

**ISSUES OF SOCIAL EXCLUSION-IMPACT ON SOCIAL JUSTICE TO DALITS IN
CONTEMPORARY INDIA**

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ABSTRACT

The causes for exclusion can vary from country to country in different times; reflecting deferent situation such geographically, historically and politically but the results will be the same in the form of lack of people development and the country. As a result of social exclusion, its impacts on the livelihood of the people such as increase in rate of poverty, health, and others. The exclusion is practiced worldwide mostly on the identity of gender, caste, religion, ethnicity, color, race, nationality, and others. Social exclusion is a process which involves denial of rights and opportunities which the majority enjoy, resulting in the inability of individuals from excluded groups to participate in the basic political, economic and social functioning of the society, thereby causing high human poverty and deprivation among them. Social Exclusion is lack of access to resources and consequent inability to utilize them. It is further accentuated by denial of opportunities which enhance access to resources and their utilization. It can be experienced by anyone who is in position which is vulnerable to such impeding conditions. Amartya Sen has pointed out that the historical root of the concept of social exclusion goes back as far as Aristotle. The paper wants to discuss about the Dalits of India in the below mentioned frame work of social exclusion.

“Democracy and caste are totally opposed the one is based on equality and the other on inequality of birth. The one is actuated by the principle of social inclusion, the other by the principle of social exclusion. Democracy tries to break down the barriers of class, caste seeks to perpetuate them” _K.M.Panikkar

The concept of social exclusion is gaining popularity across the world. The concept of social exclusion is seen as covering a remarkably wide range of social and economic problems. The concept of social exclusion is defined as “the process through which individuals belonging to some groups are wholly or partially excluded from full participation in the society in which they live”. Exclusion revolves around two forms, namely, the multiple aspects of discrimination and the societal processes and the institutions that are implicated in deprivation. Thus, recognition of the diverse societal processes and institutions which can

cause social exclusion, discrimination and deprivation for the excluded and discriminated groups becomes important.

Amartya Sen draws the distinction between the situation, where some are being kept out (at least left out), and where some people are being included (may even be forced to be included) in deeply unfavourable terms, and described the two situations as “unfavourable exclusion” and “unfavourable inclusion”. The unfavourable inclusion, with unequal treatment, may carry the same adverse effects as unfavourable exclusion.

Recognizing the discriminatory character of Indian society, various initiatives for inclusion of SC/STs into the mainstream body politic had started during the British itself. The efforts provide to them with education and employment in the public share in various provinces like Baroda, Travancore and Cochin need special mention. While formulating the Government of India Acts of 1919, 1935 and finally during the Constituent Assembly debates, the role played by Ambedkar had a daunting impact on the formulation of inclusive policies for these marginalized communities. However, parliament has been enacting legislations to enlarge the safeguards for this sections.¹

However, sociological, the term dalits has been strictly used for ex-untouchables of Indian society who have faced the worst kind of social exclusion. The term ‘social exclusion’ has been defined as a multi-dimensional process in which various forms of exclusion are combined: participation in decision- making and political process, access to employment and material resources, and integration into common cultural process. When combined, they create acute form of exclusion that finds a spatial manifestation in particular neighborhoods .To, this we have to add the elements of religious justification of such exclusion of Dalits based on Dharma and Karma .Based on the above elements of social exclusion, we can argue that the dalits are different from STs, women and poor persons among caste Hindus.²

LEGISLATORS INTERVENTION:

The legislators intervention to formulate policies for inclusion of socially excluded SC/ST masses has been analyzed in the lower house of the union legislators i.e. the Lok Sabha. The period that has been selected is 1985-95. It was a time when two significant developments were taking place. At one level there was an upsurge in the consciousness among deprived sections as well as their increased participation in the electoral politics. Two, the period witnessed the state withdrawing from the public arena in terms of mass welfare programmes and the deliberations of the economy, that finally led to increasing privatization and

