

The logo consists of the letters 'NP' in a stylized, cursive font, enclosed within a dark red, shield-like shape.The cover features a complex geometric design with overlapping triangles in shades of orange, red, and dark blue. The central area is a faded, blue-tinted photograph of a crowd of people. At the top, a grid of small orange dots is visible. In the bottom left, there is a close-up of several colorful chalk sticks (pink, yellow, green, blue) resting on a dark surface.

# **IN SEARCH OF EQUALITY**

**STUDIES IN SOCIAL AND ECONOMIC OPPORTUNITY**

**EDITORS**

**ANIRUDDHA DAS**

**DIPAK KUMAR ROY**

**SWAPAN KUMAR PAIN**

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**In Search of Equality: Studies in Social  
and Economic Opportunity**

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# **In Search of Equality: Studies in Social and Economic Opportunity**

*Concept:*  
**Anil Bhumali**

*Edited by:*  
**Aniruddha Das**  
**Dipak Kumar Roy**  
**Swapan Kumar Pain**



**New Delhi Publishers**  
New Delhi, Kolkata

**In Search of Equality: Studies in Social and Economic Opportunity**, Concept: Anil Bhumali, Edited by *Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain*, published by New Delhi Publishers, New Delhi.

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First Published 2022

ISBN: 978-93-93878-03-8

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First Published: 2022

[For organising National Workshop cum Orientation Programme at Raiganj University, financial support was obtained from Indian Council of Social Science Research-Eastern Regional Centre. This Book is an outcome of this workshop under the sponsorship of ICSSR-ERC.]

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Price: ₹ 500.00



**NEW DELHI PUBLISHERS**

**Head Office:** 90, Sainik Vihar, Mohan Garden, New Delhi, India

**Corporate Office:** 7/28, Room No.-208, Vardaan House, Mahavir Lane, Ansari Road, Daryaganj, New Delhi, India

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E-Mail: [ndpublishers@rediffmail.com](mailto:ndpublishers@rediffmail.com)/[ndpublishers@gmail.com](mailto:ndpublishers@gmail.com)

Website: [www.ndpublisher.in](http://www.ndpublisher.in)

# Foreword

The issue of '*Equality of Opportunity*' has been a subject matter of academic deliberations for quite some time. Equality of opportunity and equitable distribution of wealth are still major issues of concern for social scientists and policy makers. Raiganj University had taken up this issue as an endeavour to address the pertinent questions regarding adequacies of the reservation policy, availability of opportunity for education and health facilities, etc. A two-day National Workshop-cum-Orientation Programme on '*Drive Towards Equality of Opportunity*' was jointly organised by Raiganj University and Indian Council of Social Science Research- Eastern Regional Centre, sponsored by ICSSR-ERC, on March 30-31, 2019, at Raiganj University. This book is an outcome of the Workshop cum Orientation Programme and contains the deliberations made by the Resource Persons and some invited articles.

The issue of equality of opportunity had stirred the great minds who framed the Constitution of India. Different aspects of the Fundamental Rights as enshrined in the Constitution and relevant legislations were enacted that aimed to create conditions so that every human being can develop personality to the fullest extent. Apart from analysing the Constitutional provisions the scholars have made recommendations on the basis of available empirical data and field survey. Topics deliberated upon in the programme and also in the book are wide ranging. The scholars have delved into different aspects and issues considered as challenges for inclusive growth primarily in the field of agriculture, education and health. The concepts of inclusive growth, equality have also been analysed in the context of ethnicity and other communities. They have pointed out economic inequalities, different types of social exclusion, '*soft casteism*' in the centres of higher education etc. which act as hindrances to inclusive growth. The demand for equality of opportunity often vitiated by the political scenario; as was evident in the passage of the Communal Ratio

Act, 1941, in Bengal, that led to the communal bitterness in the subsequent period. Inequality often led to violent insurrection, as Bengal witnessed the Naxalbari peasant movement in the 1960s. The scholars have also turned their attention to the possible steps that can be taken to reduce inequality and to reduce the concentration of wealth in the hands of the few.

I am glad that the issue of inclusive growth and equality of opportunity had been taken up for serious scholarly deliberations; and although after a long gap especially because of the pandemic, the book is being published with the promising hope that the issues which have been explored would invoke more scholarly discussions and the recommendations made would get place not only in policy formulation but also in the every-day life. This in turn would improve the quality of life for which this academic exercise has taken place. I congratulate all who had shouldered the responsibility of organising the programme and worked hard to get the book published.

**Date:** 12/08/2022

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# Introduction

The plight of the deprived section of the community has always attracted the attention of the academicians and the policy makers. Academic deliberations, in turn, very often, helps policy making to mitigate the ever-widening gap between the different sections of the people in terms of social and economic support. Equality, nay opportunities, is the key word, that become the thrust area of the researches, which are undertaken to address the contemporary troubling issues. Academic discourses envisioning 'equality of opportunity' thus addresses many issues ranging from inclusive growth to right to equality; including equal opportunity in higher education, life of women workers, political developments centring the issue of opportunity etc.

Since independence the Government of India and the State Governments have been trying to uplift socio-economic status of the deprived section of the community especially the scheduled castes, scheduled tribes and backward community people. There has been a long history about why a large number of people living in the Indian subcontinent are lagging behind in social, economic, cultural aspects. The reservation policy aimed at improving the socioeconomic status; such as reservation of seats for admission and employment, scholarship and training for the deprived section, often claimed, does not reach to the actually deprived sections of the community. Reservations in education and employment, no doubt, have played a dominant role in improving the status of the marginalised group through availing access to scarce resources which were not accessible to them for long. In spite of this, it has been seen that many of the opportunities available for the reserved category students remain unsettled. It has been found that in the employment scenario huge number of teaching, research, and general jobs remain vacant. Questions have been cropped up as to whether reservation policy was inadequate to cover benefits to all the marginalised group of people? Why do many seats remain vacant for SC/ST and other backward community students? Why are many posts remaining vacant for years? The unwillingness to go for higher studies has largely been noticed amongst the students living in the rural areas. In the northern part of West Bengal i.e. in seven districts of North Bengal we particularly notice this phenomenon. These pertinent issues and many other issues relevant to

backward community students pursuing research and training for achieving employment opportunities were discussed in the two-day National Workshop-cum-Orientation Programme on 'Drive Towards Equality of Opportunity' jointly organised by Raiganj University and Indian Council of Social Science Research- Eastern Regional Centre, sponsored by ICSSR-ERC, held on March 30-31, 2019, in Raiganj University. This book contains the deliberations made by the resource persons and some invited articles. The articles have been arranged in this book, theme-wise- conceptual, regarding constitutional provisions, education, historical events, livelihood pattern and recommendations for inclusive growth.

Sibranjan Misra in his article 'Towards Understanding India's Inclusive Growth : Challenges and Resolutions' has analysed the inclusive growth, which in his language, synonymous with equitable development, in the context of economic reforms and globalization and also the various aspects of inclusive growth. The author has discussed the challenges for inclusive growth in different sectors of the economy and also in different fields like agriculture, health, education. In this respect he has also discussed the important role played by the state, and good governance. In the opinion of the author to achieve the goal of growth with equity, certain measures need to be adopted, those are, among others, attempts should be made to reduce inter-personal, rural-urban and regional disparities, agricultural development should be given top most priority, steps to be taken to develop sound and appropriate health and education system, gender disparities in different areas like education etc. are to be reduced, to generate a situation where benefits of development should also trickle down to people of all sections. The author concludes with the statement that the formulation and implementation of different policies must be pragmatic.

Anil Bhumali in his article entitled 'Women and Children in Difficulties' has aptly used the data provided by Women's Budget Group, Social Exclusion Unit, Child Poverty Action Group, UNICEF in collaboration with V V Giri National Institute of Labour, census data on child labour and field survey; and shows that dowry system deprives the right to education in girls and early marriage in India is posing a threat. Women's economic contribution in the family however is the highest in the family, if the family belongs to lower income group. According to the author poverty is the biggest cause of illiteracy in India. Child labour is also an issue of concern. The author mentions that The Census of India, 2011, states that the total number of child labourers, aged

5-14 years is 10.1 million as against 217 million child labourers worldwide. A survey made in the special schools in Cooch Behar shows that midday meal and monthly stipend encouraged student attendance, but the schools did not have pucca rooms. In Cooch Behar children involved in hazardous jobs are found in brickfields, agriculture, domestic work, tobacco production, tea stalls, hotels and restaurants, beedi rolling etc. The author opines that, in fact it is the survival strategy of most of the poorer families in India which forces the children to join in the working force.

M. Thangaraj has highlighted a pertinent question of contemporary India, which is reflected in the title of his article 'Inclusive Growth, Social Justice and Equality of Opportunity'. According to him inclusive growth has a long historical background. We found this policy in India through the ages. Even the Colonial Government and the Christian Missionaries have implemented many welfare schemes in India. Prof. Thangaraj has nicely cited an example of the king Asoka and his welfare schemes for weaker section of the people. We all know in ancient period Asoka was one of the greatest kings who was against the discrimination among human beings. In colonial period, we also found the name of Gaikwad of Baroda, Shuhu Maharaj of Kolhapur were renowned figure in the social welfare of the people irrespective of the caste, creed and colour. And after independence Dr. B. R. Ambedkar contributed a lot for the establishment of social justice and equality of opportunities.

M Thangaraj has expressed his deep concern on social exclusion. Actually social exclusion is related to poverty and inequality. Ashoke Kumar Sen has divided the social exclusion into two groups—Active Exclusion and Passive Exclusion. Active Exclusion means blocking the opportunity through deliberate policies; interventions on the part of the government and private agents. On the other hand passive exclusion comes from social processes. The author analysed the social exclusion policy based on caste, race, gender and colour keeping mind of the A. K. Sen's theory. The author has discussed two inclusive policies that have emerged in India—they are Economic Empowerment and Equal Opportunities. The author has given enormous importance to social justice citing examples from Universal Declaration of Human Rights (UDHR), UNDESA, ILO and finally the policy of social justice propounded by Dr. B. R. Ambedkar. The author has attracted attention to the communal government orders issued since 1920, and this was followed in subsequent period. The author has concluded his writing mentioning the rule of reservations and its impact on the present society using different charts and tables.

The article entitled 'Tribe : Changing 'official' Concept in India from Colonial to Post-Colonial Period : An Outline' authored by Aniruddha Das, brought to light that the idea or 'official' concept of tribe was changed over the years and therefore the social scientists differ about the definition of tribe. The exploitative policies of the colonial rulers caused a number of tribal revolts. The scholar-administrators viz. W W Hunter, E T Dalton, H H Risley therefore were attracted to the history and culture of the Indian people and wrote extensively about the tribal society. Tribes were listed in Censuses since 1891, under various names e.g. 'Forest Tribes', 'Animists', 'Primitive Tribes' etc. The colonial government made provisions about the areas inhabited by the tribal people. In 1948 the Government of India used the term Adivasis, ignoring the religious distinction of the 1931 Census. The Constitution of India, has made the provision for declaration of the Scheduled Tribes in Article 342 and this was followed by the establishment of some committees and Commissions to resolve certain issues.

'Right to Equality' is very closely related to the question of 'Drive Towards Equality of Opportunity' the theme of the National Workshop cum Orientation Programme. Anupama Ghosal and Kali Shankar Tiwary in their article 'Right to Equality as Enshrined in the Indian Constitution' therefore quite pertinently discussed, among others, the importance of the 'Right to Equality' as Fundamental Right in the Constitution of India. These rights are aimed to protect the dignity of the individual and create conditions in which every human being can develop personality to the fullest extent. The issues like equality before law, no discrimination against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them on the part of the state, equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state, abolition of untouchability, abolition of titles except military and academic as mentioned in the Articles 14-18 of the Constitution of India along with relevant amendments are very meticulously discussed by the authors. Fundamental Rights, are very rightly considered by the authors, as the keys to bring about a democratic and equal society in India.

Diganta Biswas and Bhaswati Saha in their article 'Parliamentary Framework for addressing Inequalities in Agricultural Sector in India and Responses' have brought to the fore the issues of vulnerabilities in farm sector, viz. livelihood issues, property issues, Right to Dignity, Right against Exploitation, empowerment and safety nets for women farmers in the

backdrop of Constitutional Scheme for the governance of agriculture in India. The authors therefore have delineated the features of some of the relevant legislation viz. The Pricing of Agricultural Commodities Bill, 2018; The Model Agricultural Land Leasing Act, 2016; Minimum Wages Act, 1948; The Women Farmer's Entitlements Bill, 2011; The Farmers' Freedom from Indebtedness Bill, 2018; The Plantation Labour Act, 1951; and government schemes like Pradhan Mantri Fasal Bima Yojana. The authors have pertinently included some recommendations- that includes, among others, the introduction of counselling and sensitization programme to educate women families to share the responsibilities at home wherever possible, the government agencies should create a proper monitoring mechanism to address the issues of sexual harassment if it happens with any member of farming community, the local government or SHGs involved into farming should take responsibilities to help out the farming class especially the women farmers to market the agro-produces etc.

Sankar Majumdar in his article entitled 'An Analysis of Achievement of Equity of Opportunity in Higher Education in West Bengal during the Period 2001-2015' has focused on the changing scenario in the State of West Bengal for the drive towards equality in higher education during the period 2011 to 2015, taking into consideration demand and supply ratio. From colonial to post-colonial period various Committees and Commissions have submitted comprehensive Reports for the development of Higher Education of the country and West Bengal in particulars and the author consulted those Reports which is reflected in his article. An important aspect of his period of writing was the opening up of the private investment in higher education of West Bengal. The author also discusses and divides his essay into three broad categories viz-growth and development of the higher educational institution in the different districts of West Bengal. Secondly, he also analyses the growth of higher educational institutions from the viewpoint of equity of opportunity using a number of comparative table and thirdly he discusses section wise population in respect of availing the opportunities.

Rup Kumar Barman and Juthika Barma in their article 'Reservation, Casteism and Educational Institutes : Reflections on the Scheduled Castes of West Bengal' has focused on 'soft casteism' in the centres of higher education. The article is an outcome of ICSSR sponsored Research Project. The authors have elaborately discussed about the 'reservation policy' in colonial and post-colonial India with special emphasis on the constitutional provisions in post



independent period. It is shown that the Scheduled Castes of West Bengal are pre-dominantly rural people and they are subjected to soft casteism including oral casteism, behavioural casteism and intra-sub caste conflicts. For this the authors have depended on a number of interviews and published articles. They have shown that the Scheduled Caste students and teachers in the educational institutions of West Bengal are not free from psychological casteism. The authors are of the opinion that the major SC sub-castes in the rural areas are comparatively free from casteism but the members of the same caste face casteism and receive abusive comments from their upper caste neighbours in urban area; on the other hand the SCs are treated as sub-castes in rural area while in urban areas they are collectively called SCs, especially in service sector.

The issue of equality of opportunity became important in the political arena during the British rule. In his article 'The thirst for Equality of Opportunities and Development of Communal Politics in Bengal : From 'Bengal Pact' (1923) to 'Communal Ratio Act' (1941)', Babulal Bala has taken up the issue of differences between the two major communities in Bengal i.e. 'advanced' Hindus and 'backward' Muslims in terms of development, that created a long gulf and raised voice for 'additional' separate educational as well as political interests. Chittaranjan Das took an unprecedented step at the aim of forging unity among the Hindus and the Muslims of Bengal through the historic Bengal Pact of 1923. This Pact however was rejected after the death of Das by the Bengal Provincial Congress Committee. The longstanding demand for equal opportunities of the middle-class Muslim intellectual of Bengal led to the passage of Communal Ratio Act. The aims and objective of the Bill was to ensure higher percentage of government job for the Muslims. The Hindus, however vehemently opposed the government decision to reserve the 50% government job for the Muslims. The communal bitterness between the Hindus and the Muslims increased.

Inequality often leads to armed insurrection. Swapan Kumar Pain and Susanta Sarkar in their article 'Revolt against Inequality : The Role of a Tribal Naxalite Leader Jangal Santhal' has focused on the peasant movement that took place in 1967, in Naxalbari, Khoribari and Phansidewa blocks of the Siliguri Subdivision in the Darjeeling District of Terai. Jangal Santal was one of the leaders of the movement. The main objective of the common landless farmer and labourers was to establish their rights on the farming land and its crops for living; they were against the Jotedari system. From 8th to 21st May,

1967 the tribal and the Ranbanshi farmers with bows and arrows forcefully occupied few lands from the jotedars and also snatched guns and the stock of paddy from the jotedar. The government deployed a huge police force and the CRPF in the area. Later on Jangal Santal was arrested. He was not only a leader of the Naxalbari peasant movement but also contributed to the tea garden workers' movement. Considering his life long struggle the authors think that his unusual courage, dedication and ability to hard work – all made him a fiery peasant leader.

Inclusive Growth has been the keyword in many recent researches, as it leads towards equality of opportunity. This in turn also helps the process of national integration. Jyoti Kumari Sharma in her article 'Inclusive Growth : An Analysis Towards Generating National Integration' mentions that inclusive growth is defined 'as a process of equitable distribution of each wealth and welfare to all, heading towards human development with social justice'. She has referred to some roots of inclusive growth such as- finance, education, health-care, employment, infrastructure. The issue is also related to sustainable economic development. To attain better lives for every citizen of India the author very pertinently recommends that for this we need, among others, strong inclusive labour market in both the formal and informal sectors, to increase access to education for all, to create cost efficient health care provision, to upgrade and expand infrastructure with a particular focus on transport and electricity infrastructure, to give proper care for better implementation for existing government schemes, modernisation of agriculture etc. The author's plea for 'broad-based growth' or 'shared growth' can be achieved through inclusive growth strategy under development policy in India with sustainable distribution of resources, as is envisaged in the article.

Pratima Chamling Rai in her article 'Women Workers in the Tea Gardens of Darjeeling and Dooars : An Enquiry into their Livelihood Pattern' has thoroughly discussed the role of Women Workers and their Livelihood Pattern in the Tea Garden of Darjeeling and Dooars. She has also given special emphasis on their expertise in the field of tea gardening where the 80% women labours have been engaged in crop harvesting. The planters saw that the women adapting well to the plantation most tedious and prolonged labour of the tea picking. The author has also focused on the relevant factors relating to the engagement of the women labourer taking account their age, ethnicity, religion, income, education and other available facilities.

It is to be noted that more than 100 tea gardens are available in Darjeeling and Dooars. The author has randomly selected 6 tea gardens and took interview of 15 female workers from each tea garden. It is very hard to reflect the real scenario of the women workers who are working in all tea garden of Darjeeling and Dooars But the author has consulted and received a huge number of literatures available in this field. Through this literature review she wants to study the condition of the women faced by the problems of low level of literacy and male dominated society. The paper is not confined to the women worker in the tea garden only she tries to highlight the women workers in the multiple spheres of work and life relating to the small tea growers cum workers, the area which has not been explored much hitherto. The field survey by the author shows the changing social, economic and educational studies of the women labourers. Despite their low income, they began to send their children to school and the girls are accorded given equal educational rights. But very low rate of improvement is also evident. In Table-4, of the article it is shown that the work wage rate, medical facilities, crèche facilities, household and leisure time etc. are not satisfactory and the majority of women workers are not satisfied with the working terms and condition and most of them did not raise their voice. Her paper concludes with hope and faith on the government, social bodies, NGOs and educational enlightenment for the empowerment, of women working in the tea garden of Darjeeling and Dooars.

It is worth mentioning that the articles published in this book were submitted for publication chiefly during 2019-20. Data used and explanations given by the authors are up to that period of submission of their articles.

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**Date:** September, 2022.



*Towards Understanding India's Inclusive Growth: Challenges and Resolutions* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.1-15. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# Towards Understanding India's Inclusive Growth: Challenges and Resolutions

Sibranjan Misra

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There is no denying the fact that the concept of 'inclusive growth' is not a new or novel idea in the world and India in particular. We treat inclusive growth as synonymous with equitable development. Economic growth may create opportunities for wider participation of people in the process of economic development. On the other hand, equity is important in itself as well as for raising economic growth by utilising physical and human resources. (Dev. 2009)

## I

### *Contextualising the Issue:*

The present context of inclusive growth in India relates to economic reforms and globalisation started in the early 1990s. One of the main criticisms of globalisation and economic reforms has been that they do not have 'human face' and have not achieved inclusive growth. Although economic growth has improved, about bottom 40 per cent of India's population have not benefitted

... and inequality has not declined to any substantial extent. The recognition of and attention to the relevance and importance of inclusive growth in India have been triggered by a rising concern that the benefits of growth should be shared equally by all in the economy.

While discussing inclusive growth, a major factor is the socio-economic inclusiveness of the people. Inclusive growth is a long- term process. It originates from the inclusive nature of socio-economic development across regions and people. According the UNDP Human Development Report, 2009, India ranked 134 out of 182 countries of the world placing it at the same rank as in 2000. Of course, the HDI value of India has increased gradually from 0.427 in 1980 to 0.556 in 2000 and went up to 0.612 in 2007. Of course, India lags behind in various social indicators of development. There is a huge gap between India and developed world and even many developing countries in respect of health and education. Life expectancy at birth in India was 63.4 years in 2007 as against 80.5 years in Norway, 81.4 years in Australia, 74.0 years in Sri Lanka and 72.5 years in China. Again, adult literacy rate in 1999-2007 was 66.0 per cent in India as against 100 per cent in China and 92 per cent in Indonesia.

Another pertinent factor that is relevant for inclusive growth in India is that there are different divides in the economy of India. They are as follows. In the first place, in the post reform period, rural-urban divides have increased. Of course, inter-regional disparities are related to these divides. Development and quality of life are improving more rapidly in urban areas than in rural areas. This is partly due to the relatively lower growth of agriculture. This has resulted in a very large disparity in output per worker between rural and urban areas and relative impoverishment in the rural areas. Generally, the performance of many basic services like drinking water, health, education, sanitation, electricity, transport etc. are weak in rural areas. Secondly, there are significant disparities between men and women. Although we have constitutional commitment to equality, it has only a limited impact in reducing disparity. Thirdly, another divide is the disparities between marginalised sections (SCs and STs) and other groups. There have been various programmes for improving accessibility

of these groups to these opportunities and resources. On top of all these, the existence of wide inter-regional variations is well recognized. All these call for bridging the divides. Inclusive growth is, hence essential (Dev, 2009)

No growth can be inclusive unless it takes adequate care of women and child. Child labour, despite a plethora of laws and regulations is still unfortunately very much prevalent. The country's ethos needs to bring about an end to child labour together with a strong political and bureaucratic commitment to end this gory practice. The caste system is another curse in Indian society. Combined with it religious communalism, we have a deadly commitment for economic disaster. The exploitation of labour is widely prevalent. Despite the promulgation of Minimum Wages Acts, the feudal system in rural areas and industry in the urban conglomerates still continue to fleece labour paying them wages far below those prescribed in certain areas. Politicians and political parties often have their own vested interests in keeping people poor and deprived. They want to have a ready-made electoral constituency which they fear losing with education and propriety. Many vested interests would like to persist with the caste system and other social evils to contain their political base.<sup>1</sup>

In this connection, it should be noted that as India develops, the interference of the government in people's lives should come down. It is desirable that government functionaries should change their mind set from colonial masters to facilitation. Again, corruption has become all pervasive in the country. It is eating into the vitals of the country. (Shukla, 2009)

All these explain the fact that India needs to embrace inclusive growth, so that the benefits of development should trickle down to the people of all strata.

## II

### *Challenges for inclusive Growth:*

- **Agriculture**

It is true that agriculture plays a predominant role in Indian economy. It provides employment, generates huge goods for consumption and new

materials for industrial products; and provides exportable goods for earning foreign exchange. The performance of agriculture at the all -India level demonstrates that GDP growth in agriculture recorded the highest growth in the 1980s. But it started declining in the post-reform period. The sector's performance is vital for inclusive growth.

Agriculture sector has many problems. Apart from slow and sluggish growth, farmers' suicides have continued/increased in some states. Farming has become a non-viable activity. Further scope for increase in net sown area is limited. Land degradation in the form of depletion of soil fertility, erosion and water logging has increased. India has also witnessed a decline in the surface irrigation expansion rate. Ground water table has also reduced remarkably. Risk and vulnerability has also increased. Again, it is also observed that disparities in productivity across regions and crops are significant. (Dev, 2009). Contact farming has also been increased. India also witnessed crop diversification. There has been shift of area under production from cereal-subsistence crops to cash crops. (Dev, 2009)

It is also pertinent to note that the major sources of agricultural growth are public and private investment in agriculture and rural infrastructure including irrigation, technological change, diversification of agriculture and use of fertilizers. It is observed that, the increase in subsidies, crowding out of investment in infrastructure, degradation of natural resources, failure in conservation and improvement of rain-fed land, knowledge gap with existing technology, weak market infrastructure, lack of credit availability, absence of institutions geared to help labour, imperfections in land market and plight of small and marginal farmers etc. are of serious concern.

- **Health**

It is pertinent to note that health system in India has five basic problems. They are (a) India's health record is absolutely and relatively poor, as compared to even China and Bangladesh; (b) Equity and quality considerations are not taken care of; (c) progress and improvement or entitlement is slow; (d) there is

glaring failure in the management and delivery is quality health care; and (e) finally, this sector is grossly underfunded.

Malnutrition in India is a national shame. Malnutrition in India appears much higher than that in sub-Saharan Africa. Women in India tend to have less status and decision-making power than women in sub-Saharan Africa. As a result, women have less ability to take care of their own and their children's health and nutrition. Women and child specific opportunities can reduce malnutrition. It is observed that malnutrition can be reduced by enhancing women's health, promoting gender equality and empowerment of women. In general, gender equality and the well-being of children go hand in hand. The right of women and children are mutually reinforcing.

In India, we witness quite a good number of policies initiated for improvement of health and well-being of the women and children who are more vulnerable and deprived. These redistributive policies like mid-day meals, wage employment, targeted public distribution system, micro-credit system, self-employment programme may provide opportunities for better living. But unfortunately, the performance of many of these programmes leaves much to be desired.

- **Education**

It is pertinent to enumerate some of the peculiarities of education system in India. There is no denying the fact that education is an essential input for meeting the manpower requirement of an economy and at the same time, it is also a critical input to ensure social justice and equity for providing upward mobility and access to higher level of economic and social activities of the weaker sections.

Human resource development, quantitative and qualitative, through education is central to India's ambitions. But unfortunately, in recent years, with regard to education, there are certain issues that agitate the mindset of the educationists and policy makers. They relate, among others, to financing and subsidization, brain drain, privatization/corporatization, globalization or borderless university education system. These issues have posed a threat to the



sustainability today as India is engaged to the use of education as a powerful instrument to build a knowledge- based society.

Subsidized education is a pre-requisite for providing accessibility and affordability of receiving education. If it is rightly implemented, there is a probability of generating social equality. But unfortunately, a casual empiricism suggests that the overwhelming majority of beneficiaries of education in India belong to the upper stratum of the society. So, there is some doubt whether there is any justification for utilising the scarce public fund for aggravating this social crisis. Another point of serious concern with regard to education in India relates to brain drain. The outflow of the Indians with talent, training and technical skill- has enormous impact on the economy for its future course of development. It is to be noted that privatization or corporatization in education today is a *fait accompli*. There are some reasons, of course, for both satisfaction and desperation with regard to this issue. Education is being looked upon increasingly as a marketable commodity, where immense profits could be made, instead of public service essential for the overall development of the country. Private institutions for education may provide freedom of choice for alternative course of relevance to the students. Of course, privatization has perpetrated inequality in the system. This tends to accentuate inequality in access to education which, in turn, contributes to inequality to occupational achievement and hence in socio-economic sphere as a whole. In the process, it may become a monopoly of the rich.

An equally disastrous consequence has been the remarkable erosion in the quality and standard of higher education for different sections. We again witness today a gradual fall in the out-run of scientists, philosophers and social scientists. Creativity, originality and innovativeness and hence promotion of culture- all these have taken a back seat. Indiscriminate expansion or entry of private institutions in education, in the ultimate analysis, has led to a decline in the quality of entrants in pure science or liberal arts group. The society, in course of time, may be a society of technocrats.

As regards to primary education, precisely, certain observations are in order. They are (a) the overarching need is to overcome the rigid barrier of

class divisions that blight the basic rights of education from economically and socially disadvantaged backgrounds; (b) free education has ceased to be a right of all children, particularly because of the artificially generated need for private tuition; and (c) increasing efficiency as well efficiency in the use of resources in education mainly primary is as important as the need expanding the overall resource allocation in favour of, particularly, primary education.

- **Role of the State**

Modern (positive) state may be conceived of as a main instrument for social change with a whole range of initiatives. But the state in India today has ceased to become socially purposive. It ceased to fulfil the role assigned to it. It is desirable that in order to carry on their roles. The modern state and its institutions (executive, judiciary and legislative etc.) should be autonomous of dominant interests (communal, caste, professional mafias interest etc.). But in contemporary Indian politics, we observe onslaughts on establishing institutions and their autonomous integrity and the capacity in their independent action is being generally eroded in an environment of abject surrender to dominant interests. So, autonomy has been remarkably abrogated. It has yielded place to communal organisations, corporate interests and violence etc.

- **Corruption**

Governance has been variously defined. Good governance has been perceived as conditionality for development. But at the same time, it is very often maintained that the entire issue of governance as well as the issue of corruption in eating the very vitals of different societies in different ways—more particularly in the developing economies.

We can identify some key features of good governance in the following way. They are:

- Participatory in nature
- Consensus in orientation
- Accountable
- Transparent
- Effective and efficient

- Equitable and inclusive
- Rule of law

Corruption is not a new phenomenon. There is no consensus on the definition of corruption, but what is perceived to be a corrupt society is based on a society's acceptance or tolerance. Corruption is generally defined as a kind of illegitimate favour for immediate or future personal gain for doing an official work which one is supposed to do free of charge. In most of the developing countries, corruption is like a virus. Corruption is basically a moral rather than a legal issue. On the root cause of corruption, Adam Smith mentioned –

‘The disposition to admire- almost to worship the rich and the powerful- and to despise or at least to neglect persons of poor and mean conditions- is at the same time is the great and most universal cause of the corruption, of our moral sentiment, we desire both to be respectable and respected. But upon coming into the world, we soon find that wisdom and virtue are by no means the sole objective of respects, nor vice or folly of contempt. (Smith, *The Theory of Moral Sentiments*, p. 80) The seeds of corruption is buried in human nature itself. It is both an individual and a structural phenomenon. Individuals are propelled by their inherent desire to make undue or undeserved gain. It is often said that corruption may be generated because of over-governance. Gandhiji used to say that ‘that governance is the best governance that governs the least. Least governance would provide more space to civil society. Anti-socials may not be allowed to take advantage of less governance. Our attitude towards life has undergone a remarkable change from ‘simple living and high thinking’ to ‘high living without thinking’. Consumerism encourages corruption which again encourages corruption- this vicious circle continues to go on. And we witness today a proliferation of income classes and hence, we have consumption pluralism. This has brought about a gradual increase of the propensity to earn, no matter right or wrong means. With the pressure of ‘demonstration effect’ and the strong desire to keep up with the Jones, people today enter into the world of corruption, even by breaking the ethical barriers.

Another point of concern is that liberalization process has affected the ideological outlook. The present situation has compelled to deviate resources towards buying influences. Liberalization means to many liberation from all ethical and moral bindings. The whole set of values from which the bureaucracy stand committed is under threat of displacement. Ethical crisis has also engulfed the bureaucracy. The economy is having no respite from piracy and pillage. In India, liberal democracy is under stress today. The concept of competitive elections as a means of making governments accountable to the electorate is being challenged by the kind of changes that are taking place today in the party system. Modern democratic form of government has attracted lobbies and interests that compete to acquire power over the state to benefit themselves, even at the cost of the public interests. In India, the inability of the developmental state to generate development in the right perspective is attributed to the influence acquired by powerful interests and lobbies over the political parties and the state. (Kohli, 1991)

In fine, it may be noted that there are certain situations in which corruption grows and perpetuates. They are, among others,

- excessive control or over-governance
- absence of accountability
- weak bureaucratic structure
- corruption in politics
- non-existence of role model
- and, erosion of moral values.

