



HIGHER EDUCATION AMONG SCHEDULED CASTES, SCHEDULED TRIBES IN MAHARASHTRA

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ABSTRACT :

Two factors, bio-geneic and socio-geneic, obstruct or prevent the total development of a child. Bio-geneic or inherent factors are transmitted through parental genes. The socio-geneic factors are in the socio-economic conditions available to an individual. These factors may have the impact of deprivation upon various dimensions of psychological and educational development of the child. Keeping these important factors in mind a constant effort has been made for imparting scholastic education to the children belonging to Scheduled Castes, Scheduled Tribes and other backward classes. The constitution of India places a special responsibility on the Government for the educational advancement of the Scheduled Castes and Scheduled Tribes. A high priority was, therefore, given to the implementation of schemes for educational advancement of these communities, during all the five year plans so far. The rigid caste system totally debarred the Scheduled Castes and Scheduled Tribes from education in the olden days. As a result they were mostly illiterate. They did not know nor did they recognize the importance of education for gaining economic and social mobility.

KEYWORDS : Education , Government, equality, opportunities.

INTRODUCTION :

The Central and State Governments invested heavily on the education of the Scheduled Castes and Scheduled Tribes. It was felt that education is an effective mechanism for achieving upward mobility in modern society. Equality of educational opportunities is thus one of the cherished goals of the Government. First of all Article 14 of the constitution confers equal rights and opportunities to all which includes the scheduled Tribes.

MATERIALS AND METHODS :

The Analysis of the Indian Constitution which gives chances to SC and ST Community for instruction is prime protest of this exploration paper and the doctrinal technique is utilized for the paper.

Article 15 disallows victimization any resident on the grounds of sex, religion, race, station and so on. Article 15(4) orders upon the State 'to make extraordinary arrangements for the progression of any socially and instructively in reverse classes of natives or for the Scheduled Castes and Scheduled Tribes. Article 16 accommodates the uniformity of chance for all natives in issues identifying with work openings or arrangement to any office under the State'. Thus while Article 16(4) urges upon the State to "make arrangements for reservation in arrangement, posts I supports of any retrogressive class residents which in the supposition of the State isn't enough spoken to in the administrations under the State", Article 16(4A) enables 'the State to make arrangements in issues of advancement to any class or classes of pots in the administrations in favors of the Scheduled Castes and the Scheduled Tribes'.



Article 46 gives that "the State will advance with extraordinary consideration the instructive and monetary interests of the weaker segments of the general public, and specifically of the Scheduled Castes and Scheduled Tribes and will shield them from social unfairness and all types of misuse."

According to the arrangement of Article 244(1), "unique arrangements spelt out in the Fifth Schedule will apply for the organization and control of Scheduled Areas and the Scheduled Tribes in any State other than the States of Assam, Meghalaya, Tripura and Mizoram", Annual reports are to be put together by the Governors to the President of India with respect to the organization of the Scheduled Areas and Tribes. Warning Councils are required to be set up (particularly in Fifth Schedule states) to exhort on such issues relating to the welfare and headway of the Scheduled Tribes. Further, Clause 2 of Article 244 gives that exceptional arrangements, spelt out in the Sixth Schedule will apply for the organization of innate regions in the States of Assam, Meghalaya, Tripura and Mizoram by assigning certain inborn territories as Autonomous Districts and Autonomous Regions and furthermore by establishing District Councils, Autonomous Councils and Regional Councils.

Article 275 talks about the stipends from the Union to specific states and the provision 1 of the said Article gives that Grants-in-Aid to be made accessible from the Consolidated Fund of India every year to States as the Parliament may decide in order to empower that State to meet the expense of such plans of advancement as might be embraced by the State with the endorsement of the Government of India to promote the welfare of the Scheduled Tribes is that State or raising the level of organization of the Scheduled Areas.

Article 330 gives the reservation of seats to the Scheduled Castes and Scheduled Tribes in the House of the People and Article 332 accommodates the reservation of seats for the Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States. Other than the House of the People and Legislative Assemblies, the Constitution additionally accommodates the reservation of seats for the Scheduled Castes and Scheduled Tribes in each Panchayat (according to the arrangement of Article 243 D of the Constitution). Further, 73rd and 74th Amendments of the constitution are reached out to the Scheduled Areas through the arrangement of Panchayats (Extension to the Scheduled Areas) Act, 1996 to guarantee viable investment of the tribals during the time spent arranging and basic leadership.