Globalization. The 1990s in the particular saw an expanding base of electoral democracy, that was the fallout of the greater participation and more intense politicization than before among the marginalized social groups.³

This reflects the unfolding of the contradiction between the logic of political equality and that of social inequality that was warned by Ambedkar in his concluding speech in the constituent Assembly. Policy functions as a response to physical and social environment, and a change in policy is both causal and purposive, as it is not only caused by environmental stimuli but also directed towards a goal and shaped by a purpose. The role played by the legislators themselves in influencing /changing/rejecting/modifying/accepting policies for SC/STs. Their response towards the reports of the National Commission for Scheduled Casts and scheduled Tribes and their initiative to get its recommendations implemented and translated into policy through bills, participation in debates and discussions, and their performance in the Lok Sabha have been analyzed in the light of the fact that they are representatives of Dalit masses.⁴

REPRESENTATION AND RECOMMENDATIONS TO THE GOVERNMENT:

Here it needs to be reaffirmed as stated by the minister of welfare in the 53rd Action taken Report that the reservations could be made in private sector under article 46 read in conjunction with the article 15(4) of the constitution. If the 73rd Amendment Act to give powers to Panchayats can be implemented on the basis of the sole Article 40 of the constitution under the directive principles of the state policy, then the question arises why it cannot happen with regards to the representation of SC/STs in the private sector with the help of Article 15(4) and 46 in which the former is the part of the fundamental rights, which are mandatory to be implemented on behalf of the state.

Another report on Formulation, Implementation and Monitoring of reservations policy was prepared by the PCWSCST in 1993-94. So far as formulation of reservations policy was concerned, the committee was informed that six departments /ministries involved in the processes. The committee made various important recommendations, viz: (a) relaxation in the period of qualifying services for ST/STs in case of promotions, (b) reservations in ad hoc appointments, (c) reservations according to population as per the 1991 Census, and (d) fulfilment of huge reserved quota in various departments.

Few recommendations of the committee were accepted by the government. These included: (a) reservation in ad hoc appointments (b) maintaining and furnishing statistical information relating to SC/STs to the committee (c) special recruitment drive to fill up backlog under

consideration, (d) legislator on reservation for ST/STs under active consideration, and (e) ban on dereservation.

Reservation in public sector does have the potential to have a major impact on the socio-economic and political development of SC/STs. But it is argued that this is an aspect that does not touch the majority of the dalit population, i.e. all the SC/STs or the major chunk of the dalit population cannot be accommodated in the public sector because if all the jobs are reserved for them, only a small proportion of the dalit populace will be able to develop, and the rest will be left without any benefit.⁵

Reservation is more relevant in the present circumstances, where private sector is controlling the economy. The SC/STs suffers from discrimination in multiple ways in various markets and therefore, reservation policy should cover all the spheres.⁶

POVERTY, CAPABILITY DEPRIVATION AND SOCIAL EXCLUSION:

That the idea of social exclusion has conceptual connections with well established notions in the literature on poverty and deprivation, and has antecedents that are far older than the specific history of the terminology might suggested. Indeed it argues that we can appreciate more fully the contribution made by the new literature on social exclusion by planning it in the broader context of the old-very aged idea of poverty as capability deprivation.

First, being excluded from social relations, and in this sense, social exclusion may be directly apart of capability poverty. Indeed Adam Smith's focus on the deprivation involved in not "being able to appear in the public without shame" is a good example of capability deprivation that takes the form of social exclusion. This relates to the importance of taking part in the life of the community, and ultimately to the Aristotelian understanding that the individuals lives an inescapably "social" life. Smith's general point that the inability to interact freely with others is an important deprivation in itself (like being undernourished or homeless), and has the implication that some types of social exclusion must be seen as constitutive components of the idea of poverty-indeed must be counted among its core components.