### III

#### *The way Ahead*

We have tried to identify some of the areas of darkness, that are responsible for the limited success with respect to achieving inclusive growth. The benefits did not percolate to the targeted population, in spite of the adoption of numerous policy initiatives. It is essential to suggest some of the measures that would help achieve the goal of growth with equity. They are as follows.

In the first place, equity matters most for economic development. Attempt should be made to reduce inter-personal, rural-urban and regional disparities. This may help generate sustainable growth. Growth and equity are complementary rather than trade-offs.

Secondly, agricultural development should be given top most priority. There are fundamentally six deficits in Indian agriculture. They are (a) investment, credit and infrastructure deficit; (b) market deficit; (c) crop diversification deficit; (d) land and water management deficit; (e ) education skill deficit and (f) research and extension deficit. In fact, to improve productivity in agriculture, it is necessary to give big push to core issues. In other words, they are public investment in infrastructure, land and water management including rain-water conservation and watershed development, research and extension, price stabilization etc. to make cultivation stable and profitable. There is also a need to concentrate on delivery system. India's large proportion of farmers are small, marginal and poor farmers.

Thirdly, another area of concern is to enhance the social and physical infrastructure. Steps should have to be taken to develop sound and appropriate health and education system.

Fourthly, gender is a cross-cutting there. It should not be confined to one sector. Participation of women in labour market should have to be enhanced. There are significant gender disparities in different areas like education, malnutrition, infant and child mortality rates. Reduction in disparities is a pre-requisite for development and this would definitely enhance the scope for providing opportunities for improvement of life and livelihood of the marginalized.

Fifthly, macro-pro-poor policies are more important than having only safety nets for poverty reduction. The macro policies such as fiscal, monetary, trade etc. should have to be more pro-poor.

Sixthly, employment generation (both quantity and quality) should have to be main focus for India-s economic development programme. Skill improvement need to be initiated with an end in view to shift people from

agriculture to non-farm sector. At the same time, it is important to note that structural change in economy should follow agriculture-industry-service sequence in GDP share. India jumped from agriculture to services sector without concentrating on manufacturing (Dev, 2009).

Seventhly, development of technology is important for inclusive growth. The spread of green revolution to the poorer states in India shows its potential for reducing poverty and regional imbalance in development. The experience of Information Technology holds the prospect for raising productivity in agriculture and industry. There is a need for exploiting the potentialities from these emerging technologies for equity across households and regions (Rao, 2008).

Eighthly, it is important to note that equality of opportunities is important. If we do not follow equitable distribution of assets, development process may be stunted. Government should embark on a social transformation that ends discrimination on the basis of caste, class or gender.

Ninthly, the focus of development programmes should be on the more efficient delivery systems of public services. Better governance is very important in this respect; because, better implementation of sectoral policies and poverty alleviation programmes, social mobilization, community participation and decentralized approved are essential. Of course, governance has to be contextualized in relation to socio-economic environment.

Tenthly, it is widely recognized that decentralization in terms of transforming power to local bodies is pertinent. In India, decentralization means devolution of power from centre to the states. It is said that an individual can not tend a flock of sheep by sitting on the back of a camel. The experience of decentralization in terms of greater devolution of functions, finance and power to PRI and urban local bodies has not been satisfactory. The PRIs have to be strengthened for achieving growth with equity.

Another point of concern is that '*Rights approach*' plays an important role in improving implementation for development programmes. Right to food, Right to health and Right to education, Right to employment, Right to

information etc. put pressures on government to deliver the services to citizens in an appropriate manner. Basically, we have to go beyond 'supply side' and focus on demand side also. Social pressures are required for 'public action'.

On top of all these, the following points one equally pertinent to take care. Monopoly power of the bureaucrats is required to be reduced. It is not desirable to give full authority to an individual official. Officials should be given competing jurisdiction, collusion among several officials is rather difficult. So, the possibility of a corrupt practices may be reduced. Another effective way to reduce corruption is to generate an incentive- based pay structure for public officials like Singapore or Hong Kong. Again, it is true to say that rule of law may only bring about a change in the modus operandi of corrupt practices rather than help eliminate it. The situation must be 'not in eliminating politics from democratic government; but in strengthening democratic inputs as the political process, while restoring a sense of collective good- a shared future'. It is also sometime argued that one of the tolls to deal with corruption issue is to bring transparency both in the policy making and in the delivery system. The strategy to deal with corruption must necessarily be multi-pronged-at the legal level, the enactment level as well as at the social levels.

In fine, in all fairness, it is to be noted that for a sustainable economic development, it is important to generate a situation where benefits of development should also trickle down to people of all sections. In India, the society is consisting of different caste, class or creed. It is found that ST/SC/ other backward classes are constituting a major part in the economy. The government has been initiating different policies, some of which are directed towards these communities so as to provide opportunities for enhancement of their well-being and capability. This is a positive policy towards building an egalitarian society, which may generate inclusive growth. But it is sometimes observed that the members are not homogeneous in terms of economic status. Sub-group of them exploits the opportunities over generation and in the process, a new elite (privileged class) is constructed. A large section of the community is denied. Again, ST/SC/Dalits are used as symbolism as a means to establish clout in power politics. They use their leadership as a

bargaining point with other parties. The strategy has worked in many cases and they treat their constituency as their fiefdom, in the process, keeping Dalit society as backward as ever. In sum, it may be noted that the people belonging to the marginalised may not be homogenous in terms of different parameters like resource endowment, locational factor, or cultural background. The society may be stratified. The relatively more developed set of people of the marginalised are generally found to enjoy the benefits of different policies initiated for the purpose. In the process, only a small fraction receives the opportunities. In point of fact, it is, therefore, necessary to frame policies in such a way that it should benefit all members of the marginalized class. Then and only then, the emergence of inclusive growth is feasible.

#### IV

##### *By way of conclusion*

India seems to be improving its economic growth. However, there is a need to have a broad based and inclusive growth to benefit all sections of people in the society. There are different challenges for achieving inclusive growth. They are generally unsatisfactory performance in the agriculture, corruption, social sectors like health and education etc. The role of state in a democracy is also pertinent. There are strong social, economic and political reasons for achieving inclusive growth.

Practically, there is no trade-off between equity and growth. In a democracy, it is difficult to ignore the large sections of the population. It is increasingly recognized in India that the process of development must become more socially and economically inclusive. This is precisely for the purpose of reduction of exclusion, social tension, inequality and improve over all economic development. It calls for adoption of policies by the state, so that the economy should develop and benefit, whatsoever, should percolate to the marginalised people, who are largely denied. The state has to learn from its failures in the past. It must be positively pro-active. The formulation and implementation of different policies must be pragmatic.



## END NOTES

1. Rapid and sustained poverty reduction requires inclusive growth. It allows people to contribute and benefit from economic growth. Growth should be broad-based across sectors. It emphasises the idea of equality of opportunity.
2. Rajiv Gandhi once remarked that hardly ten percent of the money earmarked for rural projects in India reached the actual beneficiaries. Unfortunately, the situation had not changed much at all since C K Prahlad estimates that the cost of corruption in India amounts to over 10 per cent of GDP. As he remarks, “A nation does not get rich first and then become less corrupt. It is the other way round”. Grand schemes and plans are drawn up with extravagant aims and claims of potential success equally extravagant in pre-election years to garner the support of the rattled public; but they are of no use unless the delivery system are improved drastically. This calls for a change in the working style of political leaders, bureaucracy etc.
3. It is to be sated that the public accountability is crucial for the success of the Rights like the “Right to food”.
4. There are four countries in the world- Nigeria, Sudan, Indonesia and Myanmar which spend less than India for health care system.
5. De-risking agriculture through investments in infrastructure, land and water management and technology are important than relying on curative approaches through crop insurance.
6. It is heartening to note that the policy makers are becoming more conscious of the need for inclusive development. It was stated in the Approach paper on the Eleventh Plan. It states:  
“It reflects the need to make growth more inclusive in terms of benefits flowing through more employment and income to those sections of society which have been left out of economic growth. The change in thinking of people at the helm is welcome; but is far from enough by itself”.

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*Women and Children in Difficulties In : In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.16-28. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# Women and Children in Difficulties

**Anil Bhumali**

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## **INTRODUCTION**

Various studies show that women and children of developing countries suffer more than that of developed countries in terms of economic, social and cultural affairs. This is more pronounced in the families experiencing extreme poverty. Most of such people live in sub-Saharan Africa, Latin America, and Asia and struggle for maintaining the bare minimum necessities like food, health, education, access to water and sanitation. They are being employed in such jobs that do not guarantee a decent living.

Since independence and especially since the start of economic planning innumerable number of measures were adopted by the Government of India to improve economic conditions of the poor. Green Revolution improved production and productivity of crops especially white, rice, bazra, maize and other crops. This has positive impact on the availability of food supply. The New Economic Policy (1991), it is said, has had impact on all the fronts of the Indian economy and the supporters of globalisation and NEP blindly argue that globalisation had improved the socio-economic status of the poor including women and children of poor income families of developing world which is not tenable by the other school of thoughts. In this paper we discuss the following :

(i) review of some studies on women and children, (ii) women empowerment, (iii) women in agriculture, (iv) children at work and (v) government initiatives.

## REVIEW

Poverty impacts adversely on women. It percolates down to their children and ultimately creates a vicious circle. This circle makes women unhappy and they feel guilty and shame. They are engulfed with widespread depression. Ultimately poverty may damage mothers' mental and physical health triggering domestic violence. Women's Budget Group (wbg, 2005)<sup>1</sup> explains all such issues on women and children in economic difficulties. This report records that women especially lack adequate income and resources and face depression and mental health problem. This problem intensifies when poorer families borrow from private agencies and individuals rather than from banks. This is also reflected from other studies {(SEU, 2004)<sup>2</sup>, (Ford, 1991)<sup>3</sup>}. Women in poverty are more dependent on their husbands. Even if they earn money, they don't have right to spending such money earned by them. This study finds a clear link between women's and children's poverty. Enabling women, they may be mothers in couples or lone mothers engage themselves in paid work in order to escape poverty. Earlier less attention was given to the role that women's earnings can help two parent families out of poverty. Some studies (for example, study by McLuckie-Townsend J., 2004)<sup>4</sup> shows that employment of women varies between religious groups. This shows that women in low-income families of Pakistan and Bangladesh are more engaged in low-paid jobs.

Also incidence of child labour is very high among such families where women are involved in low-paid informal sector works. Children of lower income families of sub-Saharan Africa, Latin America and Asia are mostly found to be engaged in low-paid informal sector work. Unicef (2016)<sup>5</sup>, in collaboration with V.V. Giri National Institute of Labour, compared census data of 2001 and 2011 on child labour. The report gives an overview of child labour and different terms relating to child labour. Government initiatives and legislations on child labour have nicely portrayed before discussing in detail

the status of child labour in India. Census data have been employed to explain the conditions of child labour. Two census data, 2001 and 2011, have been taken up and discussed and compared. Child labour data show startling results when compared 2001 data with 2011 data. This shows a sharp decline of child workers from 12.7 million in 2001 to 10.1 million in 2011. Their number also declined from 5.0 percent to 3.9 percent during the same period of time. One interesting fact is that this decline is not uniform across the country. In the rural sector, it shows a marked decline (from 5.9 to 4.3 percent) while in urban sector, it shows an increasing trend (from 2.1 to 2.9 percent).

Agriculture sector engages highest number of child workers. Census data of 2011 reveal that agriculture sector alone provides 40.1 percent to child workers. Children in urban sector are engaged in trade (whole sale and retail), manufacturing in household industries, and non-household industries, real estate, renting and business activities. But data show that there has been a decline of child workers in agriculture, the reason being the government intervention. As a result of government intervention, school enrolment ratio improved sharply through the implementation of *National Child Labour Project* and *Sarva Siksha Aviyan*. Mid-day-meal also has a huge impact upon the growth of student enrolment ratio. Census data 2011 reveal that Bihar and Uttar Pradesh represent highest number of child workers in India. (32.2 percent of total child workers). If we consider child workers of Uttar Pradesh, Bihar, Rajasthan, Maharashtra, West Bengal, Madhya Pradesh and Gujarat together, their magnitude becomes 64.7 percent of total child workers in India. Many reasons have been identified for the rise of child labour. These are as follows : (i) migration of families increases at a higher rate, (ii) higher wage rates in sectors such as tea and coffee plantations, construction works, hotels and restaurants, shops and small eating places, (iii) increasing poverty, low income and unemployment in the families, (iv) rising demand for children in the market because of lower wage rate and (v) poor quality of education and lack of interest in going to school.

Chant (1999)<sup>6</sup> described the plight of female-headed households of developing countries. The author made survey with lower-income groups of

female-headed households of Mexico and Costa Rica and found such families as economically, socially and culturally weak and vulnerable. They were found linked with the breakdown of family values. The families were inflicted with poverty due mainly to (i) less labour supply than the couple headed families, (ii) non-engagement by employers due to single mother and children & (iii) receiving limited income from sources external to their households.

She presented a harsh and vivid socio-economic handicap prevailing among the female-headed families in the developing countries of the world. The author studied the situation of such households in the low-income communities in Mexico and Costa Rica. The investigation shows, women-headed families are found weak and vulnerable and are linked with the breakdown of family values. Chant (2003)<sup>7</sup> tried to link '*faminiton of poverty*' with the feminisation of household headship' with the help of supportive data (secondary and primary). It suggests that if it is proved that female-headed households are the poorest of the poor then emphasis should be given to alleviate poverty. In this context, it is argued that palliative interventions should be taken. This may take various forms such as providing child-feeding, day care, easy access to credit with soft interest, and make the members of such families skill-trained and also to provide shelter. Chant concludes that feminisation of poverty can possibly be arrested through feminisation of power irrespective of their family conditions. While discussing poverty, the author also mentions poverty exists among women and children in the male-headed families too. Women in such families have the burden of '*secondary poverty*'. It is found that women in the female households find themselves better-off in their present position rather than living previously with their male-headed families. Another problem that crops up is that children in the female-headed families are engaged in part-time job before their age maturity. In this way, child workers are created and finally contributes what is called '*inter-generational poverty trap*'. Child rearing and caring is neglected. The children suffer social stigmatisation.

Studies such as ILO, 2013; UNICEF-ICDC, 1991, Bhattacharya, 2008<sup>8</sup>, Roy and Barma, 2012, Lieten, 2002 show that due to poverty there has been a continual increase of child poverty globally. Study by Bhattacharya

specifically examines the quality of education for the child workers in Bengal. Before going to specific study the author discusses about the National Child Labour Project (NCPL) and the merits and demerits of the project (two surveys so far conducted, one in 2001 and other in 2007). The first survey finds that mainstreaming of the NCLP school students was not proper and for this reason major objectives of the project could not be achieved so far. The second survey (V.V.Giri National Labour Institute (VVGNI, 2001) conducted 15 states and 70 districts as samples of 20 states and 250 districts as samples. The survey suggested that it is of utmost importance to create income augmenting opportunities to the parents of child workers. It was also suggested that extensive awareness programmes need to be created among all the members of the people about evils of child labour. Also a strong monitoring committee or task force was suggested to form both at state level and at the central level to control the relapse of the problem of child labour. This study suggests that mere passing of Acts and legislations cannot change the deplorable condition of social menace until and unless the present socio-economic situation of the people of India is improved.

## **WOMEN EMPOWERMENT**

Women mostly in developing world are under-privileged and disadvantaged on many counts. This is more so in the case of women engaged in informal sector works. The severity of socio-economic helplessness is more acute and distressful in female-headed households of sub-Saharan Africa, Latin America and Asia.

Women empowerment broadly signifies the improvement of the status of women in the family, in the community and in the society at large. Education among women, their employment in formal and informal sectors and their political participation can largely improve their status and empower them in the society.

We will concentrate here especially on the issue of empowerment of rural women in the Indian context—and since education can better improve the status of women we will first discuss educational status of women. Due to

social and economic bottlenecks, women literacy was only 0.2 percent i.e. out of 500 women only a woman could read and write as reflected in 1882 census. In 1901 it slightly rose to 0.69 percent in 1901, 1.05 percent in 1911, 1.81 percent in 1921, 2.93 percent in 1931, 6.00 percent in 1941 census. It was 7.93 percent in 1951. It received momentum since 1961. It was 12.95 percent in 1961 which again rose to 18.72 percent in 1971, 24.82 percent in 1981, 39.29 in 1991, 54.16 percent in 2001 and in 2011 it increased to 65.46 percent. The overall literacy in 2011 is 74.04 and among the male it is 82.14 percent. Still women are lagging behind. This may partially be due to rural poverty and mass poverty among the women in rural India.

Education among the disadvantaged women are sharply noticed in India. Several measures have been adopted to improve the literacy among the disadvantaged women like stipend for the girl students, hostels for them, tuition fees, books, mid-day meals. In spite of all these, they are still backward in their educational uplift. Literacy among the scheduled caste and scheduled tribe girls show a worsening condition. Rural girl students' enrolment status has been improved. But major drop outs are found among the girl children. Many are the severe bottlenecks found that go against the education among the girl children. Some of them have poor school environment for girls especially in the rural India. Withdrawal of enrolled girl students to share the family responsibility work as a hindrance to spreading girls education. Dowry system deprives the right to education in girls. Early marriage in India (also it is a problem in many of Asian nations including Bangladesh, Pakistan and Sri Lanka) especially taken place among the minor girls who have not attained the age of 18 years, majority of whom are in poor socio-economic conditions. Priority to son's education compared to daughter's education works against the expansion of girls' education. Their Parents think that it will be wastage of money because after marriage they will live with their husbands' house. Poverty (as we see in many studies) is the biggest cause of illiteracy in India. Women are found economically most deprived and thus they are the poorest of the poor all over India. In the poorer families, they are malnourished, and denied the opportunity of education and many other facilities necessary for a better life. We can use the 2011 census data of India to show literacy data.



**Table 1:** Literacy, 2011 census Report, India

<b>Population</b>	<b>2011 Census</b>
Poverty (living on less than US\$ 1.25 per day)	42%
Expenditure on education as % of GNP	4.1
Net enrolment at primary school	95%
Primary school completion rate	90%
Total youth literacy rate (15-24 yrs)	Female- 65%, Male-81%, total- 73%
Adult literacy rate (15 years & above)	Female- 51%, Male-75%, total- 63%

## WOMEN IN AGRICULTURE

Employment in agriculture depends on crops cultivated, seasonal requirement for labour, organisation and method of work and technology adopted. It differs in characteristics between different farm holdings and plantation industries. In agriculture, there exists prevalence of informal employment which is casual, short-term and usually based on a contractual service. As in many other countries, working women especially in agriculture face various forms of discrimination such as wage discrimination. In a study (Bhaimali, 2003) it is found that women agricultural workers in rural West Bengal receive a wage 20 percent less than that of men. This study also reveals that weekly hours of work performed by women in agriculture is larger than men in different farm groups. This is shown in table 2:

**Table 2:** Weekly hours of work performed by different farm groups

<b>Category</b>	<b>Men</b>			<b>Women</b>		
	<b>Farm work</b>	<b>Household work</b>	<b>Total work</b>	<b>Farm work</b>	<b>Household work</b>	<b>Total work</b>
Landless	42	14	56	52	56	98
Small Farmers	42	20	62	28	68	96
Medium Farmers	40	20	60	14	68	82
Large Farmers	24	10	34	00	42	42

**Source :** Field Survey, Rural West Bengal, 2003, Bhaimali

We are presenting below in tables 3 & 4 the data which explain women's economic contribution in the family.

**Table 3:** Economic contribution of Women in the family (village 1)

Income Group	Average Income (Rs.)			% of total	
	Male	Female	Total	Male	Female
800 – 1500	800.00	8.66.66	1133.33	23.52	76.47
1500 – 2000	981.80	8.35.45	1817.27	54.02	45.97
2000 – 4000	1769.00	928.18	2660.90	66.48	33.51
Above 4000	6000.00	1500.00	80.00	80.00	20.00
Total	1425.38	903.84	2311.92	56.00	44.00

Source : Field Study, 2003, Bhuimali

Table 3 shows that Women's economic contribution in the family is 44 percent. They thus play vital part in contributing to their family economically.

**Table 4:** Economic contribution of Women in Village 2

Income Group (Rs)	Male	Female	Total	Percentage to total	
				Male	Female
Upto 2000	293.75	1431.25	1725.00	17.02	82.97
2000 – 5000	3050.00	400.00	3450.00	88.40	11.59
5000 above	7142.85	714.28	785.14	90.90	9.09

Source : Field Survey, 2003, Bhuimali

Table 4 states women's economic contribution is the highest in the family i.e. 83% in the lower income group. It goes decreasing with the increase in family income.

## CHILDREN AT WORK

Before the 19<sup>th</sup> century, working children were not given proper legal status in India. 19<sup>th</sup> century industrialization had shortened the childhood. They failed to take education, their health status was poor and they had little time to sleep. The growth of factories in India in the late 19<sup>th</sup> century made the child labour force most vulnerable. They had been, in particular, suffering from abuses in the textile mills of Bombay, Calcutta, Ahmadabad and other

places concentrating textile industries. In the Indian Factories Act, 1881 the protection of law was extended for the first time to working children. The Act set the minimum age of children in factories at seven years and allowed nine hours of work a day. The Royal Commission on Labour, 1929 recommended the probation of children below the age of 10 years as the minimum age. The first post-independent Act was the Minimum Wages Act, 1948 which fixed 14 years the minimum age of a child to work in factories and the normal working hours would be 4.30 hours a day.

The Mines Act, 1952 prohibited children below the age of 15 years to work in the mines. The Gurupadaowamy Committee on Child Labour, 1979 recommended for a separate Act on child labour along with the uniform hours of work, conditions of work etc. Children's right to education was ensured when the Child Labour (Provision and Regulation) Act, 1986 was passed. This Act categorically mentions that children below the age of 14 years should not be engaged in hazardous jobs. The problem with this is that it does not cover the unorganised sector. In 1987 the National Child Labour Project (NCLP) was implemented. Under this project special schools were set up in order to provide bridge education, vocational training along with the provision of food and nutrition and stipend to the children withdrawn from work.

**Table 5:** Expansion of NCLPs

<b>Year</b>	<b>No. of NCLPs' Sanctioned projects</b>	<b>No. of districts covered</b>
1988	12	12
IX Plan (1997-2002)	88	100
Xth Plan (2002-07)	150	250
XIth Plan (07-2012)	21	271
Total	271	633

**Source :** Ministry of Labour and Employment, Government of India, 2013.

The NCLP covers the following set of activities : (i) conducting survey and identifying working children, (ii) indentifying children engaged in hazardous work, (iii) withdrawing working children and putting them to special school, (iv) admitted students should also be provided vocational training (v) providing

nutritional food and health facilities, and (vi) providing a fixed stipend to the student. The Ministry of Labour and Employment, Government of India, 2013 provides the following data for the expansion of NCLPs. (Table 5).

The Census of India, 2011 states that the total number of child labourers, aged 5-14 years is 10.1 million as against 217 million child labourers worldwide.

### ***Survey of special schools***

A survey of all the 19 special schools for child labour and a sample of 30 percent parents of students selected randomly in the district of Cooch Behar of West Bengal state is based on the parameters such as the number of special schools, enrolment, attendance of students and teachers, teaching materials, mid-day meals, school buildings and other infrastructural facilities available such as availability of drinking water, toilets, playground, and other facilities such as mainstreaming coverage of target groups and convergence with different government departments, role of NGOs etc. The study shows that the schools are successful in maintaining a more or less constant enrolment of students and cooking and supplying the midday meal. It is a matter of grief that not a single pucca room is found in all the 19 special schools for child labour. Each school has student intake of 50 and attendance of students is high (over 76 percent). All the school rooms are temporary in nature but students' attendance is high because of midday meal. School walls are made either with thatche and the wall with tin or mud or jute waste. Midday meal and monthly stipend encouraged student attendance.

In the whole of West Bengal, Cooch Behar's position is 18 in terms of special schools, their functioning and the number of children enrolled. We present below in table 6 the districts in West Bengal which have lesser number of schools and very thin enrolment.

**Table 6:** Districts having less no. of students and less enrolment

Sl. No.	Districts	Special Schools sanctioned (no.)	Schools functioning (no.)	Children enrolled (no.)
1	Purba Medinipur	35	25	1250
2	Jalpaiguri	19	19	950
3	Cooch Behar	19	19	950
4	Howrah	40	16	800

**Source :** Banglar Mukh, 2010

The caste-wise and income-wise data of parents of students studying in special schools in Cooch Behar show that maximum concentration of students is in scheduled caste and muslim (minority) communities, each representing 44.2 and 40 percent respectively.

In Cooch Behar, children involved in hazardous jobs are found in brickfields, agriculture, domestic work, tobacco production, tea stalls, hotels and restaurants, and beedi rolling etc.

**Table 7:** Survey with 200 Agricultural Households : Cooch Behar District

Village	Block/ Subdivision	No. of farm Houses	Children engaged in agricultural activities	Students attending special schools	Reading in High School	Out of school
Biswaspara	Haldibari/ Mekhliganj	50	35	08	06	15
Madhyavarati	Sitai/Dinhata	50	40	10	07	06
Barasabbari	Tufanganj	50	20	12	15	12
.....	Cooch Behar	50	35	07	18	14
II						
Total		200	130	37	46	47

**Source :** Field survey, Bhumali, 2013.

Literacy data collected from parents of students show that 45 percent parents are illiterate. This state of education of parents certainly influences the education of children. It again shows that illiteracy among the scheduled castes and muslim minorities is the largest among the parents of students studying in the special schools.

Survey was conducted on 200 farm houses in the district to find out the existence and extent of child labour in agriculture sector. Data collected from farm houses has been presented in table-7.

## CONCLUSIONS

Rural women we found are the most unfortunate and disadvantaged in the society. We noticed that lower the family income higher is the contribution made by women. But they don't have decision-making power in the family. In the agriculture sector too women contribute large (about 45%).

A large no. of children is involved in different types of works including hazardous jobs. We found in agriculture, tobacco production, beedi making, domestic works, tea stalls, hotels and restaurants, construction work and brickfields where child labourers are largely engaged. They are sacrificing their play, fun and schooling for family earning. Poverty and single earners in the family force children to work leaving them attending classes in the school. It is in fact the survival strategy of most of the poorer families in India which forces the children to join in the working force.

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*Inclusive Growth, Social Justice and Equality of Opportunity* In :  
*In Search of Equality: Studies in Social and Economic Opportunity*,  
Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain,  
Published by New Delhi Publishers, New Delhi: 2022, pp.29-145.  
© Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# Inclusive Growth, Social Justice and Equality of Opportunity

**M. Thangaraj**

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## **INCLUSIVE GROWTH**

Inclusive growth policies are not of the recent origin. It has been there in India even before and during the British Period. Colonial governments in India and Christian Missionaries have implemented many welfare programmes. Indian government also has been implementing several welfare programmes. All welfare programmes are meant for the development of socially and economically oppressed sections of the people and these programmes are in the nature of inclusive policies. Even the Kings who ruled in India have also extended various welfare programmes. To cite an example, King Asoka, the great, has implemented several welfare programmes and he ruled the Indian sub-continent from 273 BC to 232 BC. He was the first emperor in human history who has taught the lesson of unity, peace, equality and love. Ashoka's aim was to provide welfare measures for all his subjects. Ashoka was against any discrimination among humans. He helped students, the poor, orphans, and the elderly with social, political and economic assistance. The King of Baroda, the Gaikwad supplied drinking water and established university for



the benefit of the rural students. He recognized the talent of the students and supported their educational expenditure. The Gaikwad granted scholarship to Dr. Ambedkar for his study in Bombay, New York, and London. Kolhapur's King Shahu Maharaj provided free education to all and also opened several hostels in Kolhapur thereby facilitating the education of the low-caste indigent. He also ensured suitable employment (affirmative action) up to 50 per cent for the backward classes as early as 1902. Shahuji donated Rs. 2,500 to Dr. Ambedkar who started a newspaper 'Mooknayak' on 31st January 1921. He also contributed more later for the same cause.

### ***Social Exclusion***

Social exclusion is a broad concept and has different meanings and its principal indicators relate to poverty and inequality. Buvinic, an expert on gender and social development, summarizes the meaning of the social exclusion is "the inability of an individual to participate in the basic political, economic and social functioning of society" (Tsakloghu and Papadopoulos, 2001). Or more concisely, it is, "the denial of equal access to opportunities imposed by certain groups in society up on others". (Behrman, Gaviria and Szekely, 2003). The first definition gives the multi-dimension view of social exclusion. The second definition points to two features of exclusion that affect culturally defined groups and that it is embedded in social interaction<sup>1</sup>.

A.K. Sen<sup>2</sup> has drawn worldwide attention to the dimension of social exclusion. He indicated two types of social exclusion. They are : 'Active exclusion – blocking the opportunity through deliberate policy interventions on the part of government and private agents; Passive exclusion comes from social processes in which there is no deliberate interventions to exclude, but may lead to similarly negative outcomes. A good example is provided by poverty and isolation generated by a sluggish economy and a consequent accentuation of poverty. Both active and passive exclusions are important, but they are not important in the same way'.

Labour market discrimination can occur when workers are paid different wage rates based on characteristics, such as caste, race, gender and colour

and these differences do not make difference in productivity. ‘Labour market discrimination can transpire in the domain of hiring, or in wages, or through working conditions. We can discuss discrimination when two persons with the same education, training, work experience with identical human capital, differing only in personal characteristics that have no implications for productivity are treated unequally; with the minority (lower status) group member denied jobs, given lower wages or unfavourable working conditions and the majority (higher status) individual favoured in these domains’<sup>3</sup>.

‘Discrimination is an exclusion and it can take on an active and passive form. Active exclusion through discrimination will see agents systematically refusing to hire or accept the participation of members of a social group despite their formal qualification or even over qualification routinely favouring members of others who are equally or less qualified. The consequence of discrimination can lead to deprivation indirectly. Through passive discrimination in which discouragement and lower self-confidence results in poor performance or through direct routes that limit access to income or education that is mobility enhancing’<sup>4</sup>.

### ***Search for Inclusive policy***

Thorat and Newman<sup>5</sup> have indicated that the reservation policies for groups and communities suffering from economic exclusion are associated with caste, gender, and religious identity. Two inclusive policies have emerged. They are : “Economic Empowerment” and “Equal opportunity”. The policy of Economic Empowerment is essentially directed towards improving the ownership of assets like agricultural land, capital for business, entrepreneurial skills, and education. These measures are supposed to enhance the capacity of groups historically subjected to discrimination to develop businesses on their own and enhance their employability in industry and occupations that pay well. These investments are a form of reparations to the SCs, STs, OBCs, women, religious minorities in recognition of the denial of equal economic rights from which they have suffered in the past. There is a reasonable degree of consensus on the legitimacy of this strategy. The policy of ‘Equal Opportunity’ is

essentially directed to provide reservations to the employment, education, and entry into the elected bodies. Here we see a considerable disagreement. The leaders of the private sectors have argued that discrimination is a problem of the past. As the labour market works in a neutral manner, access to labour market is determined by merit and efficiency alone. As such, there is no need of safeguards against possible market discrimination.

### ***Discrimination***

Oxford Dictionary defines the word discrimination as “the practice of treating someone or a particular group in society less fairly than others”. Oxford Dictionary also defines caste as “a social class, especially one whose members do not allow others to join it”. Discrimination may be broadly divided into two viz. social and economic.

The caste system is based on the division of people in social groups (castes) in which the civil, cultural and the economic rights of each individual caste are pre-determined or ascribed by birth. Due to graded ranking and the hierarchical nature of the caste system, the entitlements to various rights become narrower and narrower as one goes down in the hierarchical ladder in the caste system.

