5.2	4.7
1986	14.1	2.1	5.3	9.2	11.8
7 Maharashtra					
1971	6.0	2.1	2.2	10.5	23.6
1983	7.1	5.3	8.7	12.8	20.7
8 Orissa					
1971	15.1	1.0	0.6	7.7	17.8
1977	14.7	0.7	1.0	7.9	17.1
9 Punjab					
1971	24.7	5.3	3.9	11.9	35.0
1984	26.9	6.7	0.0	17.5	53.4
10 Rajasthan					
1971	15.8	4.1	5.1	14.0	24.6
1983	17.0	13.3	11.9	17.1	26.6
11 Tamil Nadu					
1971	17.8	4.0	10.8	< 12.2 >	
1985	18.4	6.0	13.5	11.9	15.7
12 Uttar Pradesh					
1970	21.0	< 2.0 >		6.0	6.8
1985	21.2	6.8	7.5	13.6	17.8
13 West Bengal					
1969	19.9	2.2	3.2	3.2	13.7
1981	22.0	4.1	5.5	9.9	20.0

Note : Corresponding popn %s as per 1971 and 1981 censuses respectively. Source: Tabulated from Reports of the Commissioner for SCs and STs, 1971-72 to 1979-81; and of the Commission for SCs and STs, 1978-79 to 1985-86.

commensurate with the nature of his responsibility and the enormous magnitude of the problems concerning the SCs and STs. Consequently, he has not been able to function as a 'watch-dog' agency as envisaged in the constitution.<sup>12</sup>

It is as though realising this, and under mounting pressures, that the Government of India set up the 'high-level' commission for SCs and STs in 1978. But, as a parallel agency so far it has tended to duplicate the work of the Commissioner for SCs and STs, who incidentally is also its ex-officio secretary. That apart, this Commission itself has observed that it is greatly handicapped in performing its functions effectively as it does not enjoy any constitutional status, that its role has been purely recommendatory, which has made it at times a helpless spectator of non-performance and non-compliance'.

Though economic development of the SCs is well recognised as a precondition for overcoming their social disabilities, neither of these agencies is given a clear mandate in this regard, and matters pertaining to policy issues involving the SCs are hardly ever referred to them.

Though both these agencies are expected to monitor the implementation of the various safeguards, even the mere monitoring has been well nigh impossible for them, and their reports deplore time and again their inability to get the required information from the administrations in the States and Union territories even after repeated reminders. The effect of their inability on the SCs is confounded by the long delay in preparing and placing their reports before Parliament, leave

alone any serious debates on the contents of these reports. Very often the reports themselves are very shoddy devoid of systematic presentation of any complete, reliable, and uniform data so necessary for an overall assessment of the performance of the concerned programmes.

3) The ad hoc formulation of development schemes for SCs and STs without any long term perspective and an operationally integrated strategy, as observed by, among others, the Planning Commission's Working Group on SCs and STs (1980-85) and the Commission/er for SCs and STs. Though the Special Component Plan introduced since the sixth Plan is expected to fill this lacunae, so far it has not made much headway.

4) The meagre and woefully inadequate budget allocations in the successive five year Plans for the programmes covering the SCs. As the first report (1978-79) of the Commission for SCs and STs noted, during the first thirty years of planning the SCs and STs were all along left out on the fringe, and the paltry provisions made under the sector of welfare of backward classes' hardly accounted for 1 to 2 per cent of the total plan outlays. The situation might not have changed dramatically in the last one decade. In this context the failure of the overall developmental efforts, problems and politics of scarcity, and like Buridan's<sup>13</sup> ass the State's dilemma of choosing between its alternatives, all call for some serious rethinking.