Secondly, being excluded from social relation can lead to the other deprivations as well, thereby further limiting our living opportunities. For example, being excluded from the opportunity to be employed or to receive credit may lead to economic impoverishment that may, in turn, lead to other deprivation (such as undernourishment or homelessness). Social exclusion can, thus, be constitutively a part of capability deprivation as well as instrumentally

a cause of diverse capability failure .The case for seeing social exclusion as an approach to poverty is easy enough to establish within the general perspective of poverty as capability failure.

Especially since the idea of social exclusion (in the distinctive form of free-standing concept) has had, as was mentioned earlier, a relatively late entry in to the literature of poverty and deprivation. Indeed, its early stirrings-attributed to the writings in the 1970s-were about two hundred years after Adam smith's (1976) pioneering exposition of deprivation in the form of "inability to appear in public without shame," and more generally, of the difficulty experienced by deprived people on taking part on the life of the community. By establishing the historical connection, we not only link the literature of social exclusion with earlier ideas, but we also strengthen its conceptual basis and analytical discipline. However, we have to be careful that by placing the literature of social exclusion in this conceptually structured approach, we do not end up losing anything valuable in the idea of social exclusion that cannot be adequately captured in the capability framework.⁷

SOCIAL EXCLUSION AND ALIENATION:

The data on land holdings and the levels of poverty among the SCs clearly indicate that there is a relationship between the overall development of the state and development of the SCs. Table-1 shows the development of achieved by the SCs in Andhra Pradesh .Though the rate of growth of the CDI among the SCs is lower than the HDI between 1971 and 1991, it is found that it is increasing over a period of time .As appointed out earlier ,the development of the SCs is related to the overall development of the state. Increasingly, several commentators observed that SCs are socially excluded in all developmental activities today. It is because of the economic globalization process, which is structurally exclusive in nature .Scholars like Amartya Sen. and even UNDP experts are pointing out the phenomenon of social exclusion is a dangerous trend that will lead to deprivation and capability failure.

Table-1 Caste related development index for Andhra Pradesh

S.No	1971	1981	1991
1. Life Expectancy index	0.367	0.500	0.583
2. Educational attainment index	0.177	0.341	0.521
3. Income index	0.046	0.108	0.145
CDI	0.197	0.316	0.416
AP HDI	--	0.466	0.592

SOURCE: Chalam K.S. South India Journal of Social Sciences. June-2004

The phenomenon of social exclusion in India in general and in Andhra in particular consists of inequalities, labour market, gender, food market etc. exclusion of SCs from mainstream. This exclusion will further accentuate the misery of the SCs who are already structurally excluded from the mainstream society. The society appears to care less for these groups as long as they are raising issues of discrimination, without bringing issues with which others are equally interested. The spontaneous nature with which non-Dalit groups ignore the issue of untouchability the discrimination in their discourse is a significant phenomenon. It has gone to such an extent that both scholars and policy makers are impalpable of the declining trend of urbanization among SCs.

But the data suggest that SCs in Andhra Pradesh are excluded from the trend. This is an expected outcome of the process of globalization where SCs are not considered as (important) players at all. They are unwanted. The SCs organizations have also failed to prepare the Dalits for the limited opportunities in urban centers or even to fight against such discrimination and exclusion. Already the educated employees seem to have formed into a separate group as a federation without considering economic issues of the SCs in general. The elite organizations are trying to perpetuate and bargain for perks and power for the few families that they represent. This phenomenon is also responsible for the social exclusion of the majority of the SCs who are poor, ignorant and unorganized. This process of exclusion seems to have two dimensions. One, majority of the poor and ignorant among the SCs are excluded from the overall development of the economy and society. Two, so called elite among the SCs, however small they may be, are alienated from the mainstream.⁸

GENDER RELATED EXCLUSION AND INEQUALITY:

The persistence of inequality between the women and men is a problem that is sharper in Asia than in any other continent in the world. It applies even to sex-related morality rates, with Asia providing the bulk of the estimated “missing women” in the world. It has been empirically noted that the neglect of the interest of women relates closely to their exclusion from employment opportunities, basic education, and land ownership. These exclusions are, thus, of great instrumental importance.⁹

EXCLUSION FROM BUDGET:

The Government of India has a potentially powerful mechanism for the economic empowerment of Dalits known as Special Component Plan (SCP). The spirit of the Plan has

been consistently thwarted in its application and implementation by most of the departments at the Central and States levels, by diverting on an average Euro 2,000 million (2.7 billion US dollars) every year during the past five-year plan period.¹⁰

Many reports from across the country reveal that Dalits' exercise of their legitimate and rightful claim to representation (namely participation or leadership in the electoral process) is met with violence.

LABOR MARKET:

Like other sectors Dalits also face discrimination in the labor market. This is clearly exhibited in exclusion of Dalits from employment by 'higher caste'; exclusion of 'low caste' from certain types of jobs/work due to notion of pollution and purity associated with Untouchability; selective inclusion in employment but with unequal treatment reflected (i) in lower wages (lower than wages given to other laborers), (ii) in terms and conditions with respect to hours of work, (iii) different behavior by employers towards low caste laborer /worker in the work place, and (iv) compulsive and forced work governed by traditional caste related obligations.¹¹

Economically, a poor person is different from a dalit .A poor person may be deprived in the economic spheres, especially of income necessary to participate in the economy. However, dalits were excluded from the main residential area of the village ,and were kept outside the interaction patterns of its social life .Hence we can argue that a poor person may be economically and politically deprived ,but he/she is never excluded from the social cultural spheres .An ex-untouchable is deprived in all the three-social, economic and political-realms. T.K.Oommen, therefore, has rightly pointed out. 'If proletarian consciousness is essentially rooted in material deprivations dalit consciousness is a complex and compound consciousness which encapsulates deprivations stemming from inhuman conditions of material existence, powerlessness and ideological hegemony'.¹²

Adam Smith too felt impelled to define "necessaries" in terms of their effects on the freedom to live non-impooverished lives (such as "the ability to appear in public without shame").¹³

ASPECTS OF ECONOMIC EXCLUSION AND DISCRIMINATION:

Differences in prices received or charged from the Dalits in the markets, depending on whether they are sellers or buyers. This may relate to the price of factor inputs, and consumers goods, such as wages for labour, price of land or rent on land, interest on capital,

rent on residential houses, charges or fees for services such as housing, water and, electricity; and Dalits also face exclusion and discrimination from participation in certain categories of jobs and sale and purchase of certain consumer goods. On account of untouchability and the notions of pollution and purity, the untouchables also face discrimination and exclusion in use of public economic services like water, electricity, health services and other services.¹⁴

Persons belonging to Dalit community are being encouraged to move from wage labourers to owners of the activity by the schemes of the government, in both farm and non-farm activity. The 'high caste' people do not openly oppose their entry, but do it indirectly through economic exclusion. The economic exclusion is through pricing in sale, purchase and hiring activities of ranging from raw materials to finished goods. Dalits are disadvantaged. There were also denied the sale or purchase of land for agriculture and non-agricultural use.¹⁵

CASTE DISCRIMINATION MID-DAY MEAL SCHEME IN SCHOOLS:

Of the states considered in this study, Rajasthan, Andhra Pradesh and Tamil Nadu have implemented the MMS. Children at government schools in these states are provided daily with hot, cooked, mid-day meals, free of cost. Meanwhile, Uttar Pradesh and Bihar, on the other hand, have not implemented the MMS, but continue with a programme in which a fixed quantity of dry grain is provided monthly to government school children. A pattern of incidents documented in the study shows that when dominant caste communities feel the need to reassert their hegemony, they often clamp down on dalit movement in dominant caste localities, including the movement of dalit children. Therefore, where the mid-day meal is served in dominant caste localities, access for dalit children is held hostage to the fluctuating state of caste relations in the village or region.