### ***Types of Economic Discrimination***

The underprivileged groups may experience market and non-market discriminations<sup>6</sup>. Market discrimination has many types. They are : 1. Labour market, 2. land market, 3. Credit market, 4. Factor input market (for production and business activity), 5. Market services for business, 6. Products and consumer market-goods and services, 7. Housing market. Non-market discrimination include a whole lot of public goods offered by the government and public institutions. This may include : 1. Education, Housing, Health care services, Public road, Electricity, Drinking water, Fair price shops, 2. Common property resources in the villages (irrigation, grazing land, forest, etc), 3. Various schemes offered by the governments. Three criteria have been evolved to identify and measure the discrimination (market and non-market). They are : 1. Access to certain groups for market and non-market exchange;

2. Prices charged for factor inputs, goods and services to certain groups, and
3. Terms and conditions for persons of certain groups entering into the market and non-market exchange.

### ***Social justice***

Social justice and equality are complementary to each other. Social justice is a revolutionary concept. The goal of social justice is to achieve (social) equality. Social justice is also known as distributive justice. Indian constitution guarantees liberty, equality and brotherhood. Equality of opportunity is the political concept opposed to caste hierarchy. The status of an individual in the hierarchical social order is fixed by birth.

Social justice refers to equal access to wealth, opportunities and privileges within a society and the aim of social justice is to create an egalitarian type of society without distinction of caste, creed and language. The inherent feature of social justice is to eliminate discrimination and to have a just society.

Oxford dictionary defines social justice as “Justice in terms of the distribution of wealth, opportunities, and privileges within a society.” Social justice is a device to uplift the historically disadvantaged people to come up to the level of the forward sections in the society<sup>7</sup>.

‘The Social justice was first used in 1840 by a Sicilian Catholic Priest Luigi Taparelli d’Azeglio and given prominence by Antonio Rosmini Serbati in La Costituzione Civile Secondo la Giustizia Sociale in 1848. This concept was familiarized by John Rawls<sup>8</sup>.

‘The concept of social justice has acquired seminal importance without which no morally sensitive country can manage its social relationships. The concept of social justice has been devised to moderate the tension between liberty and equality. Through the intervention of justice, equality acquires a democratic character. To argue, equality reaches to dalits and tribals via social justice’<sup>9</sup>.

### ***Social justice and equality***

The International Forum for Social Development of the United Nations Department of Economics and Social Affairs has brought out a volume on “Social Justice in an Open World-the Role of the United Nations”. The report states in the introductory chapter that ‘there is a greater inequality in the distribution of opportunities for remunerated employment, with worsening unemployment and under-employment in various parts of the world affecting a disproportionate number of people at the lower end of the socio-economic scale’. The report also indicates economic justice, as a component of social justice. Economic justice defined as ‘the existence of opportunities for meaningful work and employment and the dispensation of fair rewards for the productive activities of individuals, will be treated here as an aspect of social justice’. The report also discusses three critical domains of equality and equity viz. 1. Equality of rights, 2. equality of opportunities, and 3. Equality of living conditions. The report further indicates that there are six important areas of inequality in the distribution of goods, opportunities and rights. They are : 1. Inequalities in the distribution of income, 2. Inequalities in the distribution of assets, 3. Inequalities in the distribution of opportunities for work and remunerated employment, 4. Inequalities in the distribution of access to knowledge, 5. Inequalities in the distribution of health services, social security and the provision of a safe environment and 6. Inequalities in the distribution of opportunities for civic and political participation.

The Universal Declaration of Human Rights (UDHR), in its Article 1 declares ‘All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood’. Article 2 also deals with dignity, liberty and equality. Articles 3 to 5 emphasize the right to life, prohibition slavery and torture. The universal declaration has 30 articles and promises to all the economic, social, political, cultural and civic rights. This declaration was proclaimed by the United Nations General Assembly in Paris on 10th December 1948 and this has to be protected universally.

The United Nations General Assembly announced the annual international ‘World day of Social Justice’ (Social Justice Equality Day) every year on 20th February to look at how the impact of social justice on the eradication of poverty, exclusion, unemployment, gender equality, social protection and human rights. It also focuses on the goal of achieving full employment and support for social integration’.

ILO defines social justice as “Social justice is based on equal rights for all peoples and the possibility for everyone, without discrimination, to benefit from economic and social progress around the world. - Social justice flourishes when gender, age, race, ethnicity, religion, culture or disability barriers are struck down”<sup>10</sup>. ILO has recognized the importance of the ‘World Day of Social Justice’ and has been organizing many programmes to commemorate the importance of this day. ‘Closing the inequalities gap to achieve social justice’ was the theme for the special event to mark the observance of the world day of social justice held on 20<sup>th</sup> February held at UN Head Quarters, New York.

In India, equality may be measured in many ways. Economic equality and social equality are the most important measures. Economic equality may be measured in many ways and the most important measures are income equality and wealth equality. Social equality is also measured as access to residence, drinking water, health facilities and government redistributive programmes. Access to income and wealth is not equal and they largely depend on the availability of employment opportunities. Access to employment is not free for all. In India, access to employment is like the definition of inflation as “too much money chasing too few goods’ given by an Economist Coulborn. In India, access to employment is ‘too many eligible candidates chasing too few employments’. Apart from too many eligible candidates, there is discrimination in availing employment opportunities. Eligible unemployed candidatures have been denied the opportunities in India based caste status.

It is pertinent to remember what Dr. Ambedkar has stated about the socio, economic and political inequality. On November 25, 1949, Dr. Ambedkar sounded a grave warning in the Constituent Assembly. “On the 26th January

1950, we are going to enter into a life of contradictions. In politics, we will have equality and in social and economic life we will have inequality. In politics, we will be recognizing the principle of one man, one vote and one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradiction? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up”<sup>11</sup>.

Dr. Ambedkar has dealt with the conditions for the successful working of democracy. ‘The first thing required was there must be no glaring inequalities and there must be neither an oppressed class nor a suppressed class; second, the existence of opposition to show whether the government was going wrong; third, equality before law and administration, fourth, the observance of constitutional morality; fifth, function of moral order in society; and the last thing was the requirement of public conscience’<sup>12</sup>.

### ***Sources of Social inequality***

The reasons for social inequality or injustice are many and the reason may differ from country to country. Gopal Guru<sup>13</sup> indicates that in the USA it is a race that forms the basis of justice whereas in India it is caste that provides the ground for the articulation of the principle of justice. Further, Gopal Guru<sup>14</sup> states that an unequal appropriation and occupation of natural resources generates a deep sense of injustice among members of society.

### ***Warriors of Social Justice***

Social justice aims to remove the socio-economic challenges faced by the society through redistributive measures, such as reservation in school admission, reservation of job, widow’s remarriage, right to property for women and abolition of untouchability through legislative measures. Social

Scientist and Progressive thinkers have evolved and advocated social justice Concept. Many of them have fought for special privileges for the Depressed and Oppressed Class People and women. Prominent among them are S. Muthiah Mudaliar (1883-15 July 1953), Raja Ram Mohan Roy (1772-1883), Ishwar Chandra Vidyasagar (1820-1891), Periyar E.V. Ramasamy (1879-1973), Jyotiba Phule (11 April 1827 - 28 November 1890), Savitribai Phule (3 January 1831-10 March 1897), Sahu Maharaj Chhatrapati (1874-1922), Narayana Guru (August 28, 1855-September 20, 1928), Dr. Ambedkar (1891-1956), and John Rawls (1921- 2002).

### ***The Communal G.Os***

The Government led by Justice Party<sup>15</sup> (also known as South Indian Liberal Federation and formed government in 1920) introduced the Communal Government Order to provide reservation of seats for both political reservation and reservation of admission to educational institutions and appointments to the non-Brahmins. The government issued the first communal government order on September 16, 1921. In order to increase the proportion of posts in government offices held by non-Brahmins, the Government directed that the principle prescribed for the Revenue Department in Board's Standing Order No.128(2) on the subject of the distribution of appointments among various castes and communities, would be extended to appointments to all grades in the several departments of Government. All heads of departments and other officers empowered to make appointments were requested to adhere strictly to this principle in filling up vacancies in the future.

The Second Communal G.O., 1922, was issued in a resolution passed in its meeting held on 22 August 1922, the Legislative Council made a recommendation to the Government to the effect that, with a view to increasing the proportion of posts in Government offices held by non-Brahman communities, the principles prescribed for the Revenue Department in Board's Standing Order No. 128(2) be at once extended to all departments of the Government and be made applicable, not only to the principal appointments, but to posts of all grades, and that the Government should issue orders accordingly and insist



on their being enforced, and that to this end half-yearly returns showing the progress made should be submitted by the head of each office and that such returns should be made available to the members of the Legislative Council.

The process of de-Brahminism of public services formally began and slowly picked up its volatile nature in the coming years. For a while, in 1928 the Secretary of State for India ordered the Madras Government for the recruiting Personnel for services. At that time, S. Muthiah Mudaliar was the Minister for Public Health in the P. Subbrayan's Ministry. He was responsible for the issue of third Communal G.O on December 15th, 1928.

### **RULE OF RESERVATION**

As per the Indian constitution, every candidate is a general category candidate while applying for an appointment to the different categories or admission to the educational institutions. The benefit of the reservation is bestowed to SC/ST/OBC candidates. The candidate selected for the post under open competition should not be counted under the reserved categories, if the candidate belongs to the reserved category. It is stated that while conducting interviews for different categories of posts, the authorities should conduct the interview in the order of ST, SC, OBC and general category. If the Interview is held for the general category first and subsequently for the reserved categories, this will give the authorities/board members who conduct the interview may expect the same standard from the reserved category also. This would go against the reserved categories of posts and this should not happen while selecting the candidates.

There are many biases while conducting interviews for the reserved categories for both teaching and non-teaching posts. The most important bias is the first impressions. The tendency of the interviewer to make snap judgments about a job candidate within seconds of their meeting and interviewing the SC/ST candidates for recruitment. 'Bias is an inclination or preference that influences judgment from being balanced or even-handed. Bias can be embedded in the organization's systems or culture, or held by individuals. A bias free-hiring process is inclusive and free from barriers that adversely affect qualified candidates from diverse communities, backgrounds and identities. In addition,

this process includes people on the interview panel who are knowledgeable about equity, diversity and inclusion. Where possible, it is desirable that the interview panel also include people from diverse communities, backgrounds and identities. This not only demonstrates inclusion, but reduces bias in the hiring process<sup>716</sup>.

### ***Reservation of Jobs in Central Government Services***

The Government of India has been implementing reservation of jobs for different categories of post for ‘socially and educationally backward classes’ in Central Government and Public Sector Undertaking. When the constitution came into force, the reservation of jobs was 22.5 per cent (for SCs is 15 per cent and for STs 7.5) and the quota of reservation has been fixed based on the proportion of population. The quota of the reservation has been raised to 49.5 and this additional 27 per cent of jobs have been reserved for OBCs in India in 1987.

The SCs, STs and OBCs suffer from lack of access to employment despite the fact that implementation of reservation of jobs meant to protect them from discrimination and to improve their relative status in human development indicators. As per Census of India 2011, SCs constitute 16.6 per cent, STs 8.6 per cent and as per NSSO Report No. 563 : Employment and Unemployment Situation among Social Groups, 2011-12, the OBCs constitute 44 per cent (Mandal Commission report of 1980 quoted OBC population at 52 per cent). In the case of SCs, the percentage Group A and B posts was less than their percentage population, in Group C\* post the per cent was marginally high as compared their population and the posts in the Karmcharis their percentage was nearly 43 per cent. In the case of STs and OBCs the percentage of representation was lower than their percentage share of the population in all categories of jobs (Table 1). The data amply show that there has been a phenomenal growth in the representation of jobs in the C# category of scavenging jobs viz. Safai Karmcharis. The group A and B jobs are generally considered as high category.

The proportion of rural households with regular wage/salary earning as the major source of income was the highest among ‘Others’ category with 13.3 per

cent followed by OBC with 9 per cent, SC with 8.5 per cent and ST with 6.3 per cent (Table 2). Self-employed in agriculture and regular wage/salary earning have gone up, while self-employed in non-agriculture casual labour both in agriculture and non-agriculture have come down in 2017 as compared to 2011-12 in rural areas (Table 3). The proportion of urban households with income from regular wage/salaried employment as a major source of income was the highest among the ST with 46.5 per cent followed by 'Others' with 44.5 per cent, SC with 44 per cent and OBC with 37.6 per cent. The data further show that the proportion of urban households engaged in self-employment was the highest among the OBC and 'Others' (Table 4).

**Table 1:** Representation of Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in Group A, B, & C of Central Government Services in India (as on 1.1.2015)

Group	SCs		STs		OBCs		Total
	No	%	No	%	No	%	No
A	10122	13.31	4484	5.89	8952	11.77	76066
B	36502	16.27	15132	6.75	27801	12.39	224337
C*	494678	17.35	245190	8.60	541047	18.97	2851905
C#	20442	42.92	2881	6.05	5857	12.30	47631
Total	561744	17.55	267687	8.37	83657	18.24	3199939

**Notes:** \* Excluding Safai Karmcharis; #Safai Karmcharis

**Source:** Annual Report, 2017-18. Ministry of Personnel, Public Grievances and Pensions, Govt. of India; as quoted in Handbook of Social Welfare Statistics, Government of India, Ministry of Social Justice & Empowerment, Department of Social Justice & Empowerment, Plan Division, New Delhi, September 2018, p.381.

**Table 2:** Percentage distribution of households by social groups in India-2011-12 Rural

Social Group	Household type							
	Self employed (SE) in:			Regular Wage/salary earning (RWS)	Casual labour (CL) in:			Others
	Agri-culture	Non-agri-culture	Sub-total		Agri-culture	Non-agri-culture	Sub-total	
SCs	19.5	14.2	33.7	8.5	31.4	21.3	52.6	5.1
STs	41.4	8.1	49.5	6.3	24.5	13.9	38.3	5.9
OBCs	36.6	16.3	52.9	9.0	19.6	12.6	32.1	5.9
Others	39.8	18.6	58.4	13.3	12.8	8.3	21.0	7.3
All	34.3	15.5	49.8	9.6	21.0	13.5	34.5	6.1

Source: NSS Report No. 563 Employment and Unemployment situation among social groups in India, 2011-12, as quoted in Handbook on Social Welfare Statistics, Ministry of Social Justice & Empowerment, Government of India, September 2018.

**Table 3:** Percentage distribution of households by household type during 2011-12 (NSS 68<sup>th</sup> round and 2017-18 (PLFS) All India

Household type	Rural		Urban	
	NSS 68 <sup>th</sup> Round (2011-12)	PLFS (2017-18)	NSS 68 <sup>th</sup> Round (2011-12)	PLFS (2017-18)
Self-employed in:				
Agriculture	34.3	37.8	-	-
Non-agriculture	15.5	14.3	-	-
Self-employed	49.8	52.2	35.3	32.4
Regular wage/salary earning	9.6	12.7	41.7	41.4
Casual labour in:				
Agriculture	21.0	12.1	-	-
Non-agriculture	13.5	12.9	-	-
Casual labour	34.5	25.0	11.8	11.8
Others	6.1	10.1	11.2	14.4
All	100.0	100.0	100.0	100.0

**Note:** 1. In urban areas, 'self-employment' and 'casual labour' households were not categorized separately into 'agriculture' and 'non-agriculture' households.

**Source:** Periodic Labour Force Survey (PLFS), July 2017- June 2018, National Statistical Office, Ministry of Statistics and Programme Implementation, Government of India, 2019, p. 45.

**Table 4:** Percentage distribution of households by social groups in India-2011-12 Urban

Social Group	Household type			
	Self employed (SE)	Regular Wage/ salary earning (RWS)	Casual labour (CL)	Residual hhs. (others)
SCs	26.8	44.0	20.5	8.6
STs	19.5	46.5	18.0	16.0
OBCs	37.8	37.6	14.3	10.4
Others	36.9	44.5	5.9	12.6
All	35.3	41.7	11.8	11.2

**Source:** NSS Report No. 563 Employment and Unemployment Situation among Social Groups in India, 2011-12, as quoted in Handbook on Social Welfare Statistics, Ministry of Social Justice & Empowerment, Government of India, September 2018.

## MERIT VERSUS SOCIAL JUSTICE

The most common criticism raised against the reservation policy is that it promotes mediocrity at the cost of merit in the developing society like India. Apparently the argument seems well-founded, but there is no evidence to support. All kinds of undocumented reservations operate in India through kinship connections, caste connections, professional connections and political connections. For instance, the Delhi University Teachers Association<sup>17</sup> (DUTA) is generally opposed to the OBC reservation but does not mind asking for reservations for their wards of the teachers or for weightage in their favour for University enrollment.

### ***Reservation private Sector***

Ever since the implementation of the New Economic Policy (NEP) in India since 1990s, the focus of the government has diagonally changed from the protection of the public sector to liberalization leading to privatization. This move of the government has reduced the available job opportunities in the government and public sector undertakings. The government of India has to enact a government order to set apart jobs and to implement the reservation of jobs based on the proportion of the population belonging to SCs, STs and OBCs, as private sector undertakings are now receiving a lot of support from the government.

### ***Board Members***

If any board constituted for making appointments for the reserved categories does not have the representatives from the same category, the board will not know and feel the needs of those sections of the society. It is necessary that the implementation of reservations should be made compulsory, as the implementation of the policy of reservation in India is not a statutory obligation. Periyar, the founder of the “Self-respect Movement in India, viewed that mere transfer of power would not bring social justice for the downtrodden people; transformation of power structure is the only remedy and social justice through reservation is an appropriate route”<sup>18</sup>. Conceptual tools such as merit, efficiency and equality are tools used for denying the legitimate birth-rights of millions of the disadvantaged people in India<sup>19</sup>.

To sum up, the data presented above (in Tables 1, 2, 3 and 4) abundantly make it clear that the reservation of jobs meant for the SC, ST and OBC has not been fully implemented. The representation of the ST, SC and OBC in the central government services was less than the required quota of reservation. The proportion of ST, SC and OBC households engaged in regular wage and salaried earning was less than their share in the percentage of the population. The colonial government and post-independence government in India made provisions for allocation of seats and to implement both in letter and spirit. The authorities in charge of implementing the reservations have not paid sufficient

attention to implement the constitutional mandate due to lack of interest in promoting the oppressed sections and very often they go against social justice.

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*Tribe: Changing 'official' Concept in India from Colonial to Post-colonial Period: An Outline* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.46-53. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

## **Tribe: Changing 'official' Concept in India from Colonial to Post-colonial Period: An Outline**

**Aniruddha Das**

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It is said that India has the largest concentration of tribal population. According to Census data the proportion of Scheduled Tribe population to total population in India in 2001 was 8.2 per cent. According to one estimate the tribal population as a proportion of the total population has risen from 5.30 per cent in 1951 to 7.76 per cent in 1981.<sup>1</sup> The idea or concept of tribe however was changed over the years, therefore the social scientists differ about the definition of tribe. The colonial government in India made an attempt to make a list of the tribes for administrative purpose. In the words of André Béteille, in India the effort to disentangle tribe from caste began in a systematic way during British rule and led to unforeseen results. He also says that in India the problem was to identify rather than define tribes, and scientific or theoretical considerations were never allowed to displace administrative or political ones. He opines that, this is because the conceptions of tribe were neither clearly formulated nor systematically applied.<sup>2</sup> Changes in the concept of tribe was also apparent in post-colonial India.

The tribals are considered as autochthonous people of the land. They are generally called the *adivasis*, implying original inhabitants. Various social scientists are of the opinion that prior to the colonial era the use of a generic term to describe tribal peoples, was on the whole, absent. In pre-colonial India the term 'tribe' was not prevalent. In ancient Indian literature the term '*jana*' was used, which was similar to that of tribe, for referring to the communities like Bhils, Khasis, Savaras etc. It has also been found that in India the original inhabitants were pushed into the remote tribal tracts by the groups that migrated from abroad mostly nomads and pastoralists and became conquerors. Gradually they got assimilated with the local populace. Many nineteenth century historians called such migrating groups as tribes because of their common origin and distinct identity. According to Virginius Xaxa, even if there were terms such as '*jana*' as against '*jati*' they did not have the kind of generality that the term 'tribe' came to acquire during the colonial and post-colonial period.<sup>3</sup> K S Singh mentions that, 'Regional lists of communities figured in Sanskrit works. Medieval chronicles contained descriptions of communities located in various parts of the country'.<sup>4</sup>

The colonial administration began to differentiate them on the basis of practicing animism. In this category, some food gathering groups and shifting cultivators were also included, though they lived closer to the villages. The colonial policies were driven by the commercial needs and requirements. In the process they caused harm to the existing customary practices and rights of common people. Law was an important tool of the colonial authorities to legitimise subjugation of the subject people and resources of the indigenous society. The colonial state however could not ignore the existing customs, legal norms, practices relating to social rank and status. The colonial authority and the indigenous people belonging to powerful upper class and caste reinforced the mechanism of social control. As a result, the colonial period witnessed a number of tribal uprisings. Historians however have found greater awareness about colonial laws and institutions as a major cause of the tribal revolts took place after the Great Revolt of 1857.

Considering the historiography of the tribal history it can be said that the colonial administrators were the first to write about the tribals. The recurring tribal revolts attracted their attention. W W Hunter in his *Annals of Rural Bengal* (1868), E T Dalton in his *Descriptive Ethnology of Bengal* (1872) and H H Risley in his *Tribes and Castes of Bengal* (1891) described the tribal society. It was for administrative reasons attempts were made to define tribe. Risley writes, 'A tribe as we find in India is a collection of families or groups of families bearing a common name which as a rule does not denote any specific occupation; generally claiming common descent from a mythical or historical ancestor and occasionally from an animal, but in some parts of the country held together by the obligations of blood-feud than by the tradition of kinship; usually speaking the same language and occupying, professing, or claiming to occupy a definite tract of country. A tribe is not necessarily endogamous.'<sup>5</sup> The colonial knowledge system regarding ethnographic 'museum' however later on, drew upon diverse analyses of the ethnographers, scientists, colonial officials, travellers etc. for justifying their viewpoint.

Tribes were listed in the Censuses since 1891. Under the category of 'Agricultural and Pastoral Castes' a sub-heading was given 'Forest Tribes'. In the Census Report of 1901, they were classified as 'Animists' and in 1911 as 'tribal animists or people following tribal religion'. In the Census Report of 1921 they were specified as 'Hill and Forest Tribes'. The 1931 Census had listed 'Primitive Tribes' for 'forest tribes'. The main characteristics, on the basis of which the categorization of Scheduled Tribes was done, are (i) tribal origin, (ii) primitive way of life, (iii) habitat in remote and less accessible areas; and (iv) general backwardness in all respects.<sup>6</sup> The list of 1935 mentioned about 'Backward Tribes'. The Act mentions that "the scheduled castes" means such castes, races or tribes or parts of or groups within castes, races or tribes, being castes, races, tribes, parts or groups which appear to His Majesty in Council to correspond to the classes of persons formerly known as "the depressed classes", as His Majesty in Council may specify.<sup>7</sup> It also mentions that "backward areas" and "backward tribes" mean respectively such areas and tribes as His Majesty in Council may from time to time declare to be areas

and tribes to which a special system of representation is more appropriate;...<sup>8</sup> Census authorities during the colonial period recognized that many tribal groups were converting into other religions and felt the need to separate them from those who still remain animists. Thus only non-converts were called the tribals. In the Census Reports of 1941 the term 'Tribes' was used. In 1948 the Government of India used the term *Adivasis*, ignoring the religious distinction of the 1931 Census.

The colonial government made provisions about the areas inhabited by the tribal people. During the colonial period the tribal areas were made non-regulatory areas, signified exemption from the operation of general laws. Special laws were enacted to deal with tribal problems and also protection of their interest. The Government of India Act of 1870, conferred upon the Governor-General-in-Council, the power to approve as laws, the regulations made by local government for the administration of certain special areas, to which previously the Secretary of State-in Council had applied the Act. The Scheduled District Act of 1874 enabled the Executive to extend any enactment in force in any part of British India to a '*Scheduled District*' with such modifications as might be considered necessary. The Montague-Chelmsford Report opined that the political reforms contemplated for India could not be applied to the Backward Areas where the people were primitive. It recommended that such areas be directly administered by the Head of the Province. The Government of India Act, 1919 empowered the Governor-General-in-Council to declare any territory a backward tract and the Act could be applied to that territory with modifications. By the Act of 1919, the Backward tracts were divided into two categories : (a) Wholly Excluded Areas; and (b) Modified Excluded Areas or areas in which the schemes/laws could be introduced with modifications. Neither the Central nor the Provincial Legislatures had power to make laws applicable to the Wholly Excluded Areas. The power of legislation was vested in the Governor-in-Council. In respect of the later the Legislatures were competent to pass laws under certain conditions. In the opinion of the Simon Commission the responsibility of the administration for the backward tract did not rest with providing the tribals protection from exploitation and prevention

of frequent outbreaks alone. It was expected to educate the inhabitants of these areas and make them self-reliant. Under the Government of India Act of 1935, the backward tracts thus were classified as '*Excluded*' and '*Partially Excluded Areas*'. The Excluded areas were placed under the provincial rule of the Governor acting in his discretion. The later areas were left within the ministerial responsibility. The Governor had the power to overrule Ministers, if it was deemed fit to do so. It was obvious that the contemporary scholarly view also favoured 'measure of protection'. J H Hutton, Professor of Social Anthropology in the University of Cambridge opines that, 'it is not beyond the power of India's primitive tribes, if properly treated, to stand on their own feet, control their own affairs, and contribute their own quota of original and individual genius to the national life of India.'<sup>9</sup>

The internal structures of both caste and a tribal groups have been compared by the scholars. According to Yogesh Atal 'both are endogamous and both have internal divisions that are exogamous- call them *gotra* or clan or a cluster of clans such as *phratry* or *moiety*'.<sup>10</sup> But tribe is a systemic whole, while a caste is a unit. The criteria evolved for judging the eligibility of a group for a tribal status, in independent India- viz. indication of primitive traits, distinctive culture, geographical isolation, shyness of contact with the larger community and backwardness; however, was questioned later on. The Lokur Committee (set up in 1965) noted that, 'even the social scientists have found it difficult to evolve a universally acceptable definition of a Tribe' because in India 'the tribes are in transition'.<sup>11</sup> Scheduled areas and Scheduled Tribes Commission, in its 1961 Report, stated that Scheduled Tribes are known as indigenous peoples under international law. The 1951 Census recorded 212 tribal communities and it constituted around 6 per cent of the Indian population.

When the Constitution for independent India was being drafted, it was agreed that the oppressed castes may be given special privileges for the first few years. It was agreed that two schedules would be prepared, one for the tribes, and the other for the '*oppressed castes*'. Although it was a temporary measure but, this policy became a continuous process, as there was demand from many groups to be included in the special categories of the Scheduled

Tribes (STs) and Scheduled Castes (SCs). It is worth mentioning that the government of India prepared the Schedule and included all tribal groups, thus erasing a distinction between a Tribe and a Scheduled Tribe. According to R C Verma however, certain tribes, for instance, nomadic tribes, were not specified as Scheduled Tribes.<sup>12</sup>

The Constituent Assembly discussed the need to provide adequate safeguard to the tribals. The nationalist opinion was also in favour of making provisions for safeguarding the interest of the tribals; this was reflected through the Schedules V and VI of the Indian Constitution. The Constitution of India has made the provision for declaration of the Scheduled Tribes in Article 342. It reads as under:

- (1) The President [may with respect to any State [or Union territory], and where it is a State, after consultation with the Governor, thereof,] by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State [or Union territory, as the case may be].
- (2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

**Article 366 (25) defines the Schedule Tribes as follows:**

“*Scheduled Tribes*” means such tribes or tribal communities or parts of or groups within such tribes or tribal committees as are deemed under article 342 to be Scheduled Tribe for the purposes of this Constitution.

Over the years the number of tribes listed in the Schedule has been increased. But the per centage of population covered by ST category did not increase much comparing to 1951 figure. It is also worth mentioning that the subgroups of tribal have been given separate region-based identities. ‘In India, the Census of 1931, conducted under the direction of J H Hutton, drew up

the first comprehensive list of tribes, which constitutes the basis of the list of Scheduled Tribes still in use under the Constitution of India.<sup>13</sup>

Thus the concept and definition of tribe remained problematic during the colonial era. The colonial government made list of the tribes for administrative convenience. The intervention of colonial administrators with a section of landlords and money-lenders into the customs and practices mainly of use of land, forest and cultivation of the tribals resulted in their resentments. The tribes enjoyed independence in the management of their affairs. The land and forest were main source of their subsistence. The British however, introduced policies in the interest of the colonial state. They established legal system, which the tribals could access with much difficulty. The colonial construct ‘*agricultural tribe*’, ‘*criminal tribe*’; description of particular tribe as ‘given to indiscriminate plunder in times of disturbance’ or a particular tribe had ‘*a reputation for perfect honesty*’ (although later on, the same tribe was classified as ‘*criminal*’ tribe) has been criticized by the scholars.<sup>14</sup> In the post-colonial period however, Constitutional provisions were made for the Scheduled Tribes; and this was followed by establishment of some Committees to resolve certain issues.

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*Right to Equality as Enshrined in the Indian Constitution In : In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp. 54-69. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# Right to Equality as Enshrined in the Indian Constitution

**Anupama Ghosal and Kali Shankar Tiwary**

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## INTRODUCTION

The Preamble to the Indian Constitution serves as a brief introductory statement of the Constitution that “sets out the guiding purpose, principles and philosophy of the Indian Constitution. By 42<sup>nd</sup> Constitutional Amendment, 1976, it was amended which determined to constitute India into a Sovereign, Socialist, Secular and Democratic Republic. It secures justice, liberty, equality to all citizens of India and promotes fraternity amongst the people.”<sup>1</sup> Part III of the Indian Constitution contains a list of Fundamental Rights, which is regarded as the Magna Carta<sup>2</sup> of India. They uphold the dignity of the individuals. The Fundamental Rights and Directive Principles of State Policy have their origins in the Indian freedom movement, which strove to achieve the values of liberty, equality and social welfare as the goals of an independent Indian

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1. [www.legalserviceindia.com/legal/article-750-preamble-to-the-indian-constitution.html](http://www.legalserviceindia.com/legal/article-750-preamble-to-the-indian-constitution.html) last accessed on 20th May 2020 at 3.45 p.m.
  2. V.G. Ramchandran, *Fundamental Rights and Constitutional Remedies*, Vol. 1, Eastern Book Company, Lucknow and Delhi, 1964, p. 1.

nation state.<sup>3</sup> The Fundamental Rights, Directive Principles of State Policy (mentioned in Part IV of the Indian Constitution) and Fundamental Duties (mentioned in Part IV A) are sections of the Indian Constitution that prescribe the fundamental obligations of the State to its citizens and the duties and the rights of the citizens to the Indian State.<sup>4</sup> The Fundamental Rights are defined as the basic human rights of all citizens. These rights, defined in Part III of the Indian Constitution, are applied irrespective of race, place of birth, religion, caste, creed or gender. They are enforceable by the courts, subject to specific restrictions. The development of constitutional rights in India was inspired by historical documents such as England's Bill of Rights, United States' Bill of Rights and France's Declaration of the Rights of Man. In this Article the authors have tried to comprehensively analyze the Right to Equality, one of the most important Fundamental Rights mentioned in Part III of the Indian Constitution as well as a concept that has been mentioned in the Preamble to the Indian Constitution, which according to Pandit Thakurdas Bhargava, is regarded as the very "heart and soul of the Indian Constitution" while Ernest Barker calls it the "key" to the Indian Constitution.