Article 335 of the Constitution gives that "the cases of the individuals from the Scheduled Castes and Scheduled Tribes will be taken into contemplations, reliably with the support of proficiency of organization, really taking shape of arrangements to administrations and posts regarding the undertakings of the Union or of a State". Further, the Article gives that "nothing in the Article will counteract in making of any arrangement in favors of the individuals from the Scheduled Castes and the Scheduled Tribes for unwinding in qualifying marks in any examination or bringing down the gauges of assessment for reservation in issues of advancement to any class or classes of administrations of posts regarding the issues of the Union of a State.

Subsequently, Article 335 ought to be perused with Article 46 of the Constitution which furnishes that the state will advance with uncommon are the instructive and monetary interests of the weaker segments of the general population and, specifically, of the Scheduled Castes and Scheduled Tribes and will shield them from social unfairness and all types of abuse.

RESULTS :

In Indra Sahnay Vs. Union of India, AIR 1993 SC 477. Which relates to other backward classes, the implications of Article 14, 15, 16 and 335 were examined in length. According to the majority judgment there is need to maintain a balance between reservation and efficiency and not only with reference to Scheduled Castes and Scheduled Tribes but also with reference to other backward classes. Further in the same case it was held that whether a particular class is adequately represented in the services under the State is a matter within the subjective satisfaction of the appropriate Government based on the materials in the possession of the Government and the existing conditions in the society.

Article 338 A gives that there will be a Commission for the Scheduled Tribes which ought to be known as National Commission for the Scheduled Tribes and it will be the obligation of the Commission to explore and screen all issues identifying with the protections accommodated the Scheduled Tribes under this Constitution or under some other law until further notice in power or under any request of the Government and to assess the working of such shields.

According to the arrangements of Article 339 (I), " the President may whenever and by request choose a Commission to give an account of the organization of the Scheduled Areas and the welfare of the Scheduled Tribes in the States." The Order may characterize the creation, forces and methodology of the Commission and may contain such coincidental or subordinate arrangements as the president may think about fundamental or attractive. Further, the Article gives "the official intensity of the Union will stretch out to the giving of bearings to a state with regards to the illustration up and execution of plans determined toward the path to be basic for the welfare of the Scheduled Tribes in the State.

Article 340 gives that the President might be structure name a Commission to research the states of socially and instructively in reverse classes inside the region of India and the troubles under which they work and to make proposals as to steps that ought to be taken by the Union or any state to expel such challenges and to enhance their conditions. Further, the President may concerning any State or Union Territory and where it is a State after conference with the Governor thereof, by open notice, indicate the clans or innate networks or parts of or bunches with clans or ancestral networks which will for the motivations behind this constitution be esteemed to be Scheduled Tribes in connection to that State or Union Territory all things considered.

In *S. Pushpa Vs. Sivachanmugavelu* (2005) 3 SCC 1. The S.C held that tough SC/ST persons who migrated from other State/Union Territories may not be taken into consideration for ascertaining population of SCs/STs in that State /UT for the purpose of determining number of seats to be reserved for SCs/STs in House of People or in Legislative Assembly, but that does not mean that such migrant SC/ST person would cases to belong to SC/ST.

In *Sudhakar Vithal Kumbhare Vs. State of Maharashtra*, (2004) 9 SCC 481. Came across an issue 'whether the member of a Scheduled Tribe belonging to one region could continue to get the same benefits despite bifurcation of the region in terms of the State Reorganization Act?' The Court held the view that a Scheduled Tribe notified in one State may not be given the benefits therefore in another State having regard to the expression "in relation to that State" in Article 342.