In contrast, 47 per cent of respondent villages in Andhra Pradesh hold the MMS in a dalit locality. Qualitative data indicate that this goes a long way toward assuring dalit access, and may also help erode dominant caste prejudices against entering dalit localities. Two indicators are used to measure Dalits' participatory empowerment in and ownership of the MMS: the per centage of MMS organized/operated by Dalits and the percentage of MMS in which dalit cooks are engaged. Andhra Pradesh leads the three states in indicators of dalit empowerment and ownership of the MMS, with 49 per cent and 45 per cent of respondent villages having Dalits as cooks and organizers, respectively.

This aggregate data encompasses cases both of exclusion and of discrimination, defined as inclusion with an inequitable treatment. First considering cases of exclusion, six villages in

Andhra Pradesh and Tamil Nadu report that dalit children are completely barred from the MMS by dominant caste communities on account of being “untouchable”. While these six villages constitute only a small percentage of the villages surveyed, the practice of outright exclusion anywhere constitutes an egregious violation of rights, and the persistence of such cases has serious implications for the right to food in India.

Blatant exclusion aside, what are some of the manifestations of caste discrimination that arise in the MMS? Out of the villages that specify the character of the discrimination, the largest portion, 48.3 per cent, reports of the problem of dominant caste’s opposition to dalit cooks. The second most common issue, at 31 per cent, is segregated seating, in which dalit children are required to sit apart from dominant caste children during the meal. A more intensified practice of segregation, in which Dalits and dominant caste children are served separate meals altogether, is reported by 9.2 per cent of respondent villages. Finally, 9.2 per cent report that teachers discriminate among students by giving inferior or insufficient food to dalit children, and 2.3 per cent of respondents identify other problems.

Many survey respondents provide narrative accounts of caste discrimination in the MMS in their villages, furnishing qualitative detail essential for a comprehensive understanding of the phenomenon. Making use of these narrative aspects, the following discussion elaborates on the most widely reported manifestation of caste discrimination in the MMS—opposition to dalit cooks.

OPPOSITION TO DALIT COOKS:

“Opposition to dalit cooks” is actually a blanket term describing several different patterns of specific acts of discrimination and exclusion observed in the study. The patterns can be grouped into five, which take place at different points during the process of MMS institution and continuance. First, when local administrators are putting the MMS into place, dominant caste community members intervene to block the hiring of dalit cooks, favoring dominant caste cooks instead. Where a dalit cook has been hired, dominant caste parents then begin sending their children to school with lunches packed at home, or require their children to come home for lunch, in any case forbidding their children to eat food prepared by the dalit cook. In the third stage, dominant caste parents or community members pressure the local administration to dismiss the dalit cook, on any pretext, and hire a dominant caste cook instead. Where this is ineffective, or sometimes without the intervening step, the dominant caste parents campaign to shut down the MMS in the village school altogether. Finally, some dominant

caste parents react to the hiring and keeping of a dalit cook by withdrawing their children from the school, and sometimes admitting them in a different school where the cook is not a dalit. Examples may help briefly to illustrate some of the above patterns. The first is adequately exemplified by a village in west Godavari district, Andhra Pradesh. In this village, dominant caste women organized in the state government's Development of women and children in Rural Areas (DWCRA) scheme successfully mobilized community and administrative support to block on account of their caste a qualified dalit women's DWCRA group from obtaining employment as cooks in the village MMS.