The right to equality and non-discrimination, one of the chief guarantees of the Indian Constitution, is a fundamental component of international human rights law. India is a signatory to the Universal Declaration of Human Rights; therefore the Fundamental Rights mentioned in Part III of the Indian Constitution is concurrent with the provisions of the UN Declaration of Human Rights. The Right to Equality has been declared by the Supreme Court as the basic feature of the Indian Constitution. It is rightly observed by the Supreme Court in relation to Right to Equality,<sup>5</sup> "there can be no justice without the equality". The Constitution is wedded to the concept of Equality. The Preamble to the Constitution emphasizes upon the principle of Equality. This means

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3. Granville Austin, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press, New Delhi, 1999, p. 50.

4. For details vide Durga Das Basu, *Introduction to the Constitution of India*, Prentice Hall of India, New Delhi, 2014.

5. M. Nagaraj vs. Union of India SCC 2006 Vol. 8, p. 248.

that even a Constitutional amendment offending the Right to Equality will be declared invalid. Neither Parliament nor any State Legislature can transgress the principle of Equality. Previously there were seven Fundamental Rights. But at present, with the abolition of the Right to Property (44<sup>th</sup> Amendment, 1978), there are six Fundamental Rights. Right to Property got deleted from the list of Fundamental Rights and became a legal right under Article 300 A. The Fundamental Rights as incorporated in the Constitution of India are as follows. They are:

- (i) Right to equality (Articles 14-18)
- (ii) Right to freedom (Articles 19-22)
- (iii) Right against exploitation (Articles 23-24)
- (iv) Right to freedom of religion (Articles 25-28)
- (v) Cultural and educational rights (Articles 29-30) and
- (vi) Right to constitutional remedies (Articles 32 and 226).

### **NEED AND IMPORTANCE OF FUNDAMENTAL RIGHTS**

The inclusion of a chapter on Fundamental Rights in the Constitution of India is in accordance with the trend of modern democratic principles, ideals and thought. There were also certain other reasons behind the inclusion of the Fundamental Rights in the Indian Constitution. The aim of having a list of Fundamental Rights is to withdraw certain elementary rights from the vicissitudes of political controversy, to place them beyond the reach of shifting majority in the Indian legislature and to regard them as inviolable under all conditions. Certain elementary rights, such as, right to life, liberty, freedom of speech, freedom of faith and so on, should not be submitted to vote, they being not depended on outcome of any election.<sup>6</sup>

The Fundamental Rights represent the basic values cherished by the Indian population and they are aimed to protect the dignity of the individual and create conditions in which every human being can develop his personality

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6. A.K. Gopalan vs. State of Madras , A.I.R. 1950, S.C. 27.

to the fullest extent.<sup>7</sup> In fact noted political scientist, Harold J. Laski opined that rights are those conditions of social life without which no individual can develop his or her best self. The Fundamental Rights therefore also help in developing one's own personality and are also required by the individuals to lead a 'good' life in the society. The Fundamental Rights impose a negative obligation on the State not to encroach on individual liberty in its varied dimensions. The declaration of Fundamental Rights in the Constitution thus serves the purpose of reminding the Government in power to respect those rights and limiting the range of activity of the State in appropriate directions so that the State does not infringe upon the lives or interfere in the activities of the individuals.<sup>8</sup> The concept of Fundamental Rights has been given a more concrete and universal texture by the Charter of Human Rights enacted by the United Nations Organisation.<sup>9</sup>

Another purpose behind the inclusion of the chapter on Fundamental Rights in the Constitution is to establish "a government of law and not of any one individual" or an autocrat, that is, a governmental system where the ruler cannot oppress the ruled by encroaching on citizen's basic rights and liberties – the democratic maxims. In other words, the Fundamental Rights aim at creating a political system or "a government of the people, for the people and by the people". The incorporation of the Fundamental Rights in the Constitution vests them with sanctity which the rulers dare not violate so easily. In a parliamentary system of government those who form the government are also leaders of the majority party in the legislature and by their sheer majority of numbers in the parliament can get laws made/passed easily. Therefore, the danger of encroachment on citizen's liberty cannot be ruled out in absence of prescription of limitation of authority of the state by declaration of Fundamental Rights in the constitution. Hence the purpose of the Fundamental Rights is to

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7. Maneka Gandhi v/s. Union of India, A.I.R. 1978, S.C. 597 at 619.

8. Dr. M.P. Sharma, *Government of the Indian Republic*, Kitab Mahal, Allahabad, 1965, p. 41.

9. Ian Brownlie (ed.), *Basic Documents on Human Rights*, Clarendon Press, Oxford, 1967, p. 27.

preserve individual liberty and democratic principles based on equality of all members of society.<sup>10</sup> As a result, the incorporation of Fundamental Rights in the constitutions of modern democratic countries has been a growing trend. Certain Articles like Articles 15, 17, 18, 23 and 24 covered in the various Fundamental Rights are also available against private individuals.<sup>11</sup> Further, certain Articles like 14, 20, 21 and 25, covered in different Fundamental Rights apply to persons of any nationality upon the Indian soil, while others like Articles 15, 16, 19 and 30 covered under different Fundamental Rights are applicable only to the citizens of the Indian nation state.<sup>12</sup>

### **ANALYSIS OF RIGHT TO EQUALITY (ARTICLES 14-18)**

According to Article 14 of the Indian Constitution, “The State shall not deny to any person equality before law or equal protection of the laws within the territory of India.” ‘Equality before law’ is an expression of English Common Law and has been inspired by Dicey’s Rule of Law. A.V. Dicey said, “Equal subjection of all people to the laws of the land administered by the ordinary law courts”<sup>13</sup> and “equal legal protection to all the persons” and these are the two fundamental concepts enshrined in this Article. Equality before the law does not mean absolute Equality but it postulates that there shall not be any special privilege by reason of birth, religion, race or the like in favour of an individual. It means further, that among equal, the law shall be equal and shall be equally administered and that the alike should be treated alike. Absolute Equality among human beings is impossibility. Equal protection of the laws’ has been influenced by the American Constitution (Section I of the Fourteenth Amendment to the U.S. Constitution) which states that “No State shall deny to any person within its jurisdiction the equal protection of laws”.<sup>14</sup> It means that

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10. Austin, Op. cit., p. 114.

11. D.D. Basu, Op. cit., pp. 86-87.

12. Ibid, p.85.

13. A. V. Dicey, *Introduction to the Study of the Law of the Constitution*, Macmillan, London, 1964, p. 202.

14. The Supreme Court and Individual Rights, *Congressional Quarterly Inc.* 24, 1980.

there shall not be arbitrary discrimination made by the laws themselves in their administration. In other words, Equality before law, however, does not mean absolute equality or equality among the unequal. It means equality among the people similarly situated. It does not prohibit the classification of persons into different groups. It also admits the right of the state to establish special courts for trying cases involving specific offences by certain persons.

If this term is closely looked then it appears that in essence both terms mean 'Equal Justice'. The Right to Equality is conferred on every person and not merely on citizens. It was held in *State of West Bengal v/s Anwar Ali Sarkar*<sup>15</sup> that 'law' in article 14 is not confined to the law enacted by legislature but includes any order or notification. Such an interpretation makes the protection provided in article 14 completely available to every person.

Article 14 does not mean that all laws must be uniform and must universally be applicable. It only prohibits improper and individual distinctions created by conferring Rights or privileges upon a particular group to the exclusion of other group without any valid reason. Thus under this article, there cannot be unfair discrimination between one group of citizens and another in relation to the same matter or between citizens and foreigners.

Since all persons are not by nature, attainment or circumstances equal and the varying needs of different classes of persons often require separate treatment and therefore, the protecting clause has been construed as a guarantee against discrimination amongst equals only and not as taking away from the state the power to classify persons for the purpose of legislation. H.M. Seervai says, "If all men were created equal and remained throughout their lives, then the same laws would apply to all men".<sup>16</sup>

Equality before the law and equal protection of the laws thus mean:

- This provision states that all citizens will be treated equally before the law as everyone is equal in the eyes of law and that nobody is above law.

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15 *State of W. Bengal vs. Anwar Ali Sarkar* A.I.R. 1952 SCR 284.

16 H. M. Seervai, *Constitutional Law of India*, Volumes 1-3, Universal Law Publishing Company Private Limited, Delhi, 2005.

- The law of the country protects everybody equally.
- Under the same circumstances, the law will treat people in the same manner.

Equal protection of the laws must mean the protection of equal laws for all persons similarly situated. The Constitution emphasizes upon the principle of Equality as basis to the Constitution. This means that even a Constitutional amendment offending the Right to Equality will be declare invalid. Neither parliament nor any state legislature can transgress the principle of Equality, which has also been observed by Supreme Court in Keshavanda Bharati's case.<sup>17</sup> This principle has been reiterated by the Supreme Court in M. G. Badappanavar's case in the following words, "Equality is a basic feature of the Constitution of India and any treatment of equals unequally or unequal as equal will be violation of the basic structure of the Constitution of India."<sup>18</sup>

As it has been discussed earlier that two concepts are involved in Art. 14 viz, 'Equality before law' and 'equal protection of laws.' The main aim of Equality before law and Equal protection of laws guaranteed by Art. 14 in its proper spectrum encompasses social and economic Justice in a political democracy. The Supreme Court has explained these two concepts of Equality under Article-14 in Sri Srinivasa Theatre v. Govt, of Tamil Nadu,<sup>19</sup> "that the two expressions 'Equality before law' and 'equal protection of law' do not mean the same thing even if there may be much similarity between them. "Equality before law" is a dynamic concept having many facets. One facet is that there shall be no privileged person or class and that none shall be above law. Another facet is the obligation upon the State to bring about, through the administrative and legal machinery a more egalitarian society.

Art. 14 prescribes Equality before law. But the fact remains that all persons are not equal by nature, attainment or circumstances, and therefore, a mechanical Equality before the law may result in Injustice. Thus, the guarantee against the denial of equal protection of the law does not mean that identically

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17. Keshavananda Bharati vs. State of Kerla A.I.R. 1973 S.C. 1461.

18. M.G. Badappanavar vs. State of Karanataka A.I.R. 2001 S.C. 260.

19. Sri Srinivasa Theatre vs. Govt, of Tamil Nadu A.I.R. 1992 S.C. 1004.

the same rules of law should be made applicable to all persons in spite of difference in circumstances or conditions. The varying needs of different classes or sections of people require differential and separate treatment. The Legislature is required to deal with diverse problems arising out of an infinite variety of human relations. It must, therefore, necessarily have the power of making laws to attain particular objects and, for that purpose, of distinguishing, selecting and classifying persons and things upon which its laws are to operate.

Equality before the law also means that all persons are equally subject to the law of the land. It ordains that there shall not be any differentiation among persons in sharing the benefits and burdens except through laws. There shall be equal treatment of persons in the allocation of legal duties, material benefits, liabilities and opportunities as a consequence of exclusive application of law and law alone. Thus, the principle that law shall rule, and not men, flows directly from the principle of Equality. Since the Constitution of any democratic nation protects Rights and interests of people by controlling abuse of public power, Constitutionalism becomes a foremost precept in the well-being of people. Rule of law connotes absolute supremacy of law, an assertion of Constitutionalism, and bedrock of administrative legality.

As per Dicey, "Equality before the law denies any special privilege, status or disability of any person in the sphere of enforcement of law".<sup>20</sup> This denial of special privilege of any person is by reason of the characteristics such as birth, creed, colour and the like. As Sir Ivor Jennings has explained, "The Right to sue and be sued, to prosecute and be prosecuted for the same kind of action should be the same for all citizens of full age and understanding and without distinction of race, religion, wealth, social status or political influence."<sup>21</sup> This notion of equal Justice for all is given an affirmative content in the modern times by the extension of free legal aid, liberal bail for the poor, award of monetary compensation and imposition of officer liability and activist approach of the judiciary in relation to Constitutional Remedies.

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20. A.V. Dicey, Op. cit., p.193.

21. For details vide Sir Ivor Jennings, *The Law and the Constitution*, University of London Press, London, 1963.



In fact, every violation of Right leads to unequal consequence and unjust position. Persistence on Equality leads to promotion of Rights and liberties. Undeniably, existence of effective means of redressing the grievances about violations of Rights goes a long way in the protection of liberty and Equality.

The Equality before law is a negative concept which ensures that there is no special privilege in favour of any one, that all are equally subject to the ordinary law of the land and that no person, whatever be his rank or condition, is above the law. This is equivalent to the second corollary of the Dicean concept of the Rule of Law in Britain.<sup>22</sup> This however, is not an absolute rule and there are a number of exceptions to it, for example:

- (a) foreign diplomats enjoy immunity from the country's judicial process
- (b) Art. 361 extends immunity to the President of India and the State Governors;
- (c) public officers and judges also enjoy some protection, and some special groups and interests, like the trade unions, have been accorded special privileges by law. Hence it can be said that this doctrine of Equality before Law is a dynamic and evolving concept having different facets. It is embodied along with the Equal Protection of Laws in Art. 14. Hence the objective of all these provisions is to attain 'Justice, social, economic and political' which is very much enshrined and indicated in the Preamble to the Indian Constitution as discussed earlier.

One important factor to be remembered is that, equal protection of the laws is not concerned with Equality of consequences, but with equal treatment. The concept, 'equal protection of laws', is positive in contents. It does not mean that identically the same law should apply to all persons, or that every law must have a universal application within the country irrespective of differences of circumstances. Equal Protection of laws does not postulate equal treatment of all persons without distinction. What it postulates is the application of the same laws alike and without discrimination to all persons similarly situated. It denotes equality of treatment in equal circumstances. It implies that among

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22. E.C.S. Wade & G.G. Phillips, *Constitutional & Administrative Law*, Longman, New York, 1977, p.87.

equals the law should be equal and equally administered that the like should be treated alike without distinction of race, religion, wealth social status or political influence.

According to **Article 15 (1)** of the Indian Constitution, “The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”

**Article 15 (2)** prohibits discrimination in any manner. No citizen shall, on grounds only of race, religion, caste, place of birth, sex or any of them, be subject to any liability, disability, restriction or condition with respect to access to public places, shops, restaurants, hotels and places of public entertainment as well as use of tanks, wells, ghats, 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 that are maintained by the State or that are meant for the general public.

**Article 15 (3) and (4)** further states that the article cannot be used as an argument to make special provisions for women, children or any other backward classes. “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,” the article states.

An amendment was made in **Article 15(5)** in 2018 after the Indian government announced 10% reservation in colleges and universities for economically weaker sections. It states, “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.”

The Hon'ble Supreme Court, in *G.M. Southern Railways vs. Rangachari*<sup>23</sup> held Article 15(4) of the Constitution of India to be an exception to Article 15(1). The relevant portion is hereunder : “Article 15(4) which provides, inter alia, for an exception to the prohibition of discrimination on grounds specified in Article 15(1) lays down that nothing contained in the said Article 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”.

In *Puneet Gulati vs. State of Kerala*,<sup>24</sup> a 100% reservation was made in admission in super-speciality medical courses to the students who had completed M.B.B.S. or P.G. courses from Medical Colleges in Kerala. The doctors who had done rural services in Kerala were to be given preference for admission. The students not from Kerala could get a chance for admission on the non-availability of students from Kerala. The High Court of Kerala through a single Judge and then by the Division Bench in appeal upheld the single Bench decision and struck down 100% reservation but did not give any relief on the ground that the course had already commenced more than six months before. The Supreme Court while upholding the decision of the High Court stated that the appellant deserved to be accommodated in some way since he was denied admission due to invalid policy. As the two seats had been kept vacant in terms of the order of the Supreme Court, the direction was issued for this admission in the next year's course.

According to Article 16 of the Indian Constitution, “There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.” In other words, *Article 16* of the Constitution of India clearly mentions that the State shall treat everyone equally in the matters of employment and that every citizen of India can apply for government jobs if they have the requisite qualifications as per norms.

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23. *G.M. Southern Railways vs. Rangachari*, A.I.R. 1962 S.C. 36.

24. *Puneet Gulati vs. State of Kerala*, A.I.R. 2011 S.C. 351a

- No citizen shall be discriminated against in matters of public employment or appointment on the grounds of race, religion, caste, sex, place of birth, descent or residence.
- Under Article 16, exceptions to the right of equality of opportunity in matters of public employment are provided for to protect the interests of the weaker and vulnerable sections of society to uplift the weaker sections of the society or which, in the opinion of the State, is not adequately represented in the services under the State, such as women, the backward classes (SC/ST) and minorities. The Parliament may also pass a law to the effect that a certain post be filled only by people residing in a certain area, to fulfil the conditions of the post that warrants the knowledge of the locality and the local language. The Article also mentions that there can be a law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution shall be a person professing a particular religion or belonging to a particular denomination.
- In 1995, the 77th amendment to the Constitution was made thereby inserting article 16(4A) which stated that “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,” thereby constitutionally validating reservation in promotions.
- In 2006, the Supreme Court of India, in the case of *M. Nagaraj & Others vs. Union of India & Others* decided on the constitutional validity of the 77th amendment.<sup>25</sup> The Hon’ble Supreme Court stated that the power to amend the Constitution implies that the ‘the personality of the constitution must remain unchanged’ and ‘one cannot legally use the constitution to destroy itself’. Therefore, the Hon’ble Court concluded that equality is the part of the fundamental feature of the basic structure of the constitution. The Court upheld the constitutional validity of

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25. *M.Nagaraj & Others vs. Union of India & Others*, 2006.

the 77th amendment and thus reservations in promotions was made constitutionally provided in matters mentioned below:

- (a) Backwardness of a class of people is shown
- (b) Inadequacy of representation is shown
- (c) Overall administrative efficiency is proved

Therefore, to prove the above points the state needs to collect quantifiable data showing backwardness of the class and inadequacy of representation of that class in public employment. Further, Article 335 needs to be complied which states that the provision of reservation should be balanced by maintaining efficiency of service.

One may refer to the *Devadasan vs. Union of India*.<sup>26</sup> This was also a petition under Article 32 of the Indian Constitution. It related to the validity of the ‘*carry-forward*’ rule obtaining in Central Secretariat Service. The reservation in favour of Scheduled Castes was twelve and half per cent while the reservation in favour of Scheduled Tribes was five per cent. The ‘*carry-forward*’ rule considered in the said decision was in the following terms : “If a sufficient number of candidates considered suitable by the recruiting authorities, are not available from the communities for whom reservations are made in a particular year, the unfilled vacancies should be treated as unreserved and filled by the best available candidates. The number of reserved vacancies, thus, treated as unreserved will be added as an additional quota to the number that would be reserved in the following year in the normal course; and to the extent to which approved candidates are not available in that year against this additional quota, a corresponding addition should be made to the number of reserved vacancies in the second following year.” Because sufficient number of SC/ST candidates were not available during the earlier years the unfilled vacancies meant for them were carried forward as contemplated by the said rule and filled up in the third year - that is in the year 1961. Out of 45 appointments made, 29 went to Scheduled Castes and Scheduled Tribes. In other words, the extent of reservation in the third year came to 65%. The rule

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26. *Devadasan vs. Union of India*, A.I.R. 1964 S.C. 179.

was declared unconstitutional by the Constitution Bench, with Subba Rao, J dissenting. The majority held that the carry-forward rule which resulted in more than 50% of the vacancies being reserved in a particular year, is bad. The principle enunciated in *Balaji* regarding 50% was followed. Subba Rao, J in his dissenting opinion, however, upheld the said rule. The learned Judge observed : “The expression, ‘nothing in this article’ is a legislative device to express its intention in a most emphatic way that the power conferred there under is not limited in any way by the main provision but falls outside it. It has not really carved out an exception, but has preserved a power untrammelled by the other provisions of the Article.” The learned Judge opined that once a class is a backward class, the question whether it is adequately represented or not is left to the subjective satisfaction of the State and is not a matter for this Court to prescribe.

**Article 17 of the Indian Constitution prohibits the practice of untouchability and as per the Article,**

- Untouchability is abolished in all forms.
- Any disability arising out of untouchability is made an offence

In *Asiad Project Workers case*,<sup>27</sup> the Supreme Court held that the fundamental right under Article 17 is available against private individuals and it is the constitutional duty of the State to take necessary steps to see that these fundamental rights are not violated. It should be noted that Article 15(2) also helps in the eradication of untouchability. Thus, on the grounds of untouchability no person can be denied access to shops, public restaurants, hotels and places of entertainment or the use of wells, tanks, bathing ghats, road and places of public resort maintained wholly or partly out of State funds or dedicated to the use of general public.

In *State of Karnataka vs. Appa Balu Ingale*,<sup>28</sup> the respondents were tried for offences under Sections 4 and 7 of the Protection of Civil Rights act, 1953 and convicted and sentenced to undergo simple imprisonment for one month

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27. *People’s Union for Democratic Rights vs. Union of India*, A.I.R. 1982 S.C. 1473.

28. *State of Karnataka vs. Appa Balu Ingale*, A.I.R. 1993 S.C. 1126.

and a fine of Rs.100 each. The charge against the respondents was that they restrained the complainant party by show of force from taking water from a newly dug up borewell (tubewell) on the ground that they were untouchables. The High Court acquitted them. The Supreme Court upheld the conviction. The Court held that the objective of Article 17 is to liberate the society from blind and ritualistic adherence and traditional belief which has lost all legal or normal basis. It seeks to establish new ideas for society – equality to the Dalits at par with general public, absence of disabilities, restrictions or prohibitions on grounds of caste or religion so as to develop an egalitarian society.

**Article 18 of the Indian Constitution mentions about Abolition of all titles except military and academic**

- The State shall not confer any titles except those which are academic or military titles.
- The article also prohibits citizens of India from accepting any titles from a foreign State.
- The article abolishes the titles that were awarded by the British such as Rai Bahadur, Rai Saheb, Khan Bahadur, etc.
- Awards like Padma Shri, Padma Bhushan, Padma Vibhushan, Bharat Ratna and military honours like Ashok Chakra, Param Vir Chakra do not belong to this category.
- No person who is not a citizen of India shall, while he holds any office of profit or trust under the State, accept without the consent of the President of India, any title from any foreign State.
- No person holding any office of profit or trust shall, without the consent of the President of India, accept any present, emoluments, or office of any kind from or under any foreign State.

Recognition of titles and the consequent creation of a hierarchy of aristocracy had been denounced as an anti-democratic practice as early as the eighteenth century by both the American and the French revolutions. A democracy should not create titles and titular glories. Article 18 therefore tries to create an Indian society which seeks to establish political, social and economic equality and thereby aspires to become truly democratic and

egalitarian where there is no room for some individuals to hold titles thus creating artificial distinctions among members of the same society. In colonial India, the practice of the then British Government conferring a number of titles to its sycophants who were mostly their political supporters and Government officers, had already created a peculiar class of nobility and class distinction among the people prior to Indian independence and this legacy of class distinction even continued for some years after India attained independence in 1947. It was difficult, for independent India to recognize and accept these titles apart from considerations of the merit of those who held them and hence the Indian Government through this Article got rid of these titles given to some people by the British Raj purely for fulfilling their imperialistic interests as well as became very cautious after Indian independence, while conferring academic or military titles/honours or awards to the selected few who were chosen purely on their merits and achievement.

## CONCLUSION

The year 2016 was the 125<sup>th</sup> birth anniversary of B. R. Ambedkar, popularly known as Babsaheb Ambedkar, Chairman of the Drafting Committee of the Constituent Assembly, who played a pivotal role in the drafting of the Indian Constitution. 26<sup>th</sup> November 2019 marks the 70<sup>th</sup> year of the Indian Constitution. This day, which was previously referred to as the ‘National Law Day’ has been declared by the Government of India as the ‘Constitution Day’ or ‘*Samvidhan Divas*’ by a gazette notification on 19<sup>th</sup> November 2015. The Prime Minister of India, Shri Narendra Modi had earlier made this declaration on 11<sup>th</sup> October 2015, while laying the foundation stone of B. R. Ambedkar’s Statue of Equality Memorial in Mumbai. Keeping in mind the ongoing 70<sup>th</sup> year of our Indian Constitution, one of the largest legal documents of the world, Right to Equality, one of the most important Fundamental Rights enshrined in the Indian Constitution has been comprehensively analyzed in this Article as it is one of the keys to bring about a democratic and equal society in India as along with the provisions of equality, this Right also provides for protective discrimination.





*Parliamentary Framework for Addressing Inequalities in Agricultural Sector in India and Responses* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.70-189. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# Parliamentary Framework for Addressing Inequalities in Agricultural Sector in India and Responses

**Diganta Biswas and Bhaswati Saha**

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*“Inequality is there in all countries in different forms and due to various reasons. (But) In this country it is more,”*

-Hon'ble Justice J.Chelameswar, former Supreme Court Judge.

## INTRODUCTION

Inequalities in agricultural sector exists in different forms in India. Due to landlessness and a sharp increase in the number of migration of male farmers in urban areas; employment of the female labour in the agricultural sector is rising. Further, with little control over modern technology, women generally engage an arduous work which is adding problem to it. More than fifty-five per cent of India's population is principally dependent on agriculture for their livelihood. The past two decades, since 1995, have recorded more than 3 lakh cases of suicides by farmers. Indian Government data shows 12,602 farmers killed themselves in 2015 alone, mostly owing to economic distress.

Indebtedness was responsible for 38.7 per cent of suicides, while crop failures or the inability to sell produce lead to another 19.5 per cent of suicides. More than forty-three per cent of farmers who killed themselves in 2015 had small holdings. Most of the cases of farmer' suicide has been resulted from economic deficits of farmers who were deprived of a chance to provide decent livelihood to themselves and their families.<sup>1</sup> A study has revealed that many of the farmers (women) even opt for removal of uterus to continue works due to poverty. Over 13,000 sugarcane migrant labourers from Beed, Maharashtra estimated to have undergone hysterectomy.<sup>2</sup> This paper aims to explore the nature of inequalities in farm sector of India with an emphasis to gender.

### **CONCEPT OF FARMER**

For the first time, in 2012, Y.S. Rajasekhara Reddy's government in Andhra Pradesh considered, only families whose members committed suicide within this exclusive definition of 'farmer' would receive compensation and those who owned agricultural land as 'farmers'.<sup>3</sup> It created a huge number of issues including non-accession of institutional credit for farming or get subsidies. However, according to Section 2(f) of the Women Farmers' Entitlements Bill, 2011<sup>4</sup>,

- a woman living in a rural area, who is primarily involved in agricultural activity but does non-agricultural activity occasionally, is a woman farmer.
- Women engaged in agriculture in urban and semi-urban areas, and tribal women directly or indirectly involved in agriculture, shifting cultivation or collection (of agricultural produce), and the use and sale of minor or non-timber forest produce, are also considered women farmers.
- A woman can be considered a 'woman farmer' irrespective of marital status and land ownership.

### **ISSUES OF INEQUALITIES & RESPONSES OF THE GOVERNMENT**

The general principle of equality and non-discrimination is a fundamental element of international human rights law. Thus, the right to equal

treatment requires that all persons be treated equally before the law, without discrimination. The provisions on Equality are the important keystone of the Indian Constitution. The principles of equality are portrayed into Articles 14 to 18 of the Constitution of India which direct the government to ensure equality in all spheres of life. The constitutional principle of equality requires that equal treatment be applied to equal situations. Further the principle of equality allows special protection as well (Art. 15). The concept of Social justice as stated in the Part IV of the Constitution of India.<sup>5</sup>

Generally, three aspects of gender relations are in existence in farm sector, i.e. (i) *organization of production* (ii) *organization of labour and* (iii) *relation to state and state-agencies* through which patriarchy generate sub-ordination of women in agriculture in India.<sup>6</sup> A FAO document<sup>7</sup> shows that while the proportion of the labour force working in agriculture declined over the 1990s, and the proportion of women working in agricultural sector shows corresponding increase, particularly in developing countries. The women agricultural workers may be categorised into three groups which are- (a) *landless women or casual labour*, (b) *small peasant women or small cultivators*, and (c) *seasonal migrated agricultural women workers*. All the categories of women have cent percent involvement in transplanting and harvesting operation. Women's work in agriculture has become more visible over the last few decades. The Indian agricultural sector, inclusive of all its sub- sectors, employs roughly 80 per cent of all economically active women.<sup>8</sup> These women make up 33 per cent of the agricultural labour force and 48 per cent of all self-employed farmers. The 2011 Census revealed that 65.1 per cent of female workers were entirely reliant on agriculture, while only 49.8 per cent of male workers were reliant on agriculture<sup>9</sup> while an even greater share, 74 per cent of the rural workforce, is female. Agriculture, with its allied sectors, is unquestionably the largest livelihood provider in India, more so in the vast rural areas. It also contributes a significant figure to the Gross Domestic Product (GDP). Thus, sustainable agriculture, in terms of food security, rural employment, and environmentally sustainable technologies such as soil conservation, sustainable natural resource management and

biodiversity protection, are essential for holistic rural development. Now let's have a discussion over the areas of governance of agriculture.

### **GOVERNANCE OF AGRICULTURE AT CENTRAL/PROVINCIAL LEVEL**

The alleviation of poverty, the fair distribution of natural wealth, and the assurance of social justice are some of the essential components of good governance.<sup>10</sup> Now let's have a look over the Constitutional Scheme over the distribution of power regarding the role of Government at different levels viz. Union, State and Local level. Article 246, Seventh Schedule, of the Constitution of India states asunder-

#### **List- I: Union List**

<b>Sl. No.</b>	<b>Title of the Entry</b>	<b>Entry No.</b>
1.	Trade and commerce with foreign countries; import and export across customs frontiers; definition of customs frontiers.	41
2.	Inter-State trade and commerce	42
3.	Incorporation, regulation and winding up of trading corporations, including banking, insurance and financial corporations, but not including co-operativesocieties	43
4.	Any other matter not enumerated in List II or List III including any tax not mentioned in either of those Lists	97

#### **List- II: State List**

<b>Sl. No.</b>	<b>Title of the Entry</b>	<b>Entry No.</b>
1.	Local government, that is to say, the constitution and powers of municipal corporations, improvement trusts, districts boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration	5
2.	Communications, that is to say, roads, bridges, ferries, and other means of communication not specified in List I;	13
3.	Agriculture, including agricultural education and research, protection against pests and prevention of plant diseases	14

4.	Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of List I	17
5.	Land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans; colonization	18
6.	Money-lending and money-lenders; relief of agricultural indebtedness	30
7.	Land revenue, including the assessment and collection of revenue, the maintenance of land records, survey for revenue purposes and records of rights, and alienation of revenues	45
8.	Taxes on agricultural income	46
9.	Duties in respect of succession to agricultural land	47
10.	Estate duty in respect of agricultural land.	48
11.	Taxes on lands and buildings	49

**List- III: Concurrent List**

Sl. No.	Title of the Entry	Entry No.
1.	Transfer of property other than agricultural land; registration of deeds and documents.	6
2.	Contracts, including partnership, agency, contracts of carriage, and other special forms of contracts, but not including contracts relating to agricultural land	7
3.	Social security and social insurance	23
4.	Welfare of labour including conditions of work, provident funds, employers' liability, workmen's compensation, invalidity and old age pensions and maternity benefits	24
5.	Custody, management and disposal of property (including agricultural land) declared by law to be evacuee property	41
6.	Acquisition and requisitioning of property	42

## AGRICULTURE & LOCAL GOVERNMENT

Under part IX of the Constitution Panchayats “shall be constituted in every state” at the village, intermediate and district levels in rural areas. Article 243-G give power to the Panchayats in rural areas and Article 243-W gives power to the Municipalities in urban areas “to function as institution of Local Self Government” having powers with regard to “the preparations of plans for economic development and social justice” as well as the implementations of the schemes for the economic development and social justice as may be entrusted to them including those in relation to the matters listed in Eleventh Schedule (for rural areas) {The Eleventh Schedule (*Agriculture, including agricultural extension-* Entry No. 1 & *Women and child development-* Entry No. 25)} and Twelfth Schedule {Twelfth Schedule (*Planning for economic and social development-* Entry No. 3)} of the Constitution (for urban areas).