The Role of Planning Commission :

The Planning Commission in fourth five year plan (1969-70 to 1973-74) stated women education continued to get the same importance. In Seventh Five Year Plan (1985-86 to 1989-90) there was increase in expansion of infrastructural facilities. Eighth Five Year Plan (1992-93 to 1996-97) the social services including health, education and welfare of backward classes and Scheduled Tribes received utmost importance. In Ninth Five Year Plan (1997-98 to 2001-02) the National Education Policy, 1986 which was revised in the year 1992 continued during this period to be the major strength as it intended to improve the educational status of Scheduled Tribes. Therefore universalization of primary education which also tried to involve the parents and guardians of the children of Scheduled Tribes was undertaken and also in the field of higher education special provisions like reservation of seats, relaxation in minimum qualifying cut off marks, remedial coaching etc. were extended by the Department of Higher Education. In Tenth Five Year Plan (2002-03 to 2006-07) in order to improve the literacy rate and education standards special incentives including distribution of textbooks, uniform abolition of tuition fee etc. were provided along with continuation of scholarships to facilitate the ST students to pursue higher education and other professional education. In order to support various income and employment generating activities through loans, marketing support, training etc.

Basic provisions of constitution ;

The leaders of the freedom movement and the framers of the Constitution were fully alive to the need for improving the lot of Scheduled Tribes. The Constitution incorporates a number of provisions for this purpose. The State is prohibited from discriminating against any citizen on the basis of caste; ¹ there shall be no discrimination in public employment on the basis of caste; ² access to public places like wells, shops, restaurants etc. is guaranteed; ³ Untouchability has been abolished and has also been made punishable by law; ⁴ Hindu temples have been made open to all Hindus; ⁵ admission to State-run and State-aided educational institutions has been made open to all. ⁶ Above all, protective discrimination by the State in their favour generally has been provided for. ⁷ The Directive Principles impose special obligation on the State to 'protect the from social injustice and all forms of exploitation'. One of the Directive Principle of State Policy in the Constitution enjoins that the State shall promote with special care the educational and economic interests of weaker sections of the people and in particular of the Scheduled Castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation. ⁸

DISCUSSION :

Scholarships have been instituted to enable Scheduled Caste students to overcome economic handicaps and hostels have been established to accommodate them near the schools with a view to helping them overcome restrictions to their admission to educational institutions.

The provisions of the reservation were instituted by the Ministry of Education in 1954. In that year the Union Ministry ⁹ issued the following instructions to all the State Governments, Administration in Union Territories and universities regarding the concessions to be allowed to Scheduled Caste and Scheduled Tribe candidates for their admission to various educational and technical institutions. The instructions were as follows.

(i) Twenty per cent of seats in all technical institutions should be reserved for Scheduled Castes and Scheduled Tribes with a distinct reservations of 15 percent for Scheduled Castes and 5 per cent for Scheduled Tribes. This reservation can be interchangeable, i.e., if a sufficient number of candidates is not available to fill the seats reserved for Scheduled Tribes they may be filled up by suitable candidates from Scheduled Castes, and vice-versa.

If the requisite number of students are not available for filling the quota of vacancies reserved for both these categories, the unutilized seats should be added to the general pool of vacancies to be filled exclusively on merit.

(ii) A minimum qualifying standard should be prescribed for admission to any technical institution. Students belonging to Scheduled Castes and Scheduled Tribes should be eligible for admission to the reserved seats if they attain this minimum standard without any reference to the gap between their marks and marks of the last person admitted to the open seats.

(iii) Where admissions are restricted to candidates who obtain a certain minimum percentage of marks and not merely to passing of a certain examination, there may be a 5 per cent reduction for the Scheduled Castes and Scheduled Tribes provided that the lower percentage does not fall below the minimum required to pass the qualifying examination.

(iv) If there is a maximum age limit, it may be raised by three years in the case of such candidates.

PROTECTIVE DISCRIMINATION :

While the point that the situation of Scheduled Castes needs ameliorative action is hardly disputable, the crucial question that remains is whether they, as members of the former untouchable castes, are deserving of special protective discrimination any more than others who are economically or otherwise disadvantaged and do not belong to the Scheduled Castes. One of the major assumptions underlying the protective provisions and programmes for the Scheduled Castes seems to have been that person belonging to these castes are distinctly more disadvantaged than others belonging to comparable socio-economic positions. It has also been assumed that the added disadvantage would accrue not only from a history of caste discrimination suffered by members

of these castes but also from the possibility of continued practice of discrimination in subtle forms. Continuation of the protective discrimination accorded to the Scheduled Castes is justifiable only if all these assumptions continue to hold true.

Education for the scheduled tribes and scheduled castes :

The issue of imparting scholastic education to the Scheduled Tribes and Scheduled Castes and other backward groups consistently figures in our educational policies. Education, with a fervent hope that it widens the mind and trains the critical faculties of thought and judgment, has always been valued highly by all societies and cultures and considered the *sine qua non* for the freedom from the shackles of ignorance's, dependency and poverty.