Behind these trends of dominant caste behavior is the classic Hindu understanding of purity and pollution, according to which food prepared by a dalit that is, an "untouchable" –is considered "polluted" by virtues of its contact with the intrinsically polluted dalit. On another level, dominant caste opposition to dalits cooks also represents a power struggle over livelihood rights. In the manner of social boycotts, concerted dominant caste opposition to dalit cooks functions to break dalit economic aspirations, i.e., dalit entry into new livelihood domains such as government employment as MMS cooks at the village level. The rural dominant caste establishment, which traditionally enjoys the economic dependence of the dalit community, perceives dalit entries into new economic spheres as threatening, and therefore, responds with a backlash.¹⁶

NCDHR REPRESENTED THE DALIT ISSUES

Indian Dalits, the people from the SCs, previously referred to as the untouchables raised their voice for the first time in an international forum against exclusion. The National Campaign on Dalit human Rights (NCDHR) which represented the dalit issue at the UN conference by mobilizing large group of intellectuals from India identified primary education as one of the major issue for immediate attention. NCDHR strongly felt that education is one of the areas of social exclusion and raised several questions before the world community during the conference. As Martin Macwan (2001), the leader of the delegation rightly summarized. How than can we justify that 50% of dalit children (64% dalit girl children) are pushed out of the school system before they can complete even primary education? How do we ensure a strong nation, assuming that dalit are part of the nation, we cannot ensure basic education to 16% of our population? In Gujarat, like elsewhere, most of the budgets goes towards salaries for teachers .But the stats budgets a mere Rs 5 a month per teacher for extracurricular activities for the development of student. He further adds , 'to my way of thinking ,an even more

serious question is where the state that represents a certain class and class culture ,can be entrusted with the responsibility of education ,especially for dalit children .Education ,if perceived as a tool of empowerment ,needless to add ,cannot be trusted in the hands of state agencies¹⁷

After the Durban Conference where several deprived social groups across the world gathered and deliberated on various forms of social exclusion of their communities, classes and cultures in the process of development evolved an approach representing their human rights. This perspective is based on principles that emphasize accountability of those with obligations to realize the rights of children; the universality of rights; the indivisibility and interdependence of rights; and also the principles of the best interests of the child and the necessity to take into account of the views of the child. Similarly to the broader recognition that poverty that merely a lack income but rather a condition of living in various forms of deprivation ,social exclusion is not only a development issue, but is also a human rights issue and therefore requires a more comprehensive and process oriented response.

SOCIAL OSTRACISM AND EXCLUSION:

Branded untouchables for no fault of theirs, their physical mobility is restricted, they are forbidden to use natural resources such as drinking water, community land etc. They are also prohibited from using the main roads in the villages, from entering temples; their children are prevented from attending schools. In fact they are pushed out of the mainstream community life. This kind of exclusion is much more evident in villages as compared to cities.¹⁸

SOCIAL EXCLUSION OF DALITS:

As per Census 2001,the total population of the SCs in India is 166,635,700,which is 16.3% of the total population (India 2005).The population of SCs is unevenly distributed among the state in India ,with nearly 60% of all SC children's of primary school going age (6-10 years) residing in the following six state: Andhra Pradesh ,Bihar, Madhya Pradesh, Orissa, Rajasthan and Uttar Pradesh .In Andhra Pradesh ,according to census 2001,percentage of SC literature aged 7 years and above is 53.5%, which is lower than 60.5%reported for the state population as a whole. The literature data show that the SC population of the state has made a significant improvement during the decade 1991-2001.The literacy rate, which was 31.6%in 1991, has increased by 21.9%points in 2001.Each caste had a specific place in the hierarchy of social status .Although in 'scriptural terms' social and economic status was supposed to be

separated, the economic and social status of various castes tended to coincide. However, since the 19th century, the link between caste and occupation has become less rigid as it became easier for people in charge occupations.