## CONSTITUTIONAL SCHEME FOR THE GOVERNANCE OF AGRICULTURE IN INDIA

Now let’s have a look over the issues of vulnerabilities in farm sector which may be summarised as under-

- 1. Livelihood Issues:** The right to livelihood for a farmer can only be recognised if there is the proper enforcement of MSP. Data reveals that very often, the MSP<sup>11</sup> is fixed based on various parameters even below the cost of production, ignoring the right to life and livelihood of the producer. Many a time, even the cost of production is not recovered by farmers in realized prices, whereas the farm family has living expenses in addition to investments infarming.<sup>12</sup> The Supreme Court with the passage of time recognised the right to livelihood under right to life (Art. 21).<sup>13</sup> Later in the *Olga Tellis v. Bombay Municipal Corp.*,<sup>14</sup> the Supreme Court explained that the right to livelihood is born out of the right to life, as no person can live without the means of living, i.e., the means of livelihood.

**The Pricing of Agricultural Commodities Bill, 2018:** Commonly known as MSP Bill was introduced at Lok Sabha on August 3, 2018. The main features of the Bill are as under-<sup>15</sup>

- To uphold the right to life and livelihood of farmers, and to establish the right to guaranteed remunerative minimum support prices which includes at least fifty per cent profit margin over the comprehensive cost of production.
  - To set up National and State Farmers Agricultural Costs and Remunerative Price Guarantee Commissions which shall be responsible for the determination of the comprehensive cost of production of the agriculture produce.
  - To confer such a right to ensure that the landing price of any imported commodity is not below the guaranteed remunerative minimum support prices fixed for that commodity within India at that point of time.
  - Section 7 empowers the State commission to add bonus to the MSP prescribed by the Central commission. Section 10(1) (b) of the MSP bill empowers the Central commission to add additional social and environmental imperatives to the MSP.
2. **Property Issues:** Land ownership in India is recognised through the Registration Act of 1908. Land is a state subject is not governed by the constitution under a uniform law that applies equally to all citizens but rather is governed by personal religious laws, which tend to discriminate against women when it comes to land inheritance. With over 87% women don't own land, they are labelled as 'cultivators', who operate agricultural land.<sup>16</sup> In this connection the following reasons may be noted-
- Lack of awareness about their rights
  - Lack of interest over property in parental household
  - Wilful deprivation of property both at parental and marital household

In this regard, the cultural aspect of the deep-rooted biases also hinder women's ownership of land in patriarchal societies is in existence. However, in the legislative front, the following pieces of legislative attempts are in existence.

**The Model Agricultural Land Leasing Act, 2016:** The NITI Aayog in March 2016, released the Model Agricultural Land Leasing Act for the states. It seeks to legalise and liberalise land leasing with the interests of both the landlord and the tenant in mind. As of now, most state governments have either legally banned or imposed various restrictions on agricultural land leasing.<sup>17</sup> This has the potential to improve the productivity of farmer harvests, replacing unwilling cultivators with willing cultivators.<sup>18</sup> The main features inter alia of the proposed model Agricultural Land Leasing Act, 2016 are to-

- Legalise land leasing, which will promote agricultural efficiency, equity, poverty reduction, agriculture productivity and rapid rural change.
  - Ensure complete security of land ownership right for land owners and security of tenure for tenants for the agreed lease period.
  - Removal of the clause of adverse possession of land in the land laws of various states as it interferes with free functioning of the land lease market.
  - Allowing of automatic resumption of land after the agreed lease period without requiring any minimum area of land to be left with the tenant even after termination of tenancy.
  - Allowing the terms and conditions of lease to be determined mutually by the land owner and the tenant, without any fear on the part of the land owner of losing land rights.
  - Facilitating all tenants including share croppers to access insurance bank credit and bank credit against pledging of expected output.
  - Incentivise tenants to make investment in land improvement and also entitle them to get back the unused value of investment at the time of termination of tenancy.
- 3. Right to Dignity:** According to the Merriam Webster Dictionary, the word dignity means the quality or state of being worthy, honoured, or esteemed.<sup>19</sup> Dignity is the right of a person to be valued and respected for their own sake, and to be treated ethically. The Supreme Court in the case of *Maneka Gandhi vs. Union of India*<sup>20</sup> held that right to life embodied in Article 21 of the Indian Constitution, is not merely a physical right but it also includes within its ambit, the right to live with



human dignity. The Supreme Court has even gone to the extent to include right to die with dignity as a fundamental right.<sup>21</sup> In *Francis Corlie Mullin v. Administrator, Union Territory of Delhi*<sup>22</sup> the Supreme Court categorically held that right to life includes anything which is essential to live life with dignity. The Supreme Court in *Nandini Sundar vs State of Chattisgarh*<sup>23</sup> has aptly observed in paragraph 25 as : the primary task of the State is the provision of security to all its citizens, without violating human dignity. This would necessarily imply the undertaking of tasks that would prevent the emergence of great dissatisfaction, and disaffection, on account of the manner and mode of extraction, and distribution, of natural resources and organization of social action, its benefits and costs. Dignity of a person has the issues e.g. right to recognition, equal remuneration, etc.

**Equal Remuneration:** Equal remuneration for men and women is the right of an employee without any qualification. The Equal Remuneration Act, 1976 was enacted to comply with the provisions of Directive Principle of State Policy (DPSP) under Article 39. In *Randhir Singh vs. Union of India*,<sup>24</sup> the Supreme Court held that the principle of “equal pay for equal work” though not a fundamental right is certainly a constitutional goal and, therefore, capable of enforcement through constitutional remedies under article 32 of the constitution. In *Daily Rated Casual Labour vs. Union of India*<sup>25</sup>, the Supreme Court held that doctrine of equal pay for equal work is equally applicable to persons employed on daily wage basis. They are entitled to the same wages as other permanent employees in the department employed to do the identical work. The Equal Remuneration Act, 1976 in India was enacted to prevent discrimination between workers on grounds of gender.

- The preamble to the act describes it as : An Act to provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination<sup>26</sup>, on the ground of sex, against women in the matter of employment and for matters connected therewith or incidental there to.

- The purpose of the act is to make sure that employers do not discriminate on the basis of gender, in matters of wage fixing, transfers, training and promotion.
  - The Equal Remuneration Act 1976 specifically forbids employers from discriminating against women during recruitment.<sup>27</sup>
  - As per the mandate under this Act, no employer shall, while making recruitment for the same work or work of a similar nature, or in any condition of service subsequent to recruitment such as promotions, training or transfer, make any discrimination against women.
  - No employer shall, for the purpose of complying with the provisions of section 4(2) of the Act and reduce the rate of remuneration of any worker.<sup>28</sup>
  - The Equal Remuneration Act 1976, makes it compulsory for employers to pay women wages equal to those paid to men for performance of the same work or work of a similar nature.<sup>29</sup>
- 4. Right Against Exploitation:** Despite the women play an important role in agricultural activities, their hard labour is undervalued and their work remains invisible in the field of agriculture. Mostly, the women farmers generally wage casual labourers who are exploited and harassed by their colleagues and masters. Exploitation in the agricultural sector may happen in in different forms asunder-

**Protection of Minimum Wage:** A minimum wage not just supports the bare level of employment, but also seeks for viable continuous improvement. The Constitution offers protection of minimum wage under Article 43<sup>30</sup> and the Minimum Wages Act, 1948. The Act of 1948 aims at preventing exploitation of labour; to safeguard that the employee (for skilled and unskilled workers) has a basic physical necessity, proper health, and comfort, to ensure that the labour gets fair wages, and to ensure that the labour lives a decent life and have a respectable name in society. The Act has the following mandates-

- The Appropriate Government which includes local, State and Central Government will fix minimum wages per daybasis.<sup>31</sup>
- The rates to be fixed need not be uniform. Diverse rates can be fixed for various zones or areas.

- The Minimum Wages has been categorised as- Time Rate<sup>32</sup>; Piece Rate<sup>33</sup> and Overtime Rate<sup>34</sup>.
- The Act says that the wages shall be paid in cash. If somewhere, the payment is done either wholly or partly and if it is a customary process, the ninth at the case, the government through a notification in the official gazette shall enforce the payment partly or wholly.<sup>35</sup>
- Non- compliance of the Minimum wages act, i.e. not paying minimum wages is a culpable offense which attracts imprisonment up to 5 years and a fine up to 10,000 is the maximum punishment that can be awarded.<sup>36</sup>

**Protection Against Sexual Harassment:** Sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business with includes a right to a safe environment free from sexual harassment. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, aims to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto. Herein before, in *Vishaka v. State of Rajasthan*<sup>37</sup> the Supreme Court has declared sexual harassment of a working woman at her place of work as amounting to violation of rights of gender equality and right to life and liberty which is a clear violation of Arts 14, 15 and 21 of the Constitution. The Supreme Court of India defined Sexual Harassment as any unwelcome sexually determined behaviour (whether directly or by implication) such as- *Physical contact and advances, A demand or request for sexual favours, Sexually coloured remarks, Showing pornography, Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.* Section 2(a) of the Act defines the term “aggrieved woman” as— *in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent; or in relation to dwelling place or house, a woman of any age who*

*is employed in such a dwelling place or house.* The term employer is defined under Section 2(g) of the Act.<sup>38</sup>

**5. Empowerment & Safety Nets for Women Farmers:** Social protection and safety net interventions are increasingly deemed important. Safety net programmes, as part of the broader social protection agenda, aim to address risks, vulnerability and social exclusion.<sup>39</sup> In India, the farm sectors are suffering from a number of vulnerabilities, we are in need of a good number of safety nets for the producers of food. Now, let's have an overview on the available safety norms-

**The Women Farmer's Entitlements Bill, 2011:** The Women Farmers' Entitlements Bill, 2011 was introduced in the Rajya Sabha by agricultural scientist M.S. Swaminathan. The salient features of the Bill are as under<sup>40</sup>-

- Section 6 of the Bill says that every woman farmer should have equal ownership of and inheritance rights over land acquired by her husband; his share of the family property; or his share of land transferred through a government land reform or resettlement scheme.
- Section 8 says that women farmers, who have a Woman Farmer Certificate, would be entitled to a Kisan Credit Card. They would also have the right to credit and other kinds of financial support for agricultural activities.
- The Bill mandates that rural women involved in agriculture be issued a Woman Farmer Certificate by the gram panchayat after the approval of the gram sabha. A group of women can also get a 'Group Women Farmers' Certificate'. The certificate can be used as evidence in all administrative and judicial proceedings. (Section 3)
- Woman farmers shall enjoy rights over all water resources and while accessing water for irrigation, a woman must not be discriminated against because of her marital status, religion, caste, possession or ownership of agricultural land.<sup>41</sup>
- Section 9 of the Bill says that the union government must set up a Central Agricultural Development Fund for Women Farmers (CADFWF), which can be used to develop women-friendly farming technologies, train women farmers, organise capacity-building programmes, create

market facilities and rural godowns, set up crèches and daycare centres, among other things.

- The government must also frame a social security scheme for women farmers that cover old age pension.
- Each state must set up a Women Farmers' Entitlement Board at the state level and a District Vigilance Committee at the district level – both bodies will monitor the Act's implementation and ensure transparency and accountability. State governments must provide mechanisms for the grievance redressal of women farmers at the block and district levels.
- A person who does not comply with the provisions of the Act can be imprisoned for a term of not less than six months (but it may extend to a year) and be fined, or both.

**Pradhan Mantri Fasal Bima Yojana (PMFBY):** The Pradhan Mantri Fasal Bima Yojana (PMFBY) is the government sponsored crop insurance scheme that integrates multiple stakeholders on a single platform with the objectives as under<sup>42</sup>-

- To provide insurance coverage and financial support to the farmers in the event of failure of any of the notified crop as a result of natural calamities, pests & diseases.
- To stabilise the income of farmers to ensure their continuance infarming.
- To encourage farmers to adopt innovative and modern agricultural practices.
- To ensure flow of credit to the agriculture sector.

**The Farmers' Freedom From Indebtedness Bill, 2018:** This private Bill was introduced in the Lok Sabha on August 3, 2018 to expand the definition of farmers to include not just those who own land, which is a critical point in accessing government support including institutional credit, crop insurance and drought compensation. This bill features inter alia the followings<sup>43</sup>-

- The Bill promotes of institutional credit as right and an immediate credit relief and shield with a protection to debt-trapped farmers suffering due of natural disasters and to those in distress;

- The Bill inter alia defines the terms like- *distress-affected farmer*, *distress-affected area*, *distress-affected crop*.
- When a natural disaster or calamity is declared by the central/ State government, farmers should be entitled to debt relief and fresh loans for the next (farming) season.
- Setting up a Debt Relief Commission to be at the Centre and states to identify distressed areas, allow delay in recovery of debt for up to three years, reschedule loans, and waive certain loans;
- Establishment of the constitution of a Farmers' Distress and Disaster Relief Commission at the national and state levels to proactively recommend relief measures and loan-related solutions for the indebted farmers.
- Providing of effective disaster relief and crop insurance, promotion of low-cost ecological agriculture, and provide special support to families affected by farmers' suicides.

**The Plantation Labour Act, 1951<sup>44</sup>:** The below mentioned provisions of the Act may be considered to ensure the dignity of farm women engaged particularly in organised form of farming.

- Forty-eight hours a week for Adult workers and twenty-seven hours a week for adolescent or child workers<sup>45</sup>.
- Maximum hours of work are 9 hours a day and 54 hours a week; the worker is entitled to overtime wages at twice the rates of ordinary wages.
- He/she also has a right to one weekly holiday.
- No worker shall work for more than five hours before he/she had an interval for rest for at least half an hour. In addition, a woman resuming her work after delivery is entitled to two breaks daily for nursing her child till the child is fifteen months old. This is in addition to the regular rest interval.
- Provision for earned leave, sickness allowance, along with the scope for encashment of earned leave<sup>46</sup>;
- Entitlement of maternity allowance by Women workers under the Maternity Benefit Act, 1961<sup>47</sup> along with a provision for crèches in case

of organised farming with an area of 5 acre or if more than 5 women farmers are working together.

## CONCLUSION AND RECOMMENDATIONS

Hence, with security of tenure in land the farmers should be provided with the three critical driving factors — *the incentive, the safety nets, and the opportunity* — *to invest in the land they harvest*. Security of land tenure also presents advantages for landlords by removing the fear of losing their land ownership.<sup>48</sup> Providing women with access to secure land is key for incentivising the majority of India's women farmers. Today, the position of women is aggravated in the era of globalization due to liberalization policy, commercialization of agriculture, over-population, increasing pressure on land, industrialization, urbanization, natural disaster, uneven distribution of resources, lack of access to information and inability to manage and govern the environment for sustainability. Thus, the followings may be recommended-

- Introduction of counselling and sensitization programme to educate women farming families to share the responsibilities at home wherever possible.
- The government agencies should create a proper monitoring mechanism to address the issues of sexual harassment if it happens with any member of farming community along with other members of the society.
- The local government or SHGs or the corporate entities involved into farming should take responsibilities to help out the farming class especially the women farmers to market the agro-produces and help in selling those commodities.
- The government may collect cess to ensure the maternity relief from the vendors of agricultural commodities and pay directly to the bank account of the registered women farmers. In this connection, the registration shall be conducted through the local government.
- Instead of farmers, the benefit must not end up benefiting traders to distort markets like Madhya Pradesh's Bhavantar Bhugtan Yojana, which promised to pay farmers the difference between market prices and the minimum support price.

- In addition to that, a strong grievance redressal forum is required to set up by enumerating separate provisions relating to free legal aid, the procedure for making complaints, disposal of complaints and the execution thereof.
- Finally, since a farm woman equally looks after the in-field and household activities, a change in the mind set of her counterpart is required to develop to help such women.

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    - (1) The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life
    - (2) The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations
- Art. 42.** Provision for just and humane conditions of work and maternity relief—  
The State shall make provision for securing just and humane conditions of work and for maternity relief.<sup>5</sup>
- Art. 47.** Duty of the State to raise the level of nutrition and the standard of living and to improve public health.— The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of



public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.

**Art. 48.** Organisation of agriculture and animal husbandry— The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.

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26. Discrimination is nothing more than the expression of a preference. In this neutral sense, without assessing either the consequences of such behaviour, or the “social justice” aspect, the right to discriminate is a desirable feature of any free society. Generally, when an employer estimates wages, he takes into account the factors e.g.- *Intelligence; Efficiency; Initiative; Skill; Leadership ability; Communication Skills; Perseverance; Experience*. However, equal pay legislation such as the Equal Remuneration Act in India, seeks to determine wages on the basis of a politically motivating or social justice related factor, in this case, gender. The mutual incompatibility of the two sets of factors is obvious. While the first set might generate an efficient labour force, the second set has absolutely no relation to productivity, and hence cannot work towards an efficient labour force.
27. Section 5, the Equal Remuneration Act, 1976.
28. Section 4 (2), the Equal Remuneration Act, 1976.
29. Section 4 (1), the Equal Remuneration Act, 1976.
30. Art 43. states- the state shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in

particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.

31. Section 3, the Minimum Wages Act 1948.
32. Time Rate – The minimum rate is fixed according to the duration of the work done by the labour.
33. Piece Rate – Here the minimum wage is fixed by the total number of pieces manufactured in the factory.
34. Overtime Rate – Here the minimum rate is fixed by the overtime done by the labour regardless of the time or piece rate.
35. Section 11, The Minimum Wages Act 1948.
36. Section 22, The Minimum Wages Act 1948.
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38. “employer” means—
  - (i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;
  - (ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace.

*Explanation.* – For the purposes of this sub-clause “management” includes the person or board or committee responsible for formulation and administration of policies for such organisation;
  - (iii) in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;
  - (iv) in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker;
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*An Analysis of Achievement of Equity of Opportunity in Higher Education in West Bengal during the Period 2001-15* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp. 90-99. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# **An Analysis of Achievement of Equity of Opportunity in Higher Education in West Bengal during the Period 2001-15**

**Sankar Majumder**

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Drive towards equity in higher education is important especially in a country where inequality is deep-rooted in different forms. Indian states have advantageous and disadvantageous areas. Special drive is needed for bringing equity of opportunity among these areas. In respect of inequality in social front, wide range of gender inequality exists here. Beside income and asset inequalities Indian population suffers from the social diseases of inequities among the castes and religious groups. Activities for spreading education and specially higher education started long back in India. Measures towards providing school education, higher education in all parts of the country and to all sections of population increased manifold after independence. Governments at the Centre and at the state level started taking measures for the provision of educational facilities among all sections of population and regions. All these are reflected in the status of education of different regions, different castes, different religions and different classes. Allocation of budgets for higher education, number of existing as well as new establishments of higher educational institutions, enrolment of students in higher education etc.

institutions are among the several important indicators of spread of higher education. Geographical area wise, income criteria wise, caste and religion wise analysis of changes in the values of the indicators may throw lights on the equity aspects of higher education.

This paper is an attempt to understand the changing scenario in the state of West Bengal in its drive towards equity in higher education during the period 2001 to 2015. This can be better understood if it is analysed from both supply side and demand side. However, this paper discusses it mainly from the supply side. For development of higher education various committees and commissions were constituted. Based on the recommendations of these committees and commissions, policies have been adopted, legislative laws, regulations and rules have been enacted. Consequently higher education institutions have come up over the years and the people are getting the scope of higher education. Provision of higher education was the responsibility of government for a long time. Very recently private sector has started entering in the field of higher education. However, this paper considers the overall provision of higher education irrespective of ownership of higher educational institution.

Section I presents the growth scenario of higher educational institutions in west Bengal and in its constituent districts. Section II analyses this growth of higher educational institutions from the angle of equity of opportunity in higher education. Section III discusses the situation of different sections of population in respect of extent of 'availing the opportunities of higher education'.

## SECTION I

Higher educational institutions are broadly of six types : (i) Universities providing post graduate courses, (ii) degree colleges providing B.A/B.Sc/B. Com courses, (iii) Engineering and Technology Colleges, (iv) Medical colleges (v) Teachers' training colleges and (vi) others. Table-1 shows the changes in the number of different types of colleges in west Bengal during the period 2001 to 2015. Total number of colleges increased annually by 36 numbers during 2001 to 2011.

**Table 1:** Number of Colleges in the State west Bengal over the period 2001 to 2015

<b>Types of Colleges</b>	<b>2001</b>	<b>2011</b>	<b>2015</b>
Degree colleges	354	462	503
Engineering Colleges	32	85	129
Medical Colleges	8	37	43
Teachers' Teaching College	26	123	240
Others	24	90	210
<b>Total</b>	<b>444</b>	<b>805</b>	<b>1125</b>

But during 2011 to 2015 there was an annual increase of 80 numbers of colleges. Composition of colleges has changed significantly in favour of professional colleges. This change in the overall situation needs to be examined from the angle of equity of opportunity in favour of backward districts and also in favour of backward sections of the population. Population served by a college has been considered as an indicator of provision of opportunity of higher education in the state/district. Population cover per degree college in west Bengal declined from 2.63 lakhs in 2001 to 2.25 lakhs in 2011 but slightly increased to 2.28 in 2015.

**Table 2:** Number of Districts in Terms of Population Cover Per Degree College during the period 2001 to 2015

<b>Population per College/Year</b>	<b>2001</b>	<b>2011</b>	<b>2015</b>
Above 3 lakh	5	2	2
2.5 to 3 lakh	5	4	3
2.00 to 2.50 lakh	6	6	6
1.50 to 2.0 lakh	0	4	4
1.00 to 1.50 lakh	1	0	1
Less than 1 lakh	0	1	1

But this change was not uniform across the districts. For each district population cover per degree college has been calculated for the years 2001, 2011 and 2015 and the districts have been grouped into six categories : districts having population cover of above 3 lakh (A), 2.5 to 3 lakh (B), 2 to 2.5 lakh (C), 1.5 to 2 lakh (D), 1 to 1.5 lakh (E) and less than 1 lakh (F) per degree college . Number of districts having population cover of 'above 3 lakhs' per

degree college came down from 5 to 2. And this number came down from 5 to 3 in case of ‘the districts having population cover of ‘2.5 to 3 lakhs’ per degree college. Only in one district population cover per degree college was less than 1 lakh. (Table 2). Table-3 shows the movement of districts in terms of population cover per degree college during this period. Malda and Uttar Dinajpur remained in category-A, Midnapore remained in category-B during this whole period, while North 24 Paraganas, South 24 Paraganas and Cooch Behar remained in category-C. Situation of these six districts have not changed so far as population cover per degree college in these districts is concerned. Situation of Dakshin Dinajpur, Howrah, Burdwan and Darjeeling have improved over the period 2001 to 2011 but over the period 2011 to 2015 they remained in the same position.

**Table 3:** Movement of Districts in terms of Population Cover per Degree College during the period 2001 to 2015

<b>Districts</b>	<b>2001</b>	<b>2011</b>	<b>2015</b>
Malda	A	A	A
Utter Dinajpur	A	A	A
Daskhin Dinajpur	A	C	D
Murshidabad	A	B	B
Nadia	A	B	B
Howrah	B	C	D
Birbhum	B	C	C
Burdwan	B	C	D
Jalpaiguri	B	B	C
Midnapore	B	B	B
Hoogly	C	D	D
Bankura	C	D	D
Purulia	C	C	E
North 24 Paraganas	C	C	C
South 24 Paraganas	C	C	C
Cooch Behar	C	C	C
Darjeeling	E	F	F



## SECTION II

The provision of higher education (in terms of the availability of a college , i.e. population coverage per degree college) widely varied across the districts. These findings need to be examined from the view point of the drive towards equity of opportunity in higher education. This is examined firstly, from the view point of economic aspects and then from the social aspects. Districts have been arranged in descending order of their annual per capita income for each of the following three years viz, 2001, 2011 and 2015. First five districts have been grouped as ‘Districts having relatively high per capita income’ and the last five districts have been grouped as ‘Districts having relatively low per capita income’. Table 4 shows that the ‘Districts having relatively high per capita income’ had population cover per degree college much lower than that of West Bengal average. On the other side, population cover per degree in the group of ‘Districts having relatively lower per capita income’ was much higher compared to that of West Bengal average. Drive towards equity of opportunity in higher education demands more attention for providing higher educational institutions in the poorer districts.

Equity of opportunity in higher education is more demanding from the social point of view . This is analysed again in terms of provision of colleges (as measured by population coverage per degree college) in the districts. Districts have been arranged according to descending order of percentages of population belonging to different social categories, viz. Scheduled Caste (SC), Scheduled Tribe (ST) and Muslim to total population of the districts for each of the following three years viz, 2001, 2011 and 2015. First five districts and last five districts of each of the so arranged data series for the three social groups (ST, SC and Muslim) have been considered as the groups of districts with relatively high concentration and relatively low concentration of a particular social group respectively. Table-5 presents the data on changes in the provision of (in terms of population cover per degree college) of higher education in different categories of districts. Population cover per degree college has declined in the districts having relatively higher percentage of ST population much more than that of in the districts with relatively lower

percentage of ST population. The same is true in case of SC Category. But in case of Muslim community it is observed that the percentage of decline of population cover per degree college in the group of districts having relatively higher percentage of Muslim population was much less compared to that of the group of districts having relatively lower percentage of Muslim population. Pressure of population in college was much more in the districts with higher percentage of Muslim population. Equity of opportunity in higher education demands much more provision of colleges in these districts.

**Table 4:** Population Cover per Degree College in the Districts with Relatively High and Relatively Low Concentration of Per Capita Income during the period 2001 to 2015

Group of Districts	2001		2011		2015	
	Population Cover Per Degree College	No. of College	Population Cover Per Degree College	No. of College	Population Cover Per Degree College	No. of College
Having Relatively High Per Capita Income	242748	113,	216384	143	203892	154
	Burdwan, Darjeeling,	Darjeeling, Burdwan	Darjeeling Burdwan		Darjeeling, Burdwan	
	Howrah, Hoogly, Midnapore	Howrah, Midnapore Hoogly,	Howrah, Midnapore Hoogly		Howrah, North 24 pargana, Hoogly	
Having Relatively Lower Per Capita Income	291776	56	249165	61	249708	62
	North Dinajpur, Coochbehar, Birbhum, Purulia, Murshidabad		North Dinajpur, Purulia, Birbhum, South Dinajpur, Malda		North Dinajpur, South Purulia, Coochbehar, Malda	
West Bengal (Excluding Kolkata)	262511	288	224817	386	227648	404

**Table 5:** Differences and Changes in the Population Cover per Degree College in the Districts of West Bengal when the Districts are Categorized on the Basis of Relatively High and Relatively Low Concentration of Population from Different Social Categories (SC, ST, and Muslim) during the Period 2001 to 2015.

Categories of the districts	2001			2011			2015			% of decline in the Population Cover per degree college over 2001 to 2015
	Population Cover per degree college	No of degree colleges	Population Cover per degree college	No of degree Colleges	Population Cover per degree college	No of degree Colleges	Population Cover per degree college	No of degree Colleges		
Five districts having relatively higher percentage of Scheduled Tribe Population	218632	56	167744	83	163376	90	25.27			
Five districts having relatively Lower percentage of Scheduled Tribe Population	258723	110	224113	147	232044	150	10.31			
Five districts having relatively higher percentage of Scheduled Caste Population	269246	62	223042	85	222338	90	17.42			
Five districts having relatively Lower percentage of Scheduled Caste Population	256948	93	215040	129	217490	136	15.35			
Five districts having relatively higher percentage of Muslim Population	303112	71	257642	100	273157	102	9.88			
Five districts having relatively Lower percentage of Muslim Population	227651	85	193798	120	192294	128	15.5			
West Bengal Average (excluding Kolkata)	262511	288	224817	386	227648	404	13.28			

### SECTION III

This section deals with the equity question from the angle of ‘receiving the benefits of provisions of opportunity’. One of the indicators of the extent of ‘availing the opportunities of higher education’ provided by the government is the number of students getting enrolled in the higher education institutions. This, in turn, may be considered as one of the indicators of success of government’s efforts to provide higher education facilities. Changes in the pattern of student enrolment from different categories of population may reveal the direction of changes in the equity of opportunity in higher education. Data from the state of West Bengal for the first half of 2010s has been used to understand these changes. Table 6 to Table 11 presents the findings.

**Table 6:** Absolute Number of Total Enrolment in the Degree Colleges in West Bengal during the Period 2010-11 to 2014-15.

Categories Years	Total Students	Scheduled Caste Students	Scheduled Tribe Students	OBC Students	General Students
2010-11	899814	116071	23147	39541	725055
2011-12	1497019	240921	42776	77054	1136268
2012-13	1658987	276226	48514	98382	1235865
2013-14	1785382	317442	57776	134320	1275844
2014-15	1810622	334821	59763	160177	1255861

**Table 7:** Simple Annual Growth Rates of Student Enrolment in the Degree Colleges in West Bengal during the Period 2010-11 to 2014-15.

Categories	Male	Female	Total
All Castes	18.10	23.10	20.20
General	12.58	17.83	14.83
Scheduled Caste	35.60	40.60	37.70
Scheduled Tribe	30.66	33.02	31.64
OBC	57.73	65.92	61.02

**Table 8:** Percentage of Female Student Enrolment to Total Enrolled Students in different Caste Categories in the Degree Colleges in West Bengal during the Period 2010-11 to 2014-15.

Categories Years	Total	Scheduled Caste Students	Scheduled Tribe Students	OBC Students	Genera Students I
2010-11	42.6	41.6	41.5	40.1	43
2014-15	45.6	43.7	42.6	42.6	47

Table 6 shows that the absolute number of student enrolment more than doubled over this five year period. Table-7 shows that during this period student enrolment has increased by more than 20 percent annually. But when the caste wise distribution of the annual rates are considered, it was observed that the rate of annual increase was highest in case of students belonging to OBC category followed by Scheduled Caste and Scheduled Tribe. Annual rate of increase was least for general caste. Another notable finding is that the annual rates of increase in case of enrolment of female students were higher compared to that of male students in all the categories of students. Percentages of female student enrolment have increased in all the categories of population (Table 8). All these findings clearly indicate the achievement of the state in her drive towards gender equity of opportunity in higher education in West Bengal in the recent years. This observation is strengthened by the data of Table 9. It shows the improvement in the sphere of gender equity. Female-Male ratios have increased not only in the case of total student enrolment but also separately for all the categories, viz, Scheduled Caste, Scheduled Tribe, OBC and General Caste.

**Table 9:** Changes in the Female-Male Ratios of Students Enrolment among Different Castes in the Years 2010-11 and 2014-15.

Categories Years	All categories students	Scheduled Caste students	Scheduled Tribe students	OBC students	General students
2010-11	0.74	0.71	0.71	0.67	0.75
2014-15	0.84	0.78	0.74	0.74	0.87

**Table 10:** Percentages of Scheduled Caste, Scheduled Tribe, OBC and General Castes Students Enrolment to Total Student Enrolment in West Bengal in the Years 2010-11 and 2014-15.

Categories Years	Scheduled Caste students	Scheduled Tribe students	OBC students	General students
2010-11	12.9	2.6	4.6	80.0
2014-15	18.5	3.3	8.9	69.4

**Table 11:** Percentages of Female Student Enrolment from Scheduled Caste, Scheduled Tribe, OBC and General Castes to Total Female Student Enrolment in West Bengal in the Years 2010-11 and 2014-15.

Categories Years	Scheduled Caste students	Scheduled Tribe students	OBC students	General students
2010-11	12.6	2.5	4.1	81.0
2014-15	17.7	3.0	8.1	71.0

Table 10 shows that the composition of enrolled students has changed in favour of Scheduled Caste, Scheduled Tribe and OBC categories. Consideration of enrolled female students revealed another important aspect (Table 11). Percentages of enrolment of female students from Scheduled Caste, Scheduled Tribe and OBC categories to total female students have increased separately where as this percentage has decreased in case general caste category. All these findings clearly show that the state of West Bengal was moving towards more and more equity of opportunity in higher education during the first half of 2010s.