5) The misconception of the constitutional provision for taking into account the employment claims of the SCs (and the STs) "consistently with the maintenance of efficiency of administration" (Article 335). For preventing the abuse of this

efficiency clause, the Planning Commission's Working Group mentioned earlier recommended the deletion of the clause itself. That is, however, only a desperate remedy. Consistency with efficiency has to be construed as equipping the disabled well before and even after their entry into services, to work with others on equal footing through a package of practices. The absence of such a package or its weak and inadequate presence, and the official attempt to arrive only at a crude statistical equality devoid of the much needed socio-cultural vitality which alone can eventually, if at all, equalise the social life of the SCs with that of the mainstream groups,<sup>14</sup> have reduced the special safeguards to tokenism and mere concessions. In the long run the nemesis of such concessions, as Tawney rightly stated in another context, is death by dilution, if not for the administration which in any case is too big to be swayed or swatted by the small number of SCs, at least for the SCs themselves by indirectly arresting their growth potential for want of motivation and morale.

6) The higher-echelon' nature of the benefits and the lack of access of the SCs, especially those at the lower levels, to the administration, to the political system, and to the judiciary.

7) The absence of any mechanism for gradually excluding individuals or groups from claiming the benefits of the constitutional provisions for special dispensation once they have attained measurable self-reliance in terms of inter-generational socio-economic, educational, and occupational attainments or mobility. Such exclusion will prevent the present concentration,

and result in the diffusion, of benefits, and gradually even phase out these provisions.

- 8) The absence of any mechanism for providing special attention to the most needy by disaggregating the individual beneficiaries into groups most deserving, least deserving, and so on.
- 9) The failure of the provisions, especially those for employment and educational reservations, to penetrate private institutions.

#### Notes

[Part of the material used here is drawn from an earlier write-up, Radhakrishnan 1990. The author is grateful to CT Kurien and S Neelakantan for their comments on the draft of this paper.]

[ 1] It was in the same sense that MC Rajah, leader of the DCs in Madras Presidency, used the term DCs. He had cautioned that DCs should not be confused with backward classes, inasmuch as the latter are those communities which are only educationally backward but are really high up in the social, economic and religious scales, whereas communities that are called "Untouchable Classes" and are educationally, economically, and socially backward come under the DCs. See Rajah 1925: 4-5.

[ 2] In fact, in some of the recent writings the term Dalits is used in this restricted sense. See for instance, Shah, 1990: 107. Treating the untouchables alone as Dalits, Wilson wrote: "The term Dalit is derived from the Sanskrit root Dal which means 'to break' or 'to rend asunder' or 'to oppress'. Dalit, therefore, means those who are broken or oppressed. But in this particular sense there are ever so many other communities in India who also can rightly be described as Dalits. Oppression as an economic category applies to several communities. But oppression as an economic as well as a social reality applies only to one particular section whose standing as human beings continues to be the fundamental issue even in this post-independent secular and democratic Indian society. They are the so called Panchamas, the untouchables, scheduled castes etc. Untouchability, poverty, oppression and dehumanization are the cultural heritage of these Dalits. They can be described as the oppressed of the oppressed and the lowest of the low" (Wilson, 1982: vi).

[ 3] Of these provisions only the legislative reservations have any constitutional time limit. But even these reservations, though originally to expire after ten years (Article 334), have come to stay as a stable feature of India's State policy through successive constitutional amendments including the latest (62nd) amendment extending the time limit for yet another ten years from 1990.

[ 4] Of these, the legislative reservations are often seen with cynicism by the SCs themselves due to the lack of commitment of the beneficiaries and their vulnerability to political manipulations. Because of this, and their limited spread effects for the SCs as a whole, these reservations are not discussed here anymore. For discussion of the legislative representation of SCs, see Dushkin 1972; Galanter 1984; Shah 1990.

[ 5] For more details on this Act and its limitations, see Report of the Commissioner for SCs and STs, 1971-73, 1977-78; and of the Commission for SCs and STs, 1978-79.

[ 6] For the scope of this Act, see Report of the Commissioner for SCs and STs, 1977-78; and of the Commission for SCs and STs, 1978-79.

[ 7] For analytical purposes only those states in which the SC population is 1% or more of the total SC population in the country and for which at least some comparable data are available are taken into account throughout this paper.