In Andhra Pradesh the SCs are broadly grouped as Adi-Andhra .Madiga, Mala and Relly, with a number of independent castes in each group. These groups are known with different names in different states. Dr.Ambedkar popularized the word Dalit coined by Mahatma Jyotiba Phule, the 19th century Marathi social reformer and revolutionary. The word is derived from the Sanskrit root 'Dal' which means to crack open, split and so on. When used as a noun or adjective, it means burst, split, broken or torn asunder, down trodden, scattered, crushed, and destroyed.¹⁹

The Dalit who traditionally suffered discrimination based on untouchability, which was an element of caste system throughout India, have been identified, enumerated and incorporated in the 'Schedule' of constitution. The implicit criterion for inclusion in the SC list is the social and religious disability suffered by a caste on account of untouchability i.e. being at pollution end of the social hierarchy.²⁰

Currently, the National Commission for Scheduled Caste and Scheduled Tribes are vested with the responsibility of considering castes for inclusion or exclusion from the Schedule, with then needs to be ratified in Parliament. The discriminated communities are than officially designated as SCs. Included in the SC category is communities from three different religions. Hinduism, Sikhism and Buddhism all having within them communities traditionally suffering from untouchability.

The State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the SCs and the STs, and shall protect them from social injustices and all forms of exploitation, (Directive principles of state policy, Article 46).The constitution mandates positive discrimination in government services, state run, and sponsored educational institution .Amendments to the constitution also enabled representation of Sc men and women in local governance structures. Some of the provisions in Indian constitution abolish exclusion in any form. Article 17 abolishes 'untouchability' and making its practices in any form of a punishable offence. Article 46 promotes educational and economic interests, Article 16 and 335 provide preferential treatment in matters of employment in public services and Article 330 and 332 provide Reservation of seats in the Lok Sabha and State Assemblies. Though most of these provisions are in the Constitution of India since 1950, SC children remain disadvantaged across many social indicators.

EDUCATIONAL EXCLUSION OF DALIT CHILDREN:

This is confirmed by the data from various sources including the National Family Health Survey –II (1998-99). Reproductive and Child Health Survey 2002-2004, the 2001 Census and routine monitoring information from the Department of Education. A number of factors have contributed to the rising enrolment rate including the introduction of mid-days meals, opening of alternate schools, promoting the participation of Parent Teacher Associations (PTAs) and massive enrolment drives. A constitutional amendment was passed in 2002 making free and compulsory education a fundamental right for children aged 6-14 years. The National and State Governments continue to deliver the programme Sarva Shiksha Abhiyan (SSA), which aims to achieve universal elementary education by 2010. While enrolment and attendance in primary school has increased, the quality of education remains a major concern. Little emphasis has been placed on making education more relevant or in encouraging learning by doing and learning by observation. Activity-based and child-based and child-centered learning arrangements are still very weak. There are many situations where children mechanically go through five years of primary education and emerge barely literate, leading to community apathy towards schooling. The poor quality of education is reflected in the continuing low level of completion rates of primary school.

The length of primary education is also defined differently in different states of India with some states having 5 years of primary education and others having 4 years. Hence, in some states the completion rate is calculated for 9-11 years age group while in others for the 10-12 years age group, it is based on the RCHS-II (Reproductive Child Health Survey) (2002-04), 37.8% of children in 10-12 years age group have completed at least 5 years of schooling.

Disparities in primary education can be seen between children from different castes, economic group, sex, rural and urban households between the different regions in India. These different forms of deprivation do not work in isolation. The most disadvantaged children would suffer from multiple forms of exclusion and disadvantages.

Table 2: Percent completing at least 5 years of schooling

Survey		of% completed
National sample survey	NSS 52 (1995-96)	32.8
National sample survey	NSS 55 (1999-00)	36.8
National family survey	NFHS-II (1998-99)	37.7
Reproductive child Health survey	RCHS-II (2002-04)	37.8

Sources: Based on the RCHS-II (2002-2004) (Reproductive Child Health Survey)

Using completion rates of five years of schooling as a key indicator of education status, table 3 shows that SCs are disadvantaged when compared to Other Backward Classes (OBCs). It

should also be noted that ST children are in some ways even more disadvantaged than SCs in terms of educational status. Regarding the accessibility of the education system for ST children, issues such as the language of instruction, remoteness of their habitations, poverty and other factors are barriers to access for this disadvantaged group. The tables below show ST children as a reference.