**(Data and Sources:** All the Statistical tables have been calculated from the following data sources.)

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*Reservation, Casteism and Educational Institutes: Reflections on the Scheduled Castes of West Bengal* In : *In Search of Equality: Studies in Social and Economic Opportunity* edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain Published by New Delhi Publishers, New Delhi: 2022, pp.100-118. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# **Reservation, Casteism and Educational Institutes: Reflections on the Scheduled Castes of West Bengal**

**Rup Kumar Barman and Juthika Barma**

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Since a couple of decades, ‘reservation policy for upliftment of socio-economically backward communities’ and continuity of ‘casteism’ have remained as sensitive issues in India. Politicians, social scientists, public figures and common people of this country are reasonably aware about these two essential features of contemporary Indian society. While the anti-reservationists often argue about the limitations of the ‘reservation policy’, the backward communities [particularly the Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs)] think that the ‘reservation’ in educational institutes, employment in government sector and political assemblies deserves to be continued for their upward mobility. These opposite views are contributing to the development of a trend of ‘*soft casteism*’ particularly in the centers of higher education. Thus ‘*psychological casteism*’, ‘*oral casteism*’ and ‘*behavioral casteism*’ are quite common in India. In this context, West Bengal is no exception. In this paper, we’ll illustrate the issues of reservation, casteism and experience of the Scheduled Castes of West Bengal.

## II

### *About the Reservation Policy*

‘Reservation’ and ‘caste violence’ are age-old affairs in India. Tools and mechanisms of caste violence can be understood by studying ancient literary texts (such as the epics, *Vedas*, *Suttras*, *Manusmriti*, *Puranas*, etc.). The reasons of assigning social status to different caste communities as per these sources are relatively inconsistent and paradoxical. While the upper castes had been assigned superior social status, certain castes were treated as ‘inferiors’ and their socio-cultural rights were violated frequently. The lower caste communities were often treated with discrimination(s) in pre-colonial and colonial society only because of their caste background. In the context of Bengal, the lower castes had gathered experience of casteism with violation of their social rights and dignity [because of their lower social ranks]. However, the growth of caste consciousness in colonial India and policy of administrative reforms had generated a trend to protect the socially oppressed communities by the state with certain legal tools.

The Scheduled Castes of British India were endowed with ‘reservation policy’ by the *Government of India Act (1935)* and the *Government of India Scheduled Caste Order (1936)*. This policy of ‘protective discrimination’ and a place in the ‘Schedule’ had conferred them the power of political bargaining and socioeconomic development. Concurrently, plans and programmes of the leading nationalist political parties had created a social environment for fighting untouchability and caste violence. Moreover, a few provinces of India had adopted several legal provisions for abolition of untouchability and to stop casteism under the colonial rule.<sup>1</sup>

After the independence of India in 1947, development of socio-economic status of the weaker sections of the Indians through ‘reservation and welfare policies’ have become a special target of the Government of India. Simultaneously, ‘equality’, ‘liberty’ and ‘justice’ have been enshrined in the *Constitution of India (1949)*. The Constitution makers [especially Dr. B.R. Ambedkar, the Father of the Indian Constitution] gave due importance to the



empowerment of the Scheduled Castes, Scheduled Tribes and other weaker people of India including the abolition of untouchability and other sources of casteism. So in its different articles, 'the Constitution of India' has taken certain steps that ensures social justice to the people of socio-economically and culturally backward communities. Article 14 of the Constitution has clearly stated the concept of 'equality before law.' It says that the 'State shall not deny any person equality before the law or the equal protection of the laws within the territory of India.' It sounds very much justified. The constitution in its Article 15 again confirms that the state:

- (1) shall not discriminate against any citizen on the grounds only of religion, race, caste, sex, place of birth or any of them.
- (2) no citizen shall, on the grounds only on of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to –
  - (a) access to shops, public restaurants, hotels and place of public entertainment; or
  - (b) the use of wells, tanks, bathing *ghats*, roads and places of public resort maintained wholly or partially out of the State funds or dedicated to the general public.

But the Clause 4 of the same Article empowers the state to make 'special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes.'

Article 16 has further extended the matter of equality and equal opportunity especially in public employment. It declares that (i) there shall be equality of opportunity for all citizens in matters relating to appointment to employment in any office under the state; and (ii) '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.' But Clause 4 of that Article also granted the state:

*‘to make provision for the reservation of appointment 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.’*

Thus the Article 335 has arranged reservation for the SC/STs in the government services. According to this article:

*‘The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, constantly with the maintenance of the efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State.’*

The Constitution further extends the opportunity of reservation for the SCs and STs in its Article 46. This Article says 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 Scheduled Castes and Scheduled Tribes, and shall protect them from social injustices and all forms of exploitation.’*

The SC/STs have also got reservation in the House of the People. Articles 330, 332, and 334 of the Constitution have provided the opportunity of reservation in the Parliament and State Legislative Assemblies to the members of the SC/ST communities.

So the constitutional provisions for establishing equality and bringing social justice are considered to be very much high-sounding measures especially for empowering the socially weaker sections of the Indian society. In regards to casteism, the Constitution is more radical. Article 17 thus unambiguously enshrined:

*“that ‘untouchability’ is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of “Untouchability” shall be an offence punishable in accordance with law.”*

But the constitutional provisions for abolition of untouchability could not be materialized in practical lives because there was no Union-level act for its implementation. So caste violence was continued in different parts of India in the early 1950s. However, the Government of India had appointed a committee in 1954 for framing an act for abolishing untouchability. Upendra Nath Barman [(1898-1988), a Scheduled Caste MP of the Lok Sabha (1952-1962)] was appointed as the Chairman of the Select Committee. The Committee had recorded the continuity of caste violence and practice of untouchability as common realities of India.<sup>2</sup> Finally the Government of India had adopted '*The Untouchability (Offences) Act* in 1955. This act has stated that the 'practice of untouchability shall be a punishable offence with imprisonment.'<sup>3</sup>

However, execution of this act was not an easy task. Moreover, the demands of certain communities for constitutional recognition of their 'backwardness' was increased in the 1950s. It led to the modification of *The Government of India (Scheduled Castes) Order 1936* in 1950. It was further modified in 1956 as *The Scheduled Castes and Scheduled Tribes Lists (Modified) Order, 1956*. Simultaneously, the constitutional concept like 'socially weaker section' has appeared as a term of 'opportunism' for backward communities. So, beside the SCs and STs, Other Backward Classes (OBC) communities came forward to be identified as backward! The Government of India had appointed a commission (in 1953) under the chairmanship of Kaka Saheb Kalelkar. This Commission submitted its report in 1955 and identified 2,399 communities as the Backward Castes. It had recommended 70% reservation of seats in all technical and professional institutions for qualified students belonging to the backward classes and also recommended considerable reservation (25-40 %) in the government jobs. Although the recommendations of the Kalelkar Commission were not accepted, another Backward Class Commission was appointed under the chairmanship of B.P. Mandal in 1978. The Mandal Commission had submitted its recommendations in 1980. It rejected the report of the Kalelkar Commission and identified 52% of the total population of the country as OBCs. For them, 27% reservations of seats in the academic institutions and government jobs have been recommended.

Some recommendations of the Mandal Commission were implemented by the National Front Government headed by V.P. Singh in the 1990's. There were serious challenges and debate throughout the country against the reservation for the OBCs. However, the Supreme Court of India had accepted the recommendations of the Mandal Commission. Thus 27% reservation for the OBCs has been implemented in the services under the Union Government.

The constitutional provision of reservation thus appeared as a matter of 'opportunity' for the socially weaker section. Naturally 'reservation' has been transformed into a matter of jealousy for the Unreserved Categories (General or UR). So the declared goal of 'equality' with the seeds of 'inequality' (i.e. protective discrimination) has contributed to the continuation of 'caste discrimination' and caste violence. This trend had alarmed the Government of India to think seriously about the protection of the SCs and STs especially in the 1990s. While India has accepted Dr. B.R. Ambedkar as the '*Bharat Ratna*' (1990) and K.R. Narayanan as the Vice President (1992-1997) and President (1997-2002) of India from the SC community in the 1990s, the Government of India has also adopted the *Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (of 1989)* and the *Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules (1995)*. At the same time, 'National Commission for Scheduled Castes and Scheduled Tribes' (1990) [later renamed as (i) National Commission for Scheduled Castes, and (ii) National Commission for Scheduled Tribes (2004)] has been founded to supervise on the social, educational, cultural, service and political safeguards of the SCs and STs. Again a few other national commissions such as the 'National Commission for Women' (1990), 'National Human Rights Commission' (1993), 'National Commission for Safai Karmacharis' (1994) are also indirectly dealing with caste related issues since the 1990s. So it appears that by the end of the twentieth century, the SCs, STs and OBCs have been endowed with an elaborate legal set up for enjoying reservation and to protect themselves from caste violence.

But the SCs, STs and the OBCs are frequently facing caste violence of wide variation in different parts of the country. Suicide of Chuni Kotal (1992)

and Rohit Vemula (2016), atrocities on the Tribal Christians in Khandamal (2008), attack on the Valmikis of Mirchpur (2010), are a few example of this trend. National and regional level dailies are regularly giving us certain news depicting violence against the Dalits only for their caste background. Statistics from India's National Crime Records Bureau indicate that 25,455 crimes were committed against the Dalits in 2000.<sup>4</sup> The actual reality of crimes against the Dalits is more horrifying since they often failed to register the case with the police. So, inspite of having constitutional provisions and protective acts, the Scheduled Castes (along with other Dalit components) are still facing caste violence of different forms. Among all these, oral casteism, psychological violence and behavioral casteism are very much sensitive in case of West Bengal.

### III

#### *Soft Casteism in Rural West Bengal.*

The Scheduled Castes of West Bengal are pre-dominantly rural people. More than 95% of the major sub-castes [like the Rajbanshis, the Poundras, the Bagdis, the Paliyas, etc.] were rural dwellers in the 1960s. As per the records of 2001, 26.85% of total rural dwellers of West Bengal are Scheduled Castes which is obviously higher than their average population in this state (23.5%). In many Community Development (CD) Blocks, the Scheduled Castes have more than 60% share in the total population. Because of their population density, political role and their engagement as primary producers; the Scheduled Castes have a better social position in many villages for which they are facing less severity in caste violence. However, the SCs of rural West Bengal are not totally free from caste violence. They are subjected to soft casteism including oral casteism, behavioral casteism and intra-sub caste conflicts.

'Behavioural' casteism generally manifests through mental perception of the upper castes towards the Scheduled Castes (as a collective social category). The Scheduled Castes in rural areas are generally identified as per their sub-castes such as the Rajbanshis, the Namashudras, the Bagdis, the Doms, the

Muchis, the Shunris, etc. However, the name of these sub-castes is often used as slang abuses such as-*Nama/Chanral* (Namashudra), *Bahe* (Rajbanshi), *Pod/Dopo* (Poundra), *Machhua* (Jhalo Malo/Jalia Kaibartya), *Jharudar* (Hari), *Chamar* (Muchi/Charmakar). Even the name of a few sub-castes has been turned down to mean sub-human beings in the Bengali vocabulary such as –

- (a) *Chanral* = a person with cruel mentality.
- (b) *Chamar* = very miser person who can suck the blood of others.
- (c) *Dom* = who burns dead bodies in the cremation ground/ extremely unclean.
- (d) *Shunri* = drunkard.
- (e) *Hari* = Mehthor/ extremely unclean.

Thus collectively the SCs are considered by the upper castes as cruel, inferior, drunkard, foolish, dull, *chhotolok* (un-civil), ill-nourished and hungry people who are extremely unclean and sub-human beings. However, they themselves do not think that they are inferior. Rather, majority of them feel proud for their caste origin. This feeling is a positive tool what protects them from caste violence. So, the major portion of the SCs is free from ‘hard casteism’ in rural area.

However, the Scheduled Castes of rural West Bengal have experience of casteism of multiple characters. Here, oral casteism is a common feature.

**Example 1:**

“The higher castes used to avoid even our shadow considering us as Muchi. Verbal abuses from the upper castes are common for us even for a minor dispute.”

– Bholanath Ruidas (69) of the Muchi sub-caste.<sup>5</sup>

**Example 2:**

“The upper caste people often consider us as the the unwanted or adopted children of the government.”

– Tarak Nath Mal (49) of the Mal sub-caste.<sup>6</sup>

Our field survey data show that the Muchis of Hooghly, Birbhum and East Medinipur are frequently receiving rude comments from their upper caste neighbours. It is also a common curse for the Bagdis of South 24 Parganas. Even they do often receive insulting comments from other SC sub-castes as well as from the Muslims. Thus the Bagdis of Mathurapur have expressed that: “The upper castes hate us and treat us merely as Bagdis. The Poundras, Muslims, Mahishyays even the Kauras dare to abuse us in minor dispute for our Bagdi caste identity.”<sup>7</sup>

Experience of the Tiyars of South 24 Parganas is no way different. Thus Debashis Mandal has voiced that “the upper castes think that the Tiyars are Scheduled Castes and hence they are uncivilized, illiterate and foolish”<sup>8</sup>

We have found similar experiences of casteism among the Shunris. The Shunris of Bankura district have unambiguously reported that till the last decade of the 20<sup>th</sup> century, they were considered to be inferior human beings.<sup>9</sup> The respondents of the Mal sub-caste have also equally expressed their experience of oral casteism. Thus Kanai Mal (36) expressed that “the upper castes often call us *chhotoloka*.”<sup>10</sup>

The smaller SC sub-castes have severe experience of verbal abuses. It has been found clearly in fieldwork among the Kauras (a smaller landless SC sub-caste) of South 24 Parganas. The Kauras often receive derogatory comments from the upper castes along with the major SC sub-castes of the locality [see example 3].

**Example 3:**

“The students of other castes call our students as *Keorar Baccha* (children of Keora).”

—Ganga Sardar (40) of the Kaura sub-caste.<sup>11</sup>

The tradition of verbal abuse is also a common curse for the Dhobas of Jhargram district. Thus Renu Shit (65) told us that —“the upper castes of their villages insult them for their traditional occupation. They (upper castes) don’t allow their women to participate to the social ceremonies of the Dhobas.”<sup>12</sup>

Verbal casteism is also common in all minor sub-castes including the Karengas, Kaurs and the major sub-castes like the Jhalo Malos, Jeliya Kaibartyas, Bauris, Poundras, Namasudras and Rajbanshis.

Apart from the upper castes, various SC sub-castes are equally oppressive to many minor subcastes. Our field work among the Karengas, Doms, Badgis, Kauras, Mal, Haris and Bauris reveal the existence of intra-subcaste oral casteism (see example : 4-6).

**Example 4:**

“The Kotals and Bagdis insult our sub-caste (Dom). The Munchis behave in a better way.”

– Sunil Pandit (47) and Ramachandra Dhara (28) of the Dom sub-caste.<sup>13</sup>

**Example 5:**

“The Sunirs also call us *Chhoto Jat*. They don’t take food and drink from us.”.

– Ajit Bauri (50) of the Bauri sub-caste.<sup>14</sup>

**Example 6:**

“The Kauras and Poundras insult us for our caste even in minor dispute.”

Nabin Sardar (32), Pabin Sardar (35) and Tapas Naiya (30) of the Bagdi sub-caste.<sup>15</sup>

We have found plethora of such examples of oral abuses in different districts of West Bengal. It is quite high in such villages where a subcaste is minor in terms of its population. The major community in return receives the same abuses when it is minor in another village/ CD Block/ district. It is often related to the economic location of the community/family. So oral casteism is not only a feature of the ‘upper caste- Scheduled Caste *difference*’, and it is equally found in intra-subcaste relationship.

Although oral casteism is gradually diminishing, mental casteism still exists in rural West Bengal. The upper caste people now prefer to avoid direct oral abuses. They are behaving in such a way or using such words for which the Scheduled Castes are being reminded that ‘they are inferior’. It is a general perception of the people of unreserved category that the (i) Scheduled



Castes are ‘adopted children of the government’, (ii) they (SCs) are the golden moon (*Sonar Chand*), and (iii) “whatever they are doing it is only because of the courtesy of the government not for their merits.” So the Namashudras, Rajbanshis, Bagdis, Poundras and other smaller SC sub-castes have expressed that they are always being reminded by the upper castes (by their behavior) that they are ‘Scheduled Castes’, the *Chhotolokas*, uncivilized, foolish, dull, unclean, inferior and sub-human beings!

## IV

### *Casteism and caste violence in urban West Bengal*

When West Bengal started its journey (1947), the Scheduled Caste had very less population in the urban area. However, their percentage has increased considerably (in urban West Bengal) in the 21<sup>st</sup> century. This growth is the outcome of two developments. Firstly, migration and settlement of the Scheduled Castes from villages to towns has increased the urban SC population. Secondly, growth of urbanization has increased the SC population in urban West Bengal. The first factor, i.e., migration is a continuous flow of the SCs because of growth of a ‘higher educated middle class’ and their settlement in the urban area. Simultaneously, landless agricultural workers are migrating to the urban centers in search of better jobs.

So there are basically four types of people among the urban Scheduled Castes of West Bengal-(i) permanent residents including the new comers with a purpose to live permanently in the cities/towns, (ii) temporary migrants who come from villages to search for better livelihood having intention to go back to their villages, (iii) daily migrants, and (iv) students. Because of wide variations in their population composition, the experience of casteism of the Scheduled Castes in urban area has multiple features. Again all cities/towns are not identical. In 1947, only Bagula (Namashudra dominated), Dinhata (Rajbanshi dominated), Canning (Poundra dominated) and a few towns had considerable Scheduled Caste population (ranging from 30% to 60%). This picture has been changed considerably by the end of the century. As per the

records of 2001, the average SC population in urban area of West Bengal is 13.23%. Simultaneously, many municipalities have sprung up in the recent years where the Scheduled Castes have considerable population. Among such towns mention may be made of Cooch Behar, Tufanganj, Mathabhanga, Mekhligunj and Dinhata of Cooch Behar; Jalpaiguri, Maiynaguri and Dhupguri of Jalpaiguri; Alipurduar and Falakata of Alipurduar; Shivmandir, Siliguri and Naxalbari of Darjeeling, Islampur and Raiganj of Uttar Dinajpur; Kaliaganj and Balurghat of Dakshin Dinajpur; Sonarpur, Baruipur, Joynagar, Canning and Diamond Harbour of South 24 Parganas; Barasat, Rajarhat, Bidhannagar, Dum Dum, Sodpur, Barrackpore and Taki of North 24 Parganas; Kalyani, Ranaghat, Santipur and Krishnaganj of Nadia and certain small towns of Burdwan and Hooghly districts.

Since the demographic pattern of the urban SCs is uneven, the response of the SCs towards their caste identity and experience of casteism are quite contradictory. High concentration of the people of a particular sub-caste in a town has contributed to the development of fellow feelings. On the contrary, smaller sub-castes of the same town are quite dispersed and suffer from multiple threats both from the upper castes as well as from the dominant SC sub-castes.

However, the upper castes of urban areas are less concerned about the sub-caste of the SCs. They treat them (SCs) basically as a 'class' especially those who are providing primary services of cleanliness, home making, cooking and other manual services. For the upper castes, they are nothing but the 'wage earners'. So they (SC) are not competitors of the upper castes. Thus daily migrants and temporary migrants are facing less atrocity in the urban areas for their caste identity.

But the permanent settlers [either as new comers or as pre-settled communities] including the educated Scheduled Castes are facing psychological casteism and caste discrimination even in such towns where they have considerable density. Although casteism has declined in the private sectors of the urban area, it is gradually increasing in the government sectors [including educational institutions at least where reservation policy is practiced/

maintained]. Hence, the students as well as the teachers, researchers, and other staffs of Scheduled Caste category (along with STs and OBCs) are facing serious mental casteism and psychological oppression. These are related to (i) mental perception, (ii) jealousy, and (iii) competition.

It has been discussed already in connection with rural area that the upper castes think that the SCs are inferior. This perception of the upper castes exists in the service sector too. 'They generally accept the Scheduled Castes as inferior, dull, and 'people of quota' who have no merit but enjoying the facility of 'reservation quota' because of their caste.' In this context, we may talk about the suicide of Chuni Kotal. Chuni Kotal, a young woman of Lodha tribe of Paschim Medinipur district of West Bengal, was forced to commit suicide in 1992 because of the continuous mental pressure sustained by her upper caste professors at Vidyasagar University. Like Chuni Kotal, suicide of Rohit Vemula (2016) has drawn national and international attention as a case of mental torture and psychological violence in the institutes of higher learning. Chuni Kotal and Rohit Vemula are two examples only which drew proper attention after their death. But there are uncountable numbers of such incidents which are not published because (i) the SC students are not desperate enough to make complaints against their teachers/classmates, (ii) psychological oppressions are very difficult to establish, and (iii) the 'first generation' are often guideless.

Thus in our field survey, we have found the existence of a few generalized perceptions in the mind of the upper caste such as — (i) SC = *Sonar Chand* (Golden Moon); (ii) ST = *Sonar Tukro* (Piece of Gold); (iii) SC/ST/OBC = (Children of Government and blunt). These perceptions often come out publicly. Naturally, the students of SC category get hurt from their upper caste teachers and classmates with abusive comments. It is comparatively less in the rural and semi-urban area because of high concentration of the SCs in their locality. Again in primary and secondary level education, the reservation quota is not as visible as it is in the higher studies. But in the institutes for higher education (located mainly in the urban area), the condition of the SC is very critical. Thus students of this caste group are facing rude comments

for their caste background, their surnames and enjoying reservation and book grants/ scholarship, etc.

It has been noticed that the verbal abuses are very much common for the research scholars (M.Phil, Ph.D) of SC category. Here sub-caste is less important. SCs as a collective category are facing this type of casteism in almost all State and Central Universities of West Bengal (where reservation is available for admission). Even the SC students who are getting admission without reservation (UR quota) and standing first in the class are also not free from this mental oppression.

**Example 7:**

“Friends of university and hostel often criticize us that we are getting chance for pursuing higher studies and even research only for reservation quota. They think that we don’t have any merit to have these degrees (M.A., M.Phil. Ph.D, etc.).”

(an M.Phil student of the Poundra sub-caste).

**Example 8:**

“I did not face any question for my caste in the school. But when I joined university, my upper caste friends began to criticize me for enjoying reservation facility. It has increased when I completed my M.Phil and got chance for pursuing research for Ph.D.”

– (A Ph.D scholar of the Poundra sub-caste).

**Example 9:**

“The upper caste students express their anger to us since we are enjoying reservation quota and financial assistance being SC. They think that we deserve no opportunity for higher learning.”

– (An M.Phil student of the Poundra sub-caste).

**Example 10:**

“My friends used to target us indirectly that we are getting higher degrees with less merit.”

– (An M.Phil student of History of the Namashudra sub-caste).

**Example 11:**

“In my institute the upper caste friends isolate us in the name of caste. They address the SC, ST and OBC students as opportunists and persons of low mentality”

– (An M.Phil Student of the Rajbanshi sub-caste).

**Example 12:**

“Being a Rajbanshi and SC student my friends of the general category hate me since the SCs have reservation.”

– (A Ph.D scholar of the Rajbanshi sub-caste).

The experience and feeling of the Scheduled Caste research scholars of different universities and research institutes (as given in the example 7-12) of West Bengal give us a general idea that soft casteism and jealousy are common for them. The main factors for which they are facing these troubles are – (i) reservation in admission, (ii) relaxation of marks for clearing NET/SET/or similar examinations, (iv) provisions for scholarship/stipend, and (v) possibility of getting a lucrative job in the government sector with reservation quota. These factors have influenced the mind of the students of general category to take the SC scholars as inferior.

It has also been found that the SC teachers are also not free from this trend of casteism. ‘They are often being criticized as the “teachers of quota” by their colleagues of general category. For the upper castes, “they (SCs) are nothing but the ‘products of reservation’. They are less meritorious under whom the future of the students of reputed universities is absolutely unsafe.’ This perception of the upper caste colleagues often burst out publicly. In this context, we cite two examples. Our first example is the experience of an Assistant Professor of English Department of Presidency University (Kolkata). Being a teacher from the SC category he expressed that:

“some teachers and students of his university have projected him as a “dog, even worse than a dog” since he is a Dalit hailing from the Sundarbans. His presence is polluting the educational environment of this prestigious university”.<sup>16</sup>

In an article, Prof. Mandal (the said teacher) has highlighted the perception of the so-called elites with the following words:

Mahitosh Mandal does not really fit into the idea of a professor in an urban institution. He hails from the remotest rural areas of Bengal. He has not sufficiently picked up the urban manners. Hence, he is an outsider. Mahitosh Mandal is terribly young and looks more like a student. As if, he does not have the 'look' of a professor. Hence he should try elsewhere instead of being a nuisance in this prestigious institution. And above all, Mahitosh Mandal is a reserved category candidate, hence by definition under-qualified to teach in this traditionally Brahmin-Savarna dominated academic space. Mahitosh Mandal is less than a human and his presence pollutes the space of this elite institution. Nay, Mahitosh Mandal is not a human being; he is a dog if not worse than a dog.<sup>17</sup>

The experience of our second SC teacher is even more severe. He joined the Department of Education (Binay Bhavan) of Visva Bharati in 2002. The Principal of Binay Bhavan insulted him repeatedly without reason. Even the said teacher was segregated for a long period. In an interview (Dr. Prahlad Ray) the said teacher told us that the Principal of Binay Bhavan used to sanctify his room with the water of the Ganga when that teachers enter his room for any official work.<sup>18</sup>

Thus it appears that the Scheduled Castes teachers in the educational institutions of West Bengal are not free from psychological casteism. In our field survey, we have noticed similar features of casteism in services under the government sector.

## V

### *Observation*

The age old tradition of casteism is gradually declining in post-colonial India due to the constitutional provisions and protective policies. But continuity of protective discrimination and bringing more communities under reservation policies are indirectly contributing to the development of 'soft casteism'. Thus

‘soft casteism’ is increasing in both rural and urban area. The major SC sub-castes in the rural areas are comparatively free from casteism but the members of the same caste face casteism and receive abusive comments from their upper caste neighbours in urban area. On the other hand, the SCs are treated as sub-castes in rural area while in urban areas they are collectively called SCs [opportunists/products of reservation quota] especially in the service sector.

Thus psychological violence has appeared as dangerous; as nobody can legally be charged as criminal for this type of violence. Since caste is a matter of perception and practices, it is a common thing that the upper castes generally do not agree to recognize the proficiency of the SCs. Even after being competent enough, a very few SCs and STs get chance to be appointed as general candidate particularly in the higher posts. Even in the educational institutes of higher studies, the SC students getting admission in general seats are often treated as inferior. Maltreatment to the SC/ST students in the educational institutes beginning from the primary stage to the centers of higher studies is almost a common phenomenon in the entire West Bengal. They are often emotionally exploited by their upper caste classmates and their respected teachers!

### **ACKNOWLEDGEMENT**

This article is the outcome of the ICSSR (Indian Council of Social Science Research, New Delhi) sponsored Research Projects titled ‘Changing nature of Caste in Post-colonial India : A Study on the Scheduled Caste Communities of West Bengal’, Indian Council of Social Science Research, New Delhi (F.No. SC-16/2014-15/ICSSR/RPS Dated : 28<sup>th</sup> January 2015) and ‘Historical Legacy and Regionalism in India : A Study on the Regionalism of postcolonial North Bengal (Vide Letter No File No. 02/134/SC/2019-2020/MJ/RP Dated 13<sup>th</sup> December 2019). The authors are indebted to the ICSSR for its financial assistance.

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*Thirst for Equality of Opportunities and Development of Communal Politics in Bengal: From 'Bengal Pact'(1923) to 'Communal Ratio Act' (1941)* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.119-129. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

## **Thirst for Equality of Opportunities and Development of Communal Politics in Bengal: From 'Bengal Pact'(1923) to 'Communal Ratio Act' (1941)**

**Babulal Bala**

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The establishment of the British rule in Bengal and its subsequent extension to the rest of the part of India was a great blow to the upper class Muslims in Bengal. The *Ashraf* (upper class) Muslims who had always been a comparatively small community-were the immediate victims of colonial administration. It is noteworthy that the Muslims of the Indian subcontinent were not at all a homogeneous community 'in terms of racial, cultural, economic, and linguistic' point of view.<sup>1</sup>

This dichotomy within the Muslims clearly came into the surface in Bengal than elsewhere in India. Sharp differences existed in Bengal between the Urdu-speaking, urban-based upper class immigrant Muslims and the Bengali-speaking, rural-based indigenous origin.<sup>2</sup> It is needless to say that Muslim leadership were basically recruited from the upper strata as like the Hindu leadership and thereupon the Bengali Muslim masses who were representing peasantry, artisans and day-laborers remained in ignorance, all-round backwardness along with extreme poverty. They were also subjected to

the network of exploitation and subordination by the moneyed class who were incidentally Hindus.<sup>3</sup>

The delayed emergence of the modern educated Bengali Muslim middle class and their absence among the commercial and financial bourgeoisie made them in the long run 'a people without a career'. This condition came into the forefront more unpleasantly when it was found that the urban community of the English educated Bengali Hindu, who became the *avant-garde* of the Bengal renaissance due to their pro-British character.<sup>4</sup> In the long run, the differences between the two principal communities in Bengal i.e. advanced Hindus and backward Muslims in terms of development created a long gulf – subsequently raised the voice for 'additional' separate educational as well as political interests, which were not cared for long days by the advanced and less disadvantaged Hindus; that sowed the seeds the Muslim separatist movement in India sprouted in Bengal.<sup>5</sup>

A link between the socio-economic grievances of the Muslims and the growth of communal politics in Bengal is the much talked subject in history.<sup>6</sup> In the urban areas of the then undivided Bengal the Muslims as a community were disadvantaged numerically from socio-economic points of view. Only 15.3 per cent of the Muslims in 1911 in Calcutta were literates as against 32 per cent of the Hindus.<sup>7</sup> Muslim backwardness in the field of English education – the key requirement for government job – can be displayed by the following table.<sup>8</sup>

Year	Total (Hindus)	Literature (Hindus)	Total (Muslims)	Literature (Muslims)
1911	20,945,379	11.8%	24,237,228	4.14%
1931	22,212,069	13.73%	27,810,100	5.69%
1941	25,059,024	22.97%	33,005,434	11.77%

As a result of the above mentioned fact, it is found that in the beginning of the twentieth century there was only one Muslim to every seven Hindus in government jobs and other professional occupations<sup>9</sup>. Though, there were so many reasons behind the origin of communal politics in Bengal which were

developed throughout the entire British rule or in some cases even prior to the advent of the British in Bengal as well as India. However, considering the aforesaid socio-economic imbalance and thriving discontent among the Muslims by centering the question of equality of *Opportunity*, Chittaranjan Das, a pioneer of the emergence of joint Hindu-Muslim front in Bengal politics and was the 'only' national leader whom both the Hindus and Muslims relied, took an unprecedented step at the aim of forging unity among the Hindus and the Muslims of Bengal through the historic Bengal Pact of 1923. The main provisions of the pact were as follows:

- ‘1. The number of members of the two communities will be decided by their respective strength in Bengal’s population, and the two communities will vote separately to elect their members.
2. The Muslims will have 60% and the Hindus 40% of the seats in local self-government institutions.
3. Fifty-five percent of the government appointees will be Muslims, but 80% of the vacancies will be filled up by them until the overall percentage of 55 was reached.
4. Music before mosques, usually a standard excuse for Hindu-Muslim riots, was to be banned.
5. Killing of cows for religious purposes on the Bakr-Id day, a standard pretext for starting communal violence was to be permitted and nobody will be allowed to object to it.
6. A committee with equal members of Muslims and Hindus will be appointed in every sub-division to supervise the implementation of the above terms.’<sup>10</sup>

During the lifetime of Chittaranjan Das, though the Bengal Pact (1923) was rejected by Congress Session at Kakinada (1923) which was presided over by Mohammad Ali, but it was endorsed by Bengal Provincial Congress Committee (henceforth BPCC) of Sirajganj (1924), presided by M.M. Akram Khan and thereafter majority of the Congress leaders defied their own central leadership and decided to go along with C. R. Das in which they gave utmost priority to the Bengal’s larger and long term interests. But, after C. R. Das’s

untimely and unexpected sudden demise (16<sup>th</sup> June, 1925) the Krishnagar Session of Bengal Provincial Congress Committee (BPCC), held in 1926 under the presidentship of Birendra Nath Sasmal,<sup>11</sup> rejected the Bengal Pact.