Through the successive Five Year plans the Government and the Planning Commission sought to ameliorate the problems and tried to raise the Socio-economic levels of the people in India. However, decades of development have not had the desired effect on the socially, economically and educationally handicapped groups.¹⁰

In spite of the tremendous efforts in the last three decades in raising the level of education in our country a large gap was obvious between the enlisted students and actual number attending the college. Even in the State of Maharashtra, considered to be a pioneer in the field of education and to be industrially advanced providing opportunities for employment of the educated.

Increase in educational institutions and causes of wastage :

As mentioned the rate of growth of literacy is an important indicator of progressive development of a society. Though in Maharashtra the general literacy rate of the population has increased considerably, the drop out rate has not shown a marked reduction. Here it is worthwhile to draw attention to the growth of population in Maharashtra.

Factors responsible for drop-outs :

There are various reasons responsible for these drop-outs. The causes for college drop-outs could be categorically said to be due to the following factors :

- (i) Psychological, comprising of
 - (a) Intelligence of the child
 - (b) External constraints
 - (c) Widening gap in knowledge
- (ii) Socio-economic
 - (a) Sociological factors
 - (b) Cultural factors
 - (c) Economic factors
- (iii) Educational
 - (a) School system (internal constraints)

PSYCHOLOGICAL FACTORS :

If we examine the factor of intelligence as a reason for drop-outs we find that this is in no way an impediment. It is said that though the age difference between Brahmin and socially disadvantaged children is about one year (the latter enter school a year later) the tribal children on the whole appear to be as intelligent as the upper caste and Scheduled Caste children. This shows that intelligence is not the main factor in drop-outs.

EXTERNAL CONSTRAINTS :

Ecological factors are the main external constraints that keeps the youth away from college Many times even a distance of two kilometers keeps the children away from college.

SOCIO-ECONOMIC :

Sociologically, the main disadvantage is the factor of alienation. The modern formal education equips the students for diversified roles in society. These roles are not conducive to the family occupation. Hence the educated children get socially alienated from their family.

In rural, tribal and socially disadvantaged urban families, marriages of girls are performed at a very early age, i.e. before they complete their 10th standard. The incentive for education is less as the parents feel that the role of the daughter is to be a house wife, who needs no education to run the household.

Since compulsory primary education exists in Maharashtra (6 to 11 years of age groups) parents enroll all their children regularly. Further they do not school. This proves a total indifference on the part of the parents towards education. We believe this is due to their not being aware of the long term gains of education.

ECONOMIC CAUSES :

The root cause of drop outs due to economic reasons, has been aptly put by Manning Nash. He says: "Where school and work conflict in societies at this level of income, work always wins. Poverty coupled with familial agricultural production has the effect of drawing children out of the school as they are useful in the fields."¹¹

Educational :

Incomplete education - Another important cause for high incidence of drop out is the inadequate college facilities.

Absenteeism is a serious problem in urban and rural college. The main reasons for absenteeism are :

- (a) No interest in education
- (b) Helping in the household work
- (c) Cattle grazing and helping the parents in their occupation
- (d) Bad health and
- (e) Unawareness of advantages of education.

Thus continued absence leads to psychological difficulties in comprehension and pursuance of studies.

CONCLUSION :

There must be review of the below points

- i) A widening gap of knowledge.
- ii) External constraints in the form of incapacity for deferred gratification.
- iii) Socio-economic factor that turn even a child an economic asset, and a bread winner. (This is in many cases due to extreme poverty.)
- iv) Cultural factor which contributes to the belief (a) that the child is entering school at an age when the should play and (b) that the present system do not allow a child to train himself for a suitable vocation.
- v) (a) Defective educational system that is from the pattern of life.
- (b) Lack of incentive on the part of the students and motivation on the part of the parents.
- vi) There is a need for a comprehensive conservation-cumdevelopment programmes and to deal with their problems with a holistic attitude. Then only we can say that the concept of social Justice has got some meaning for them.

REFERENCES :

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2. Article 16 (2)
3. Article 15 (2)
4. Article 17.
5. Article 25 (2) (b).
6. Article 29 (2).

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8. Article 46
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