[ 8] For the main findings of this survey, see Report of the Commission for SCs and STs, 1978-79.

[ 9] As per the directives of the Government of India, the term atrocity implies any offence under the Indian Penal Code, committed against the SCs by any non-SC person. For purposes of collection of statistics, the Commission/er for SCs and STs have classified atrocities under five heads, namely, murder, grievous hurt, rape, arson, and other IPC offences.

[10] The data on enrolment ratios are too weak and inadequate for an overall assessment of the educational attainments of the SCs. What is more, the available data also seem defective. That probably explains the wide variations in the enrolment ratios for SCs at the middle stage from 34.3% in 1982-83 (as given in the sixth report of the Commission for SCs and STs) to 47% in 1984-85 (as given in Table 12 of this paper).

[11] This observation was in Ambedkar's address 'Ranade, Gandhi and Jinnah', delivered under the auspices of the Deccan Sabha of Poona on 18 January 1943 on the occasion of the 101st birth day celebration of Mahadeo Govind Ranade. See Government of Maharashtra 1982, 1: 222. Ambedkar had made similar observations subsequently as well.

[12] For an assessment of the functioning of this agency, see James and Reddy 1979; for an assessment of the administration of the various programmes for SCs and also of this agency, see Galanter 1984.

[13] "In the sophism doubtfully attributed to the French 14th century schoolman Jean Buridan, an ass dying of starvation through inability to choose between two equidistant and equally desirable sources of food". Chambers 20th Century Dictionary,

sixth reprint, 1981.

[14] The resulting limited impact of the safeguards is discussed by Chitnis in the context of education as a mechanism for attaining equality among the SCs. See Chitnis 1972.

#### References

- Chauhan, Devraj. 'Educational and Occupational Levels of SC STs', Mainstream, 11 August 1990.
- Chitnis, Suma. 'Education for Equality: Case of Scheduled Caste in Higher Education' Economic and Political Weekly, 7(31-33) Special Number, August 1972.
- Dushkin, Lelah. 'Scheduled Caste Politics', in Michael J Mahar (Ed.) The Untouchables in Contemporary India, The University of Arizona Press, Arizona, 1972.
- Dushkin, Lelah. 'Backwards and Forwards', in Robert E Frykenberg and Pauline Kolenda (Ed.) Studies of South India: An Anthology of Recent Research and Scholarship, New Era Publications, Madras, 1985.
- Galanter, Marc. Competing Equalities: Law and The Backward Classes in India, OUP, New Delhi, 1984.
- Government of India. Programme of Action (on national policy on education), Education Department, New Delhi, 1986.
- Government of Maharashtra. Dr Babasaheb Ambedkar: Writings and Speeches, vols. 1-2, Education Department, Bombay, 1982, 1989.
- Isaacs, Harold R. India's Ex-Untouchables, The John Day Company, New York, 1965.
- James, PA and Reddy G Sreenivas. 'Commissioner for Scheduled Castes and Scheduled Tribes', Economic and Political Weekly, XIV(26), 30 June 1979.
- Keer, Dhyanjay. Dr Ambedkar: Life and Mission, Popular Prakashan, Bombay, 1987 (first published, 1954).
- Lokhande, GS. Bhimrao Ramji Ambedkar: A Study in Social Democracy, Intellectual Publishing House, New Delhi, 1977.
- Mahar, Michael J. in Michael J Mahar (ed.) The Untouchables in Contemporary India, The University of Arizona Press, Arizona, 1972.
- Radhakrishnan, P. 'Reservations in Theory and Practice', MIDS Bulletin, XX(4), April 1990.
- Rajah, MC. The Oppressed Hindus, Huxley Press, Madras, 1925.

Shah, Ghanshyam. Social Movements in India: A Review of Literature, Sage Publications, New Delhi, 1990.

Tawney, RH. Equality, George Allen & Unwin, London, 1964 (first published 1931).

Nelson, K. The Twice Alienated: Culture of Dalit Christians, Booklinks Corporation, Hyderabad, 1982.