The historic Bengal Pact of 1923 was a shining example of an ambitious instrument that could bring the Muslims and Hindus of Bengal together; that is why with the death of Chittaranjan Das - the very emotional comments was made by a Muslim newspaper and periodical 'MUHAMADI' (Bengali) as -"God's extreme punishment to our countrymen".<sup>12</sup> It is found that the terms and conditions of the historic Bengal Pact was the last straw for mutual understanding between the two communities achieved through 'unity from the top' by the whole-hearted efforts of Chittaranjan Das.<sup>13</sup> But, in that situation, as a consequence of the revocation of the 'Bengal Pact' most of the Muslim leaders' bonhomie with the Congress party ended and in the election of the Bengal Legislative Council in November 1926 and thereafter the election of the Calcutta Corporation of 1927- Muslims fought separately which was a clear signal the return of separatism and the end of the nascent Bengalee nationalism.<sup>14</sup>

Under the circumstances, the Muslims started asserting themselves at the aim of claiming to political power of the Bengal province. They adopted various policies and programmes to counteract Hindu *bhadraloks'* control over different institutions in the soil of demographic preponderance of the Muslim community in Bengal. In that juncture, the process of communal polarization was accentuated by the attitude of the Hindus particularly the leaders of the Congress party along with the Swarajyists regarding the opposition to the passing of the Bengal Tenancy (Amendment) Bill in 1928 in the Bengal Legislative Council. The very natures of the Hindu *bhadraloks'* were being clearly manifested during the Tenancy Act debates in the Legislative Council in 1928. While the Muslim members with few exceptions voted for all clauses in favour of the *bargadars* as well as *prajas* (share-croppers), under raiyats and tenants, the Hindu members of the Council irrespective of Swarajists and non-Swarajists alike had raised their voice at the aim of protecting the interests of the controllers of land i.e. zamindars.<sup>15</sup> It came into the notice from the view

point of the popular Muslim perceptions, ‘the Hindu politicians came to be viewed as allies of the Hindu rentier class. Bengal was witnessing the ‘last effort by the landed Hindu *bhadralok* to protect as a class their economic, social and political dominance’ and the Swarajists and the Congress became the willing partners in this move’.<sup>16</sup> In that context, Abul Mansur Ahmed, a front ranking Muslim leader and intellectual had remarked, “Neither in terms of the Muslim interest, nor on the *Praja* interest, was it possible for any longer to rely on the Congress.”<sup>17</sup>

In a situation where Muslims constituted 56 per cent of the total population of Bengal in 1941,<sup>18</sup> but lived under the socio-economic domination of the Hindu minority. In the meantime, after the election of 1937, when it was found that no party was in a position to form the ministry, Fazlul Huq, leader of Krishak Praja Party requested Kiran Sankar Roy of the Congress to join him in a coalition government under his leadership. Sarat Chandra Bose was intending to agree and requested Abul Kalam Azad, one of the top leaders of Indian National Congress for permission to join hands with Huq, taking into account the special situation in Bengal, but the Congress high command turned it down despite repeated requests. Lastly Huq was compelled to take the support of Muslim League, which promptly agreed to join the coalition under Huq’s leadership. As a result of the formation of Huq - League Ministry, the support base of the Muslim League among the Bengalee Muslims increased many times which gradually paved the way for the partition of Bengal as well as India. It has been presumed from different corner that history might have been different if the Congress agreed to Huq’s offer at this juncture. In that context, Amalesh Tripathi wrote “if Congress would have supported the Ministry headed by A.K. Fazlul Huq from outside, then possibly he would not have to go to the Muslim League and Bengal also would not have divided.”<sup>19</sup>

It is undeniable fact that under the control of the then Huq-League Ministry (1<sup>st</sup> April, 1937 – 7<sup>th</sup> December, 1941) with the imperceptible support of the British Government took various measures which had gone against the interest of the Hindus and the long standing grievances of the Muslims in terms of equal opportunity came into materialize – which vitiated the political atmosphere on

communal line. For example the Bengal Tenancy Act of 1938, abolished the *abwabs*, along with the landlords' transfer fee and their right of pre-emption; the Bengal Agricultural Debtors Act (1939) established arbitration boards for helping the debtors to obtain moratoriums and the Bengal Money-lenders' Act (1940), by 'fixing rates of interest, abolishing compound interest and providing for repayment of loans by installments'-undoubtedly hit the Hindu creditor class on one hand and saved the interests of the tenants (mostly Muslims) towards the establishment of the equal opportunity on the other. The Hindu politicians had started propagating and condemning the above Acts and its consequences as an anti-Hindu rather than an anti-moneylender move.<sup>20</sup>

After securing financial opportunities for the *prajas* particularly the Muslims of Bengal through the above mentioned Acts, thereafter, the Huq-League Ministry had brought a Bill named Secondary Education Bill (1940). The said Bill proposed to foster 'Muslim representation in secondary education by setting up a Board composed of representatives elected on a communal basis. Out of fifty general members there were to be twenty-two Hindus and twenty Muslims, but the Board would be dominated by government representative who, under the prevailing circumstances, were likely to be League nominees'.<sup>21</sup> Supporting the logic of a Board on communal principles, Fazlul Huq remarked in the assembly : 'The Muslims are the majority community and they have a vital interest in secondary education... they can hardly be expected to tolerate a position in which their effective representation is not guaranteed as a right, but may be conceded by the goodwill of another community'.<sup>22</sup>

It is found that by the 1920s there had been emergence of a Muslim intellectual middle-class in Bengal, who cherished a dream or claim to enjoy both political power and job opportunities.<sup>23</sup> The key point of the conflict was the determination of the Hindu *bhadralok* classes to keep control over the social and economic privileges which they had been enjoying since one-and a-half centuries and the equally vocal aspiration of the newly emerging middle classes from the Muslim community for equal opportunities of that privileges denied to them so long. The educated Muslims considered themselves practically excluded from the share as well as opportunities along with the emoluments of

Government power which they hitherto had almost monopolized and see these as, to quote W.W. Hunter 'all the other advantages of life passed into the hands of the hated Hindu'.<sup>24</sup>

Keeping in mind the said mental spirit as well as long standing demand for equal opportunities of the middle-class Muslim intellectual of Bengal, the Huq-League Ministry brought a Bill named '*Communal Ratio Bill*' which ran into serious controversies and imported a new political dimension in Bengal politics. The aim and objective of the said Bill was to ensure higher percentage of Government job for the Muslims. In case of materialization of the proposed bill it was decided that at least 50% government jobs would be reserved for Muslim community and in the subsequent period of about six months government would apprise the House about the Ratio of getting government service of different communities. A 'Communal Ratio Officer' was appointed in order to execute this government decision.<sup>25</sup> Actually, by the Communal Ratio Act what Fazlul Huq attempted to do was nothing more than what Chittaranjan Das had assured Bengal Muslims through his historic 'Bengal Pact' (1923).<sup>26</sup> In the mean time, the trend of unemployment among educated Hindus also did increase significantly in the post – 1937 period, largely the result of the Huq-Muslim League Ministry's sincere enforcement of the communal ratio in public offices.<sup>27</sup> Naturally, the Communal Ratio Act was welcomed by the Muslim Community specially the educated rural and urban Muslims, but, on the other hand Congress openly calling the ministry a 'communal ministry' as well as 'Muslim government'. As return of Congress as well as Hindu criticism against Communal Ratio Act, supporters of Huq-League Ministry raised the cry of '*Islam in Danger*' which embittered Hindu – Muslim relation badly.

Hindu Muslim relation in Bengal thus deteriorated on the controversy centering the 'Communal Ratio Act', Muslim demand for the removal of the 'Lotus Flower' and the word 'Shree' from the logo of the Calcutta University on the ground that these were Hindu symbols – also more embittered the Hindu-Muslim relations.<sup>28</sup>



A severe criticism thereafter started regarding the process of the formation of Senate and Syndicate of Calcutta University. Moulavi Abdul Bari, an MLA accused that out of 70 Syndicate and 100 Senate members, the number of Muslim members were only 01 and 21 respectively. Incidentally, after the establishment of the Calcutta University (24<sup>th</sup> January, 1857), there were only two Muslim Vice-Chancellors, Sir Hassan Suhrawardy (Sir Hassan Suhrawardy from 8.8.1930 to 7.8. 1934 and Sir Azijul Haque from 8.8. 1938 to 12.3. 1942) and Muslim employee were only 02 in number out of 180 clerical posts. Besides these, there were only 02 Professor belonging to Muslim community out of 88 Professors.<sup>29</sup>

The communal atmosphere of the Bengal politics was so polluted that that even the theme of the Poem '*BICHAROK*' and '*PUJARINI*' of Rabindra Nath Tagore became subject of criticism. In the Poem '*Bicharok*' Tagore wrote:

কহে রঘুনাথ  
আমার পথ রুধিলে হঠাৎ  
চলেছি করিতে যবন নিপাত  
যোগাতে যমের খাদ্য।

(Raghunath said, why are you creating obstruction in my path? I am on my way to terminate the Muslims to feed the God of death.)<sup>30</sup>

In the poem '*Pujarini*' the poet again wrote:

বেদ ব্রাহ্মণ রাজা ছাড়া আর  
কিছু নাহি ভবে পূজা করিবার,  
এই কটি কথা জেনো মনে সার,  
ভুলিলে বিপদ হবে।

(You should keep it in mind that no one could be worshipped other than the Vedas, the Brahmins and the king in this world. Forgetting this may be troublesome.)<sup>31</sup>

In spite of showing adequate respect to Rabindranath Tagore, Mustagaswal Haque, MLA from Bagerhat commented, "But, we, who constitute Muslim Bengal will not tolerate any poem which definitely shocks Muslim sentiments and which outrages Muslim feelings".<sup>32</sup> The most important dimension of

the politics of Bengal was that when the Hindus vehemently opposed the government decision to reserve the 50% Government job for the Muslims, at the same time the Muslims of Bengal irrespective of rural and urban areas particularly the educated section welcomed that type of courageous steps taken by the Government. Naturally, this decision of the Huq-League Ministry directly led to the increasing popularity of the Muslim League among the Muslims in Bengal and Muslim league emerged as a dominant political party thereafter. The inevitable consequence of that the Muslim League gradually emerged as a strong organization with mass support base in Bengal which completely changed the balance of Bengal politics.<sup>33</sup>

Finally, it is found that in spite of becoming the majority in number throughout Bengal, the Muslims were lagging behind in the 'race of life' in terms of enjoying government jobs and other amenities of government power – that made them, as WW Hunter mentioned a 'people with great traditions and without a career'.<sup>34</sup> Therefore, it may be said that by centering the question of equality of opportunity in Government job and other emoluments of Government for the Muslims of Bengal through the historic 'Bengal Pact' to 'Communal Ratio Act', the communal bitterness between the Hindus and Muslims were so increased that it started manifesting in the form of Hindu-Muslim communal riots- that led to the ultimate 'holocaust' and partition of Bengal.

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*Revolt against Inequality: The Role of a Tribal Naxalite Leader Jangal Santhal* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.130-139. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

## Revolt against Inequality: The Role of a Tribal Naxalite Leader Jangal Santhal

**Swapan Kumar Pain and Susanta Sarkar**

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According to the Report of the Ministry of Home Affairs, Government of India on 'The Causes and Nature of Current Agrarian Tensions' submitted in 1969, it was said "*Persistent inequalities may lead to a situation where the discontented elements are compelled to organise themselves and the extreme tensions building up with the complex molecule that is the Indian village may end in an explosion*". It was the tune of the MHA appointed committee on Naxalbari incident. In 1967, we saw a Peasant Movement in the Naxalbari, Khoribari and Phansidewa blocks of the Siliguri Subdivision in the Darjeeling District of Terai, located on the border between Indo-Nepal and East Pakistan (now Bangladesh). The areas of these blocks are almost 274 square miles. Only 1.5 million people lived in this area at that time. There were 32 Tea-garden and few forest areas. But most of the inhabitants belonged to Rajbanshi and Tribal communities such as Mech, Dhimal, Oraon, Santhal, Munda and Kishan. Apart from this very few inhabitants belonged to Scheduled Caste, Nepalis, and Muslim communities. Most of the tribal inhabitants were landless *Adhjar* in the region. They did not have their own land. They were working

as farmer or *Adhiar* under the control of the *Zamindars* or *Jotedars*. They were living miserably at that time. They dreamt of getting sufficient foods and farming land after freedom of the country. But, there was no sign of reducing their torture, extortion, cultural and political extortion by the *jotedars*. During colonial period the British brutally tortured the tribals' severely to capture their home land and forest lands which brought "*Santhal Movement*". Similarly after the freedom of the country, the Tribals who were daily wagers protested against the oppression and exploitation of the Tea-garden owners and *Jotedars*. Under the leadership of the communist leaders like Charu Majumdar and Kanu Sanyal, Naxalbari Armed peasant movement emerged. The main objective of the common landless farmer and labourers was to establish their rights on the farming land and its crops for living. The people who strongly participated in Naxalbari Armed Peasant Movement belonged to tribal communities. Among these tribal people Jangal Santhal was marked as their leader. The tribal people of the area whole heartedly supported Jangal Santal with the hope for ending inequalities of the society. In the present paper an attempt has been made to highlight the activities of Jangal Santhal in the significant Naxalbari Peasant Movement with historical evidences.

In colonial era when Tea cultivation was started in Darjeeling and Terai region, the British brought the Santhal community for cultivation and tea garden work through an agent from Santhal Pargana, Chhotonagpur and Madhya Pradesh. There were various types of surname in the Santhal community like Murmu, Tudu, Hajda, Soren, Baske, Kisku etc.<sup>1</sup> Jangal Santhal belonged to Kisku.<sup>2</sup> His grandfather became a share cropper or a *bargadar* from a labourer of Tea garden. The family, however, was *Adhiar* when Jangal Santhal was born and brought up. Not only Jangal Santhal, but most of the Santhal of the region were *Bargadars* and few tribal were the tea labourer. The outsider was not allowed to enter and live in that region except the owner of the Tea garden and the people of *jotedar*. The labourer of tea garden were exploited by the owner and the *jotedar*. In the 1950's with the help of the communist party the tribal of the region involved in the movement to increase their salary. Kanu Sanyal, Khudan Mallick, Jangal Santhal etc. established themselves as leader

through the movement.<sup>3</sup> And with the help of these leaders, the Naxalbari Peasant Movement broke out.

Even after independence, the oppression of the Jotedars and Zamindars on the landless farmer or *Adhiar* of the Terai region was continued like the entire country. Nehru Government did not take any active step to solve this problem in North Bengal along with the entire country. Before 1949 no Law was enacted in any province regarding this. Although a law on abolition of Zamindari system was passed in 1955 but it was not enough.<sup>4</sup> The common peasants of West Bengal were not much benefitted by this law, because the land was not reformed by enactment.<sup>5</sup> According to Purna Chandra Joshi, “*The reform measures during the first and second Five Years Plans have proved to be favourable for the promotion of a class of capitalist farmers from the erstwhile landlords and the relatively better upper section of the tenantry.*”<sup>6</sup> As a result in 1960s and 1970s there was the impact of Tebhaga Movement in Terai region which was started in 1946 in North Dinajpur. At that time in the Terai region like Naxalbari, Khoribari, Phansidewa with the *Tebhaga Movement and Adhiar* movement there started another movement which was to occupy the *benami* land. Jangal Santhal was the one among those tribals who was inspired by Charu Majumdar’s Marxian thought and with the call of Kanu Sanyal led the movement.<sup>7</sup>

In the year of 1952, Kanu Sanyal went to the Saturday’s *Haat* of Naxalbari for selling of books on “*Soviet Russia*” and “*Tebhaga*” and there he first met with Jangal Santhal. Then Kanu Sanyal introduced him in Indian Communist Party and Jangal Santhal entered into that party.<sup>8</sup> Through the Kishan Sabha, Jangal Santhal first started his work for the labourer and also for the exploited, oppressed and hardworking peasant in Naxalbari, Khoribari and Phansidewa region.<sup>9</sup>

In 1952, 7<sup>th</sup> February at Hatighisa, in a Kishan Sabha, as the first secretary Jangal Santhal and with him Shanti Munda and also Kanu Sanyal took the leadership for the claim of *Tebhaga* in a land of the local Jotedar Sherkat Singh. Their demand was, farmer should get two-third amount of crops and the *jotedar* would take one third amount of crops.<sup>10</sup> That day Jangal Santhal was

injured by the people of *jotedar*. But he did not escape away rather to choose the way of struggle.

Jangal Santhal ran here and there of the Terai region for organising landless farmers and he also attended several meetings. Within very short time he achieved the membership of CPI in 1953 for the preference of Kanu Sanyal.<sup>11</sup> He played a sacrificial leadership role against the strike of the Tea-garden in Terai region and also against the exploitation and oppression of the *Jotedar* on the farmers and soon he was elected as the secretary of *Kishan Sabha* of Siliguri. Then he started a movement against the exploitation of the *Jotedar* and to rescue the *benami* land in a vast area of Naxalbari, Khoribari and Phansidewa. In the year 1967 when Jangal Santhal was the candidate of Phansidewa (ST) Legislative Assembly, it was for the decision of Charu Majumdar they did not want vote to the public but they will spread the propagation of a peasant revolution.<sup>12</sup> Though Jangal Santhal was the candidate but he did not leave the Vest Land Movement or Land Grab Movement. With him there were many common people like poor, hardworking people, tribal; Oraon, Munda, Kisku, Kishan, Santhal, Namasudra, Nepali, and Rajbanshi etc. and they all were landless farmers.

According to Kanu Sanyal, the Jotedars of the Terai region launched at least 25 complaints against Jangal Santhal in Siliguri Court. Their allegations against him that, the farmers were cut the paddy under the leadership of Jangal Santhal.<sup>6</sup> But the S.D.O. of Siliguri had disposed that complaint because S.D.O thought as a person how can Jangal Santhal be present at the same time in the vast area of three police stations. But we came to know from the personal interview of then leaders that Jangal Santhal was not present physically at the day of movement, but he frequently visited that area and influenced the tribal and the Rajbanshi people against the *Jotedar*. Naresh Shoren, one of the contemporary tribal leader said that with the permission of Kanu Sanyal and Jangal Santhal, they occupied all paddy from *Jotedar's* house and distributed among the poor common people.<sup>13</sup>

The above incidents proves that, Jangal Santhal was not only a soldier of Naxalbari movement, but was a real redeemer of very poor countless tribal



landless farmer of Khoribari, Phansidewa and Naxalbari block from the bondage of the *Jotedars*. The places of Khoribari block where Jangal Santhal took the leadership in *Adhiar* movement and also to occupy the *benami* land with the active participation of Kanu Sanyal, Khokan Majumdar, Keshab Sarkar, Shanti Munda and Khudan Mallick; their area of action were Kelaghata, Buraganj, Rambolojote, Najirjote, Hatidoba, Jharujote, Tepujote, Manikajote, Kuduvita, Lohasinghote, Thanjhora, Chunnitaljote, Lakshmising Jote etc.<sup>14</sup>

The people who worked as the soldier of Jangal Santhal to conduct the Kishan movement in Khoribari block were Khudan Mallik, Kadam Mallik, Khemuk Singh, Nimu Singh, Dhanbahadur Chettri, Chanda Soren, Naresh Soren, Lila Kishan, Dhadu Munda, Khandra Murmu, Bhande Hembram, Buddha Oraon, Choita Krishan, etc.<sup>15</sup> With the guidance of the Kishan Sabha they cut the paddy crops from the *Jotedar's* land and distributed it among the poor farmers, landless farmers and the labourers.

At that time the places of Naxalbari block which was inflamed for *Adhiar* movement and also for occupying the *benami* land movement by the supervision of Kishan Sabha and Jangal Santhal were – Hatighisa, Shebdullajote, Schooldangi, Barojhorujote, Rathkhola, Bhimparjoe, Bangaijotem Prasadujote, Kotiajote, Babuchanjote, Hachaimallickjote etc.<sup>16</sup> In those villages those who played the important role as the soldiers of Charu Majumdar, Kanu Sanyal, Keshab Sarkar and Jangal Santhal were Shanti Munda, Panchamani Karigar, Parbati Karigar, Sabitri Karmakar and others. All of them were gathered in 24<sup>th</sup> May's event in Baro Jhorujote's ground. Kanu Sanyal, Keshab Sarkar and Jangal Santhal conducted a meeting at Panjab Rao and Sabitri Karmakar's houses few days before 24<sup>th</sup> May's incident in 1967.<sup>17</sup> The main object of the meeting was the technique to occupy the *benami* land and also to secure the common people from the torture of the police.

As Chande Soren and Naresh Soren, two associates of Jangal Santhal said they were not in rest after distributing the crops among the poor but their main demand was to provide the *benami* land among the landless farmers. Neither the Central Government; nor the State Government took up any reformation for the poor farmers nor took any active steps for removing Jotedari system.

And against the imbalance all the *Adhiars* of Naxalbari block played their role in the movement under the leadership of Kanu Sanyal, Charu Majumdar and Jangal Santhal.<sup>18</sup> The local tribal and the Rajbanshi community attended their meeting at night and in the day they used to do their movement which was to occupy the *benami* land and they all carried their traditional weapons like *ballam*, clubs, bows and arrows.

Jangal Santhal took part in Assembly elections at the same time of the movement. In 1962 he was the candidate of Phansidewa (ST) Legislative Assembly seat as C.P.I. candidate. After formation of CPIM, he was again selected as a candidate of Phansidewa (ST) Legislative Assembly Election in 1967. At that time Charu Majumdar's main aim was to achieve the power of the State by armed peasant revolution through election campaigns.<sup>19</sup> Though it was sad news for the state level leaders of C.P.I (M) that Jangal Santhal lost the election but Charu Majumdar got enthusiastic indeed. Jangal Santhal proclaimed Naxal political and Kishan movement when they came to the people to want vote because of Charu Majumdar but he got 10,500 votes in the election.<sup>20</sup> And this incident proves that Jangal Santhal played an important role in Naxalbari Peasant Movement.

On 18<sup>th</sup> March, 1967 at 'Siliguri Mahakuma Kishan Summit' it was announced that in every matter it had to establish the Kishan Committee's voice. To break the power of *Jotedar* and the powerful people of the village they claimed to be united. Monopoly ownership of the *Jotedar* of the land will be destroyed and through Kishan Committee a new policy will start for *benami* land distribution to landless farmer as well as poor people.<sup>21</sup> After 7<sup>th</sup> May a joint Summit in Khoribari block at Ajamabad Tea estate was conducted. This Summit was conducted by Siliguri Kishan Sabha and it was said to occupy the *benami* land by the armed force. It was decided that all the *benami* land will be distributed by the *Kishan Sabha*. Jangal Santhal presided over this conference.<sup>22</sup> This time the agitators of Naxalbari, Khoribari and Phansidewa block were prepared to occupy the *benami* land.<sup>23</sup>

From 8<sup>th</sup> to 21<sup>st</sup> May, 1967 the tribal and the Rajbanshi farmers with bows & arrows forcefully occupied few lands from the *jotedars* and also snatched 3

guns and the stock of paddy from the *jotedar*. To control the situation the local administration on 22<sup>nd</sup> May 1967, in Naxalbari, Khoribari and Phansidewa area banned the carrying of bows & arrows and also forbade gathering of more than four persons.<sup>24</sup>

On 24<sup>th</sup> May, 1967 the *Kishan Sabha* Rathkhola Bheemramjote's tribal farmer Bigal Kishan went to occupy the land and paddy of a Congress leader as well as Jotedar Ishwar Tirkey. But the associates of Iswar Tirkey hit the head of Bigal Kishan with a stick and took away his bull and plough. To protest against this incident President of Kishan Sabha Jangal Santhal and other leaders like Keshab Sarkar, Kanu Sanyal instigated the people to attack the house of Ishwar Tirkey.<sup>25</sup> To tackle the situation under control of that day the inspector of the Enforcement Department Sonam Wangdi and the Officer of Naxalbari Police Station S. Mukherjee, S.I. Narayan Singha and an armed force of police team entered the village of Hatigisha. At that time when police entered into Borojhoru Jote, around 2 – 3 thousand of local Tribal and Rajbanshi people and landless farmers surrounded the police immediately. At that huge mob the inspector Wangdi was injured by an arrow of a young tribal boy. On the other side by the arrow of the tribal two more police officers were injured and fallen in the ground. And the area becomes so aggressive.

The then United Left Front Government of West Bengal deployed a huge police force and the CRPF in the area for the prevention of the movement, but it increased intensely. To protest, Jangal Santhal wrote a leaflet in support of the movement to the common people. The Slogan of the leaflet was "*Kanu Jangal Dicchhe Dak*".<sup>26</sup> The heading of the leaflet was "*Taraier Krishok Der Pase Daran*". As the President of Siliguri Kishan Sabha, Jangal Santhal wrote the leaflet and the leaflet was known as 'Red leaflet' in Calcutta.

The leaflet of Jangal Santhal encouraged the youth students of Calcutta for Naxalbari movement. After the event the movement of occupying the vest land of the landless farmers of Naxalbari, Khoribari and Phansidewa block identified as Naxalbari Peasant Movement all along the country and many parts of the world. To protest it, few students of Presidency College, Jadavpur

University, and Calcutta University pasted posters on the wall with the slogan like

“Tomar Bari Aamar Bari  
Naxalbari, Naxalbari”<sup>27</sup>

On 21<sup>st</sup> November, 1967 in a speech Charu Majumdar said, “I am not the leader of Naxalbari, but the leader of Naxalbari is Jangal Santhal, Kanu Sanyal, Kadam Mallick and Khokan Majumdar. Jangal Santhal’s importance in Naxalbari movement was cleared by the speech of Charu Majumdar”.<sup>28</sup> In 1967, when there was a fight with the land owner and the *jotedar* for land occupying and crops cutting in Naxalbari and Khoribari, Jangal Santhal’s approaches were very intensive and it is worth-mentioning. At that time Charu Majumdar asked Kanu Sanyal to engage Jangal Santhal to go to Hatighisa’s Shivdola to be leader of the agitation. To obey the order of Kanu Sanyal Jangal Santhal immediately went there, though he was suffering from pox. But soon after on 10<sup>th</sup> August he was arrested by the police. His family had to face some kind of torture for Jangal Santhal led the Naxalbari movement and it was a crime in the eyes of the law. Police ordered the owner of the tea-garden not to take Jangal Santhal’s wife and his family members into work. Finally, Jangal Santhal was arrested on 10<sup>th</sup> August, 1977<sup>29</sup> from Patagora area of Islampur Police Station and he was shifted to Presidency Jail. In 1977 he was released from the jail and came back to his village home at Hatighisa and pursued his rest of life in very poor and miserable condition. Ultimately, he died on 4<sup>th</sup> December, 1988. Jangal Santhal’s role in Kishan Movement of Naxalbari, Koribari and Phansidewa region made him a prominent Naxalite leader of the country.

After foregoing study it may be summed up that the Naxalbari peasant movement had raised so many questions on social and economic justice. The people who participated in the battle field of Naxalbari were mostly Santhal and Rajbanshi and they were practically oppressed and suppressed by the elite section of the society. Jangal Santhal was one of them. He was not only an extremist peasant leader of the Naxalbari peasant movement, at the same time he also contributed to the tea garden worker’s movement. The landlords of

the area tinted him as a cruel, devilish, murderous villain, but the tribal people of the area recognised him as their own leader. Since 1950s to 1977 he was brutally tortured by *jotedars* and police, but he never stopped the activity. Even he was more determined to continue the movement against inequality of the society. He had unusual courage, dedication and ability to hard work—all made him the fiery peasant leader. Their demand was appropriate, but their way of action was not constitutional. At the last phase of his life he was frustrated by the multiple fractions of the Naxalite movement and realised their shortcomings.

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*Inclusive Growth: An Analysis Towards Generating National Integration* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.140-151. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# Inclusive Growth: An Analysis Towards Generating National Integration

**Jyoti Kumari Sharma**

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## INTRODUCTION

The National Integration refers to process which is to bring all the different races, religions, cultures and linguistic groups together into one single nation. It aims at removing socio-cultural, economic inequality and strengthening unity by giving human dignity to all citizens without any discrimination. So, to bring national integration in India, by reducing all kinds of socio-economic exclusion, it is important to implement the inclusive growth strategy as it helps in reducing poverty with the help of the income (wages) earned from the jobs of each citizen, guaranteeing food security, education, health, employment, etc. facilities for all from India through the attainment of the full employment situation in India.

We know that inclusive growth is defined “as a process of equitable distribution of each wealth and welfare to all, heading towards human development with social justice.” As India represents a paradoxical dynamic economy, it comprises of economic processes followed by a rise in indifference,

poverty, and regional imbalances. This is mainly because of minimum financial gain along with different basic facilities for an oversized chunk of its population. Thus, there arises the need and importance of inclusive growth in India to add rationality to the development status of India through an inclusive growth strategy.

Accordingly, it can be done by giving equal benefits to each and every citizen of India, with the successful and sustainable development of all sectors and sections of the Indian economy. Thus, as per inclusive growth strategy, facilities, services and opportunities related to education, health-care, employment, infrastructural development, and finance acts as different parts of this inclusive growth tree to bring in national integration in India, in the following manner:

- Finance acts as the seed of the inclusive growth strategy in terms of *Financial Inclusion*.
- Education as the root of the inclusive growth strategy in terms of *Inclusive Education*.
- Health-care acts as the raw material of the inclusive growth strategy in terms of *Inclusive Health-Care*.
- Employment acts as the stem of the inclusive growth strategy in terms of *Inclusive Employment*.
- Infrastructure acts as the different branches of the inclusive growth strategy in terms of *Inclusive Infrastructure*.

Thus, these above mentioned inclusive facilities, services, and opportunities motivate and facilitate, each and every Indian citizen to work for the economic development of India. In this way, the inclusive growth strategy, aims to reduce and remove socio-economic inequality from India and bring national integration from all sides.

Accordingly, taking into consideration the inclusive growth strategy with reference to its need in the Indian economy, it is seen that the *Importance Of Inclusive Growth* in India should be considered to achieve sustainable economic development in India should be made. It necessitates the study to be made at the national level of the Indian economy with reference to the



process of adding rationality to the development status of India through an inclusive growth strategy. As per this strategy, socio-economic inequality can be reduced and then removed by giving equal benefit to each and every citizen of India, with the successful and sustainable development of all sectors and sections of the Indian economy.

Under this, each five-year plan of India, taking into consideration its respective objectives should be analyzed. It should basically be related to the development of the entire particular sector, section, etc. taking into consideration the development scenarios in terms of modernization and urbanization. Further, it should be checked as to how far each five-year plan of India was inclusive in nature, ensuring food security for all and also full employment heading towards social welfare along with social justice in India.

### **PARTS OF THE INCLUSIVE GROWTH TREE TO BRING IN NATIONAL INTEGRATION IN INDIA**

As per the importance found related to inclusive growth strategy, in the welfare approaches of government planning in India, we took into consideration the basic interrelated issues of inclusive growth, which are mainly education, health, employment, infrastructure, and financial system. These interrelated issues of inclusive growth acts as basic socio-economic determinants needed to achieve inclusive growth in India. Accordingly, the above mentioned different parts of the inclusive growth tree, inclusively works to bring in national integration in India. Thus, the need and importance of these elements of inclusive growth is to be analyzed in terms of its relationship with inclusive growth. Under this, the above mentioned elements elaborate the opportunities available in the socio-economic fields with inclusion from all sides in the following manner:

- Education plays a central role in promoting inclusive growth, enhancing the knowledge of the citizens and thus helping to reduce the informal employment, supporting productivity and innovation under India's information and technology and service sector.
- Health is a centre of hygienic happiness, well-being, and life satisfaction through which it promotes inclusive growth.