Table 3: completion Rate of 10-12 years by caste (RCH 2002-2004)

Social group	SC	ST	Other
Male	36.3	32.6	44.8
Female	32.3	26.6	44.1

Sources: Based on the RCHS-II(2002-2004) (Reproductive Child Health Survey)

National family Health survey of 1998/99 reveals that only 65.7 percent of SC children age 7-17 are currently attending school compared to 81.3 percent among higher caste groups. Furthermore, 20.8 percent of SC children never attended school compared to 7.6 percent of children from high castes. Similarly, there are disparities in rural areas between children from SC castes and also between the poorest 20 percent compared to the richest 20 percent of households using data from RCHS II for boys and girls. The literacy rates of women SC and ST continue to be below average. The National sample Survey Organization found that in 43 districts in the country there are significant disparities in attendance rates and also learning achievements between children from scheduled caste and other castes. The survey reports indicates the percentage of children (6-14 years) attending school, which is 72.5 percent for SC compared to 83.6 percent for children from other castes.²¹

SOCIAL JUSTICE-A MYTH IN CONTEMPORARY INDIA:

Hindu society has produced millions and millions of 'social lepers' who have been denied the basic and fundamental human Right and condemned them to live in perpetual misery and squalor. They are condemned to be so for the reason that they are born with a tag of lowest caste. Thus, the accident of birth determines the social status of a Hindu. 'Birth' and not the 'worth' that confers rights and privileges to them .Graded inequality, with ascending scale of reverence and ascending scale contempt, is the bed rock of Hindu society. Principles of equality and equal opportunity have no place in it and slavery has been practiced in the most heinous form. The sacred scriptures were manipulated to give religious sanction to

oppression and exploitation practiced on these deprived and depressed sections of the Hindu society.

Ambedkar's works, though may be contentious, and debatable, but are imperative towards social transformation or reconstruction, i.e. to uphold the need for human dignity, equality and liberty, rights and civil facilities for under privileged, and this may be the gist of his social justice which alone according to him could lead to social harmony and social stability and kindly patriotic feelings.

Ambedkar declares that "untouchability is not only a system of unmitigated economic exploitation but is also a system of uncontrolled economic exploitation. i.e. because there is no independent public opinion to He defined his social ideologies by saying my social philosophy may be set to be enshrined in three words: Liberty, Equality and Fraternity"

The social justice, as per our constitution, has twin objectives: 1.To usher in a new social order ensuring social justice to all citizens, 2. to protect the liberties of the people from the onslaughts of autocratic and arbitrary powers. Our constitution envisages tripartite picturesque of social justice-social, economic and political is directed in the preamble, procured by the Directive principles of state policy and secured by Fundamental Rights.²²

Ambedkar was of the view that the system graded inequality was not national but legal and penal, justices in the Indian feudal order had three characteristics .First, it has always preferred to hierarchy to equality. Secondly, this concept of justice underlines the importance of responding traditional rights and performed traditional duties. Hindu law means different things to different castes and people. This concept of justice has been used at the ideological level by the upper castes and classes justice to deny deprived sections the essence of justice in the Indian context was served to validate societal stratification and perpetuate casteism.²³

Since social exclusion provide space for domination, discrimination and deprivation, those who benefit out of this social formation do not want to introduce any change in this structure .Significantly, this social system becomes highly resistant to change and transformation .Interestingly, it is not only those who discriminate against those who are supposed to be 'inferior, incapable less meritorious and lower' who resist change but even those who are victims of discrimination also are not in a position to mobilize and organize the discriminated masses to alter the existing social system .In this regard it is pertinent to state here that contrary to popular belief it is not because these social groups want to remain in the dehumanizing social order that they do not initiate change but because they fear that they may be subjected to repression if they resist exclusion and discrimination.

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