- Employment with production activities act as an inclusive flow of goods and services in the country, helping inclusive growth.
- Infrastructure serves as a support system of the socio-economic environment of economic growth and development of the country, with respect to productivity as it holds the development along with the inclusive growth strategy of the country from all sides.
- Finance describes the activities related to the study of money management and the various ways of acquiring the funds needed to live a fruitful life legally. As, it help in the inclusive availability and equality of opportunities to access financial services.

Accordingly, it was seen that these above mentioned elements of inclusive growth can allow people to “*contribute to*” and “*benefit from*”, economic growth on the whole, in terms of inclusive education, inclusive health-care, inclusive employment, inclusive infrastructure, and financial inclusion, in all parts, sectors, and sections of India’s economy. Further, on an equitable basis, it can help in removing and reducing all kinds of socio-economic exclusion from India through the attainment of complete education and health facilities, full employment situation, and balanced regional development, generating financial security with stability. Therefore, to achieve inclusive growth in India, the Government of India needs to increase the accessibility, availability, affordability along with the quality of these elements with equal and fair opportunities in India from all sides.

### ***Inclusive Education***

Education raises people’s productivity and creativity, promoting entrepreneurship and technological advancement. In this way, education always improves the quality of people’s lives and leads to broad social benefits to individuals and society. Thus, when education is more inclusive, respect and understanding grows. Under this, students of diverse abilities and backgrounds can play, socialize, and learn together. The cornerstone of inclusive education states that, “inclusive benefits of education will come to all children of India, if they are educated together on basis of their merits, without any kind of discriminations preferring their needs at the same time.”

Accordingly, the inclusive education acts as a rational approach to maximize the potential of all students by educating the children with disabilities and learning difficulties with that of normal ones within the same schools and its classrooms, without any discrimination with respect to their merits and needs. Further, to make the root-base of inclusive growth strong in India, we need to study, analyze, and implement the measures of inclusive education. In this way, there arises the need and importance of *Inclusive Education* as the root of inclusive growth in India.

### ***Inclusive Health-Care***

Health-care is formalized to the basic social security health measures, with quality management, patient safety, efficiency, and appropriateness of care. It is done by inclusively following the procedures of diagnosis, treatment, and prevention of disease, illness, injury, and other physical-mental impairments in human beings. This is done under the health-care system, whose entity varies under their exact configuration settings followed by their service-delivery though at the national and sub-national level.

Accordingly, health-care services and facilities become more inclusive, when it is made universally accessible at a cost that can be afforded concerning the health care needed and made available in the country. Under this, inclusive health strategy is heading towards “*Health For All*”, which aims to attain full participation of all individuals and families in the area through their health care system, as a part of overall development with its core value of equity, starting with primary health care services based on “acceptable methods and technology”. Further, the inclusive health-care, acts as a development strategy, which aims at making health care services and facilities, universally accessible and affordable to all, including poor, vulnerable, and socially marginalized groups of the society, on an equity basis, at least in terms primary health care services. In this way, there arises the need and importance of *Inclusive Health-Care* as the best raw material of progressive and inclusive growth in India.

### ***Inclusive Employment***

We know that economic growth is accompanied by an increase in productivity along with an increase in employment. As growth is not means to an end; it reduces poverty by creating the job followed by income generation which is crucial for development. This implies that employment-oriented growth provides social peace, self-determined living with a clean and healthy environment. Thus, the cornerstone of inclusive employment requires a strong positive relationship between economic growth and inclusive employment generation, heading towards sustainable economic development of different intensity from one period to another.

Under this, to make the economic development perspective of India more inclusive, it requires the generation of better employment opportunities under inclusive terms, based on both coverage and quality. Accordingly, the inclusive employment opportunity can be used as a new development strategy, which aims at giving job opportunities to all job seekers at the prevailing wage rate following their merits and needs, without any kind of discrimination. In this way, there arises the need and importance of *Inclusive Employment Opportunities* as a stem of inclusive growth in India.

### ***Inclusive Infrastructure Development***

We know that infrastructure components acts as a necessity to improve the quality of people's lives and lead to broad social benefits to both individuals and society. Infrastructure development raises people's productivity and creativity, promoting entrepreneurship and technological advancement from all sides. Thus, when infrastructure development is more inclusive, it has both direct and positive impacts on the poor, the vulnerable, and socially excluded populations to improve their social conditions heading towards inclusive growth.

For this purpose, good quality infrastructure is the most critical physical requirement for attaining faster growth in a competitive world and also for ensuring investment in underdeveloped regions. Under this, inclusive infrastructure development can be adopted in India as a new approach to

giving access of all infrastructure facilities such as water, sanitation, waste management, transport, shelter, electricity, and protection against human-made or natural hazards to all sections of the society in India, including rural, semi-urban and under-developed areas and thus without any kind of discriminations. In this way, there arises the need and importance of *Inclusive Infrastructure* as the various branches of inclusive growth to facilitate, spread, and reach balanced regional development in India.

### ***Financial Inclusion***

Financial stability is one of the basic needs of any person under which creates provision for savings, investment, sending, and receiving money. Thus, under this, the financial system of a country should provide facilities related to money management and other valuables, which can easily be converted into cash as per need and legally make day-to-day transactions, with respect to activities related to formally sending and receiving money.

Accordingly, to make the financial services more inclusive, the financial strategy should inclusively safeguard every citizen's savings and help the households to manage cash flows smoothly related to activities of consumption, capital building, etc. Under this, it is found that financial inclusion is a development strategy, which aims at the availability and equality of opportunities to access financial services and its key objective of financial inclusion is the availability of financial services that meet the specific needs of users without discrimination. In this way, there arises the need and importance of *Financial Inclusion* as a seed of inclusive growth in India.

In this way, all the above mentioned inclusive growth strategies and measures with respect to education, health, employment, infrastructure, and financial system should be implemented under the principle of inclusive growth strategy giving fair and equitable opportunities, in all above mentioned development sectors, to all Indian human resources-manpower, heading towards sustainable development with inclusive participation from their sides. Further, it should also focus to equalize human resource development opportunities for all Indian citizens, including social justice and social welfare

as per the merits and needs of all Indian citizens, which leads to all-round economic development and growth in our country, India not only quantitatively both also qualitatively.

### **RECOMMENDATIONS TO REDUCE AND REMOVE SOCIO-ECONOMIC INEQUALITY FROM INDIA**

India has adopted major policy reforms for making 'Better India' through the efforts of liberalising and simplifying investment regulations, creating better job opportunities and raising quality education and training for skill formation and skill upgradation. We strongly feel and support for inclusive growth for India for better lives for every citizen of India and to attain this we make the following recommendations.

- (i) We need, at this moment, a strong inclusive labour market in both the formal and informal sectors. This is evidently required for absorbing the large number new aspirants of labour force into productive sectors.
- (ii) For '*better India*' and better for future generations we strongly need better physical infrastructure and greater human resource development in the education sector.
- (iii) We need to increase access to education for all and for this it is of urgent need to take initiative to fully achieve the target of *Sarva Shiksha Abhiyaan* and government-approved other targeted programmes.
- (iv) Not only to expand education, we are desperately in need of providing quality education for skill formation for creating a strong workforce.
- (v) In the context of India we need a universal health through Government initiative. We must create a cost efficient health care provision in the Government hospitals and medical colleges especially for the low-income households of India.
- (vi) Our Governments (both Central and State Governments) should take initiatives with high priority to upgrade and expand infrastructure with a particular focus on transport and electricity infrastructure and to this end India is relying on PPPs to finance infrastructure investment.

- (vii) Worsening state of disparities on a variety of dimensions such as gender, rural vs urban, and socio-economic status should be reduced with a proper care. The role of Government, civil society organisations and above all the entire human society can play a vital role to address the situation.
- (viii) Existing Government schemes and policies for inclusive growth such as *Pradhan Mantri Jan Dhan Yojana* (PMJDY), Micro-Units Development and Refinance Agency (MUDRA) Bank, Self Employment and Talent Utilisation (SETU), Skill India (SI), Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Kisan Card, etc. should be given proper care for better implementation.
- (ix) In spite of tremendous growth in urban industries especially to the services and information technology more than 25 per cent of Indian populations live in abject poverty many of whom (roughly above 70 percent) live in rural areas. It is necessary for providing training and skills development support to rural people (women and men) in order to support sustainable economic development and promoting gender-inclusive communities.
- (x) To protect rural people and people highly dependent on agriculture, special care needs to be given on agriculture sector. Modernisation in agriculture in a larger scale along with the application of modern implements, wonder seeds, chemical fertilizer, pesticides and insecticides and making changes in the mode of production can make a remarkable stride in the agricultural production and productivity. We can plead for restructuring Indian agriculture by introducing unlimited liability type multipurpose cooperative society in which farming, marketing and services can be commonly held by the society. In this way, the farmers' interests can well be protected and the role of intermediaries may not be present in the purchase of inputs and sale of agricultural produces. This mode of cooperative joint-farming can help in reducing rural poverty and can be good for achieving inclusive growth for India.

## CONCLUSION

Under this, to reduce and finally remove socio-economic inequality from India by bringing and achieving the highest level of national integration in India, the inclusive growth in India should be “*broad-base growth*”, “*shared growth*” and “*pro-poor growth*” including each and every Indian citizen to “*contribute to*” and “*benefit from*” economic growth on equitable terms, with successful adaptation of inclusive growth strategy under development policy in India with (under) sustainable distribution of resources. Further, it should also follow inclusive partnership between both public and private sector, developing the civil society ensuring diffusion of opportunities through inclusive investment in education, health, employment, infrastructure, and financial system, ensuring food security for all followed by full employment heading towards social welfare along with social justice in India.

In this way, on an equitable basis, inclusive growth strategy should help in removing and reducing all kinds of socio-economic exclusion from India through the attainment of complete education and health facilities, full employment situation, and balanced regional development, generating financial security with stability. Therefore, to achieve inclusive growth in India, the Government of India needs to increase the accessibility, availability, affordability along with the quality of these elements with equal and fair opportunities in India from all sides.

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*Women Workers in the Tea Gardens of Darjeeling and Dooars: An Enquiry into their Livelihood Pattern* In : *In Search of Equality: Studies in Social and Economic Opportunity*, Edited by Aniruddha Das, Dipak Kumar Roy and Swapan Kumar Pain, Published by New Delhi Publishers, New Delhi: 2022, pp.152-164. © Raiganj University, ISBN: 978 - 93 - 93878 - 03 - 8

# Women Workers in the Tea Gardens of Darjeeling and Dooars: An Enquiry into their Livelihood Pattern

Pratima Chamling Rai

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## INTRODUCTION

The tea industry requires a very large workforce and is one of the most labour-intensive sectors of Indian industry. Among the various field crops, the tea industry employs more labour per hectare than any other crop. In addition, the tea industry engages a higher female labour than any other industry. In this industry, almost 50 to 60 percent workers are engaged in crop harvesting, of which 80% are women.<sup>1</sup> The main reason put forth by the employers for the high employment of women is that work in the plantation is to a large extent gender specific. Women are considered more efficient in plucking of tea leaves while men are better in other types of work relating to maintenance of the plantation. Adolescents are engaged for spraying of pesticides and weedicides and children are used for clearing the undergrowth. This is not very convincing because though women are mainly engaged in plucking of leaves,

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1 Chako, VI (1988) *The Wrong Message Tea Today*, Vol. 9, No. IV, CTTA, Calcutta, p-9

males, adolescents and children too are engaged in this activity along with the other work given to them.<sup>2</sup>

Women's labour is central to the economies of production; more so in the case of production of plantations commodities such as tea and coffee. Employment in plantations historically was sought by the planters in order to “*contain the male labour force*” and to “ensure a steady reproduction of ‘cheap’ labour as recruitment costs was expensive. Quite plausibly, planters saw women adapting well to the plantations’ most tedious and prolonged labour of tea picking.”<sup>3</sup>

The men workers also pluck tea leaves but it is generally found that the quantity and quality of tea leaves are not as high as that of female pluckers.<sup>4</sup> (Bhadra 1992). As Engels (1993) notes the strategy of setting up of ‘family units’ of single men and women; conducting ‘depot marriages’ were some of the coercive measures for recruiting men and women that enabled the production and reproduction of labour in the plantations.<sup>5</sup> Thus, one of the important features of tea industry in India is the proportionately higher level of female employment in cultivation and production. Engagement of women's labour is higher in tea plantations because of their gendered-attributes to the task of picking tea leaves in particular and for maintaining a steady social reproduction of labour. (Rasaily, 2014).

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## **OBJECTIVE OF THE STUDY**

The objective of the study is to analyze the life of the women workers in the tea plantations of Darjeeling and Dooars, with an emphasis on the factors such as age, ethnicity, religion, income, education and other facilities. It is intended to generate new and updated knowledge and empirical evidence on the living as well as the working conditions of tea plantation workers.

## **METHODOLOGY**

This study was mainly conducted in total 6 tea gardens with 3 tea gardens each from Darjeeling and Dooars region. The respondents were selected randomly from each tea garden for the purpose of the study. From each tea garden, a total number of 15 female respondents were selected. Hence, the total number of respondents interviewed in the 6 tea gardens is 90. The data collected using appropriate observation techniques were further analyzed/processed with the use of Statistical Tools to get the research objectives.

## **REVIEW OF LITERATURE**

Dasgupta (1999) discusses the early development of the tea industry in Darjeeling and the Dooars, examining the growth of the tea labour force, the conditions of plantation labourers, the origin of the trade union movement on the plantations, structural evolutions in tea estate management, and the special situation of women labourers in the tea estates. The influence of labour productivity on the wages of tea workers is also examined. A review of the changing labour market trends and workers' living standards which have accompanied the changing patterns of global trade is provided in Mazumdar (1997), which reviews these factors in the lights of the *World Development Report 1995* (WDR 1995).

Plantations are not just work-places but they also encapsulate within it the domestic. The labour villages where the workers lived were also located within the plantation area, thus making it an extremely interesting site of study. Plantations are thus not just spaces for production of tea and resultant

profits but also sites for production of discourses, meanings and practices. They are social spaces where the residents live their lives, make sense of it, form relationships. They will have to be understood as socio-economic spaces (Banerjee, 2015).

Banerjee (2015) explores the perceptions of the women workers regarding identity and belonging in that space. The women form work-groups and it is through their formation and functioning the paper seeks to understand how relations of dominance and subordination are not random but can be traced to specific discourses around class, gender, ethnic, race and kinship relations. In determining the aspects of identity on which belonging to the groups is predicated, often more fundamental aspects of identity seemed to become less significant than relatively minor features. Finally the article explores the role of self-interest in the way identity plays out to determine belonging to a group.

Fay (1936) discusses the nature of plantation agriculture mainly tea, coffee and rubber. He mentions, the Royal Commission on Agriculture in India of 1928 in its brief notice of plantations remarks on their importance to the export agriculture of India. Further marks, the Royal Commission of Labour in India of 1931 has four chapters on plantations, dealing respectively with general survey, recruitment of labour, wages, health and welfare. It studies them as distinctive and important section of wage labour in a country where factory employment is relatively rare.

After attaining Independence in 1947, the Governments attitude towards the working class was more favorable than that of the earlier colonial regime. Biswas (2005), makes an attempt to focus light on the history and growth of trade union movement in tea industry after Independence and prior to Globalization with special reference to Dooars region in West Bengal.

Sarkar and Bhowmik (1998) deals with the study of three tea plantations in the Dooars and Terai areas of North Bengal. Despite forming half the labour force in plantations, women workers have remained marginalized in trade unions of plantation workers. The paper analyses reasons for inferior social status of women as low level of literacy and male dominated society.

Rasaily (2014), highlights the decline of work participation rate of women in the tea plantation sector situating the dynamics of women losing out in employment on one hand and their increasing role in the industry and household on the other, this paper provides an account of their negotiations at multiple spheres of work and life. The paper also attempts to understand the small tea growers cum workers, which have been a grey area hitherto. A significant proportion of tea growers are also workers; marginal in terms of land holdings coupled with inherent marginalities of caste, ethnicity and gender. This answers the question why there should be the need to incentivize and reorganize women's labour for the industry.

Fine (1992) critically assesses much of this literature and contributes to it by offering an explanation of women's labour market participation. In particular, the book deals with the domestic labour debate, the role of patriarchy theory, gender and labour-market theory, periodising the capitalist family and the specific position of working women in the British economy.

Lawrence (2007), examines gender inequality in household decision-making and how household decision making evolves in time. It integrates concepts from the field of economics and sociology to explain how decision-making power shifts in a household from male domination to bargaining behavior.

Kingdon (2002) presents the findings of some recent research on the social and the economic benefits of female education and considers the pathways through which women's schooling leads to social gains.

Basu (1980) refers to the poor deal for the tea workers in comparison to the workers in the other industries. Although, it is a constant refrain of the tea industry in West Bengal that they have made record profits but spent virtually nothing on the development of plantations in the state. The workers are not even paid the minimum wages as prescribed under Agricultural Minimum Act.

Bhaduri (2006) deals with the economic challenges thrown up by the process of interaction of democracy and economic development in India. Given that India is a developing country with enormous diversity in terms of religion,

language, and ethnicity, the gradual maturing of Indian democracy has been a remarkable achievement, which has been fatally flawed by our unforgivable failure to deal with an effective manner with mass poverty and illiteracy and various forms of religious, social and gender discrimination. These problems are interconnected, irrespective of whether one likes to put the responsibility on the failure of planning by the state or on the failure of the market. The book provides the alternative vision of development based on economic reasoning and political analysis, that all the citizens of India live with economic, social and political dignity.

## FINDINGS AND DISCUSSION

### *Age of the women workers*

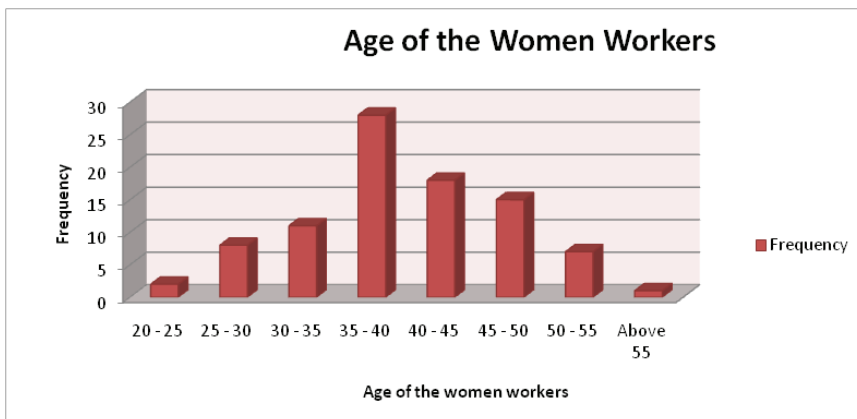
The study on the surveyed tea gardens depicts that the women workers in belonged to the age group of 20 to 56 years. The table below demonstrates the age group of the women in the tea gardens of Darjeeling and Dooars where 31.11% of women workers belonged to the age group of 35- 40, followed by the age group of 40-45 with 20%, the age group of 45-50 was 16.66% while women who belonged to the age group of above 55 was the least with 1.11% followed by 2.22% of the women who belonged to the age group of 20-25.

**Table 1:** Age of the women workers

Age	Frequency	Percentage
20 – 25	2	2.22
25 – 30	8	8.88
30 – 35	11	12.22
35 – 40	28	31.11
40 – 45	18	20
45 – 50	15	16.66
50 – 55	7	7.77
Above 55	1	1.11
Total	90	100

Source: Field Survey



**Fig. 1:** Age of the women workers

All the women workers in the garden were either working before marriage or had joined the garden in replace of their in-laws, which is called ‘*Badli*’ in the local language used in the garden.

The social custom in the garden was that women are born to pluck tea in the garden, so they joined the garden at young age. This would help the family to have extra income to support their family budget. Moreover the parents were uneducated and unaware due to lack of scope for education. They never encouraged their daughters to go to school. The provision of schools in the garden was not like as it is at present; attending school was felt like an additional financial pressure upon the parents. This would discourage them to let their children study rather than let them stay at home performing household works, looking after their young ones or to join the garden as workers.

## LEVEL OF EDUCATION

It was informed by the women respondents that there were no proper provisions for better education in the tea garden in the early days. The tea workers belonged to agricultural backgrounds who were mainly illiterate people. Economic hardship, absence of opportunity and many other causes like social customs and traditions may be the reason behind these workers as illiterates with just few of them who have completed their primary education. Education was a priority mainly for the male or son of the family and not for

the daughters. The social belief and customs hindered girl’s education to some extent. They thought girls were meant for doing the household chores and plucking tea leaves.

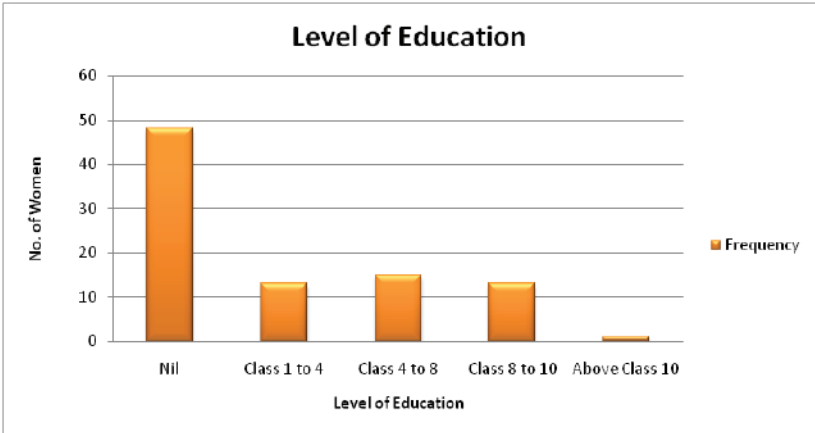
With the passing years the people in the tea gardens started to change their attitudes towards education. Despite of their low income, they began to send their children to schools and girls were also given equal educational opportunities of education. The table below shows that 53.3%, i.e. majority of the women workers in the tea gardens were illiterate, 16.66% who have studied till class 8, 14.1% of the women workers have studied till class 4 and 14.1% of them have studied till class 10 while only 1.11% of the women workers have reached above class 10.

**Table 2:** Level of Education of the women workers

Level of Education	Frequency	Percentage
Nil	48	53.3
Class 1 to 4	13	14.1
Class 4 to 8	15	16.66
Class 8 to 10	13	14.1
Above Class 10	1	1.11
Total	90	100

Source: Field Survey

**Fig. 2:** Level of Education of the women workers



### Attitude of Women Tea workers in the Tea Gardens of Darjeeling and Dooars

The attitude of women workers regarding of the nature of their work, wage rate, medical facilities, crèche facilities, household and leisure time, working conditions etc are reflected in the table below with the help of 3 points scale.

**Table 3:** The attitude of the women workers in the Tea Gardens of Darjeeling N = 45

Sl. No.	Items	Satisfied	Partially-Satisfied	Not Satisfied
1	Nature of Work	10 (22.22)	20 (44.5)	15 (33.33)
2	Hours of work	5 (11.11)	10 (22.22)	30 (66.7)
3	Wage rate	0 (0)	5 (11.11)	35 (77.8)
4	Medical facilities	5 (11.11)	5 (11.11)	35 (77.8)
5	Housing facilities	5 (11.11)	10 (22.22)	30 (66.7)
6	Crèche facilities	10 (22.22)	10 (22.22)	25 (55.6)
7	Leisure time	10 (22.22)	5 (11.11)	30 (66.7)

Source: Filed Survey

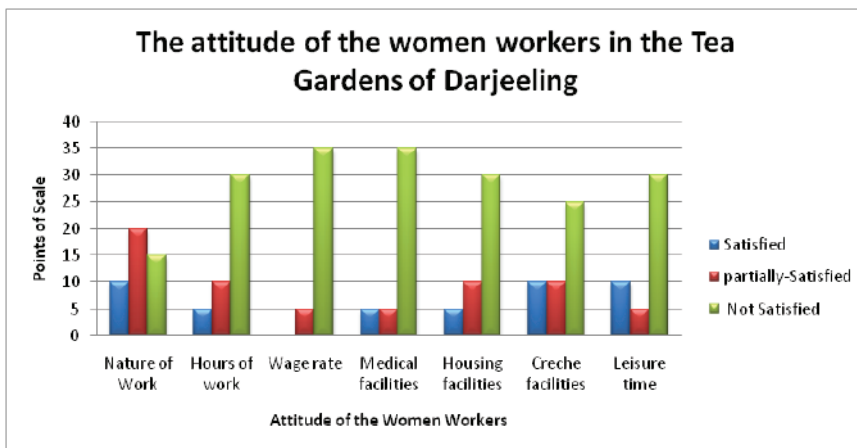
The table above shows that majority of the women workers are not satisfied with the type of work, working conditions, wage rate, medical facilities, housing facilities, crèche facilities and their leisure time. It can be clearly pointed out from the table that 77.8% of the workers are not satisfied with their wage rate and the medical facilities available in the garden. The survey found that all the elderly women workers were amongst the workers who compromised with the existing situation in the garden and never urged to raise a voice against the management. As they have already spent the major part of their life serving the garden, they have the emotional attachment rather than financial, so they were happy with whatever situation they are at present. While majority of the workers who were middle aged and young didn't hesitate to express their views and attitudes towards the existing situation in the garden.

The table shows that only 5 to 10 women workers who were mainly from the elderly age group showed the positive attitude towards the working conditions and the wage rate while 5 to 20 of them remained neutral i.e. Partially Satisfied

and the rest 15 and above strongly expressed their dissatisfaction towards the working conditions and the wage prevailing in the tea gardens.

This situation has been more clearly presented in the figure below:

**Fig. 3:** The attitude of the women workers in the Tea Gardens of Darjeeling



**Table 4:** The attitude of the women workers in the Tea Gardens of Dooars N = 45

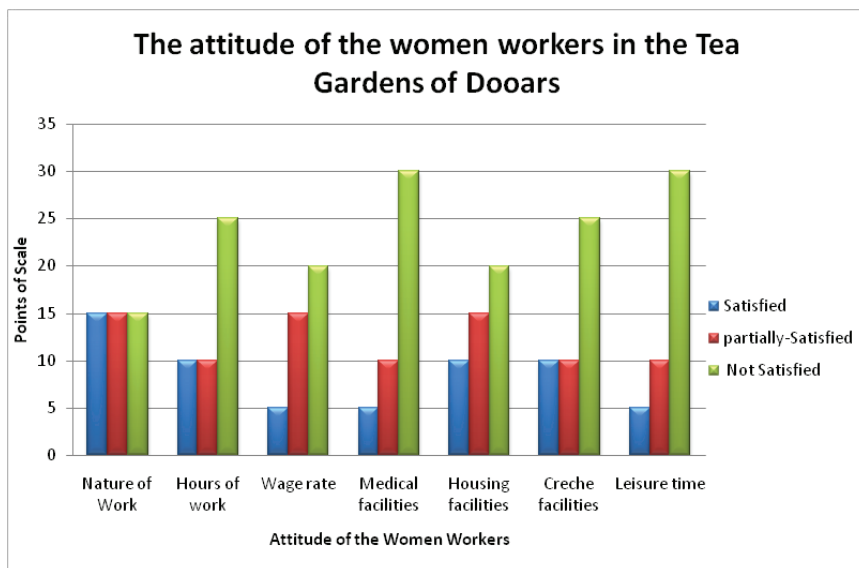
Sl. No.	Items	Satisfied	Partially-Satisfied	Not Satisfied
1	Nature of Work	15 (33.33)	15 (33.33)	15 (33.33)
2	Hours of work	10 (22.22)	10 (22.22)	25 (55.6)
3	Wage rate	5 (11.11)	15 (33.33)	20 (44.5)
4	Medical facilities	5 (11.11)	10 (22.22)	30 (66.7)
5	Housing facilities	10 (22.22)	15 (33.33)	20 (44.5)
6	Crèche facilities	10 (22.22)	10 (22.22)	25 (55.6)
7	Leisure time	5 (11.11)	10 (22.22)	30 (66.7)

The table above shows that majority of the women workers are not satisfied with the type of work, working conditions, wage rate, medical facilities, housing facilities, crèche facilities and their leisure time. It can be clearly pointed out from the table that 66.7% of the workers are not satisfied with their wage rate and the medical facilities available in the garden. The table shows that only 5 to 15 of the women workers who were mainly from the elderly age group showed the positive attitude towards the working conditions and

the wage rate while 10 to 15 of them remained neutral i.e. Partially Satisfied and the rest 15 and above strongly expressed their dissatisfaction towards the working conditions and the wage prevailing in the tea gardens.

This situation has been more clearly presented in the figure below:

**Fig. 4:** The attitude of the women workers in the Tea Gardens of Dooars



## CONCLUSION

After the above observation regarding the assessment of the life of the women tea workers in the regions of Darjeeling and Dooars, it has been seen that the women workers in the tea garden represent a higher portion of the labour force as compared to men. The main reason behind this was because the nature of work in plantations which is gender specific. The planters always felt that women workers were efficient in plucking tea leaves. The women workers perform the tasks like plucking, pruning, weeding task in the field etc. while at home they perform all the household responsibilities from cooking, washing, taking care of the children, elders, cleaning etc. This dual duty performed by the women in the tea garden proves that they are engaged in gainful employment contributing to home (family), to the state and national economy. Despite of

such contribution they get very little in return. They get a superficial wage and benefits, minimum facilities considering the basic rights and needs.

During the survey, when the women workers interacted through the personal interview, they expressed their dissatisfaction related to their professional as well as personal life. It was found that personally also they were quite unhappy. The reason behind their unhappiness was their poor standard of living and hardships. Their everyday life is full of struggle; they work hard and never get the privilege to earn better living conditions. They regard themselves unlucky to be born in the tea gardens. Professionally, they complained about their poor working conditions, poor management, improper medical facilities, insufficient housing facilities, and other every provision which are enjoyed as a right by any labour.

## **RECOMMENDATIONS**

Gender discrimination and sexual division of labour has been visible in the tea community. The women workers are dependent on men when it comes to any kind of decision making in the family. They earn equally as the men workers still; they are not equally free to spend their income like the men do. The women workers do not enjoy the same social status like men. This trend is slowly changing in the recent years. The awareness programmes by the government, social bodies, NGO's and the union for the empowerment of the women have come forward to help the women in the tea gardens to break the shackles of male dominance in the society. The introduction of education system has helped the women workers to come forward with their opinions, views and ideas in the society. The situation demands for collective efforts from the management, the state government and the members of the tea community to join hands together for the required actions which would bring fruitful changes in the life of the women workers. Along with institutional actions and support, it also becomes important to bring change in their attitude and way of thinking. Change does not come overnight, it takes time. However, it is encouraging to see such positive changes in the tea gardens which will definitely bring a time when women will be treated equally in the society along with men.

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### About the Book

This book is the outcome of the two-day National Workshop-cum-Orientation Programme on 'Drive Towards Equality of Opportunity' jointly organised by Raiganj University and Indian Council of Social Science Research- Eastern Regional Centre, sponsored by ICSSR-ERC, held on March 30-31, 2019, at Raiganj University. The book contains the deliberations made by the Resource Persons and some invited articles. Contributors are presently engaged either in teaching in different Colleges or Universities or attached with the academic world in different capacities and are engaged in researches. Topics covered in this book are wide ranging, addressing the chief issue 'equality of opportunity'; it includes inclusive growth, right to equality, equal opportunity in higher education, life of women workers, political developments centring the issue of opportunity etc.

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Price: ₹ 500.00/-

ISBN: 978-93-93878-03-8



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