



Issues And Challenges-Caste Based Discrimination In India

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ABSTRACT

Caste-Based Discrimination in India has always been an unresolved major cause of social divide. The division of caste which was originally based on labour and expertise of an individual was enunciated in Rig Veda. Thus the Hindu society was divided into four groups namely Brahmins, Kshatriyas, Vaishyas and Shudras. An individual had full liberty to choose his profession according to his expertise. Later on the caste system became hereditary and upper caste people started treating 'Sudras' as untouchables. Sudras were subjected to all forms of cruelty beyond imagination.

After independence our Constitution resolved to establish equality of opportunity and of status to each and every individual of society. To do away with the historical injustice by upper caste people towards Shudras, the provision of RESERVATION for the down-trodden section of society got placed in the Constitution of India. So in the post-independence era the society was divided in two categories—1. General category 2. Reserved category (BC, SC and ST). Originally reservation was given to SC and ST only in 1950. Later on OBC were included in the reserved category in 1991. In 2019 the Constitution was further amended to include economically weaker section (EWS) of society in the reserved quota. Reservation was thoughtfully given in politics, education and employment to meet the ends of justice and proper representation of all sections of society in every walk of life.

As a result we gained a mileage in mitigating economic and social disparity but lost many miles in social harmony. Some politicians became hungry wolves. They managed to add a caste or a sub-caste to the reserved category after every election to fatten their vote bank. There has been a mass-scale exodus of disheartened intellectuals who sought refuge in serving developed countries for material gain. Nationalism has lost its sheen. Frustrated youth became criminals. The dream of a welfare state withered away.

Every night ends with the morning dew and cool breeze. So every problem has a solution. The solution is education. By education I mean rational thinking which teaches us a sense of belonging, brotherhood and compassion and ultimately leads us to prosperity and social harmony. In the Indira Sawhney judgement of

1992 the supreme court gave a decision that all the minority quotas should not exceed 50% of available seats and the rest should be given to general category class. In the case of M. R. Balaji vs The State Of Mysore 1962 the supreme court decided that caste of a person can never be the only criteria for deciding whether a particular caste is backward or not. The government should review the progress of a caste from time to time and remove the caste from the reserved category if it has progressed well.

India's progress during the post-independence era has been remarkably well. But misuse of political power, caste based clashes, honour killing and untouchability in some pockets of India are some of the evils that continue to poison our society even today. We see a handful representation of all classes in every walk of life but the majority of the down-trodden are still suffering. So let us take a vow to break the shackles of casteism to build India a cultured and developed nation of the 21st century.

ISSUES AND CHALLENGES---CASTE BASED DISCRIMINATION IN INDIA

“A class structure is a man-made construction, a hard and fast and embedded ranking of human value that sets the presumed supremacy of 1 group against the presumed inferiority of other groups.”

- Isabel Wilkerson
Caste: The Origin of our Discontents.

INTRODUCTION

Every society or a nation faces some long-lasting issues that impact a considerable percentage of its populace. So, India do face a deep-rooted issue and that is 'The Caste System and Caste-Based Discrimination in the Social Structure of India. More than seven decades have elapsed since independence, still the permanent and harmonious solution to the problem seems to be a far off dream. The Reservation Policy of the Govt. of India for uplifting the down-trodden and underprivileged section of society enunciated in our Constitution which was implemented considering it to be a panacea and permanent solution of this evil could not fully pass the parameters of equality, brotherhood, prosperity and harmonious relations in society. Rather it has become a bone of contention in our social structure. So, the subject needs micro analysis to evolve a satisfactory solution.

CASTE SYSTEM IN INDIA

The caste system is a classification of the caste of an individual according to the profession he has chosen. In course of time it became hereditary due to the presumed inclination and expertise of a family member in that family. The caste system has existed and even now exists in other religions to—Buddhism, Christianity and Mohammedanism.

With the evolution of society when farming began it was not possible for a farmer to work as a priest, a merchant and an artisan. So, the four castes might have developed in ancient India out of sheer necessity and convenience. It was based on division of labor and occupation.

‘VARNA VYAVASTHA’ AS PER ‘RIG VEDA’

RIG VEDA enunciated four varnas:

1. Brahmins: They were mainly priests who conducted religious rituals in temples and homes. They led a pious life. They were teachers and preached spirituality. They enjoyed the highest honor in varna vyavastha.
2. Kshatriyas: They were warriors. They protected the kingdom from external invasion. They were also entrusted with maintaining law and order in society. They enjoyed respect and honor in society after brahmins.
3. Vaishyas: They were engaged in trade and commerce. They were businessmen and farmers. They enjoyed respect and honor after kshatriyas.
4. Shudras: They were mainly laborers and servants. Carpenters, weavers, blacksmiths, goldsmiths, cobblers, porters and sweepers were mainly covered in this category. They were called ‘NEECH’ and all the three classes treated them as ‘untouchables.’ They did not acquire any respect in society. Rather they were treated cruelly by upper caste people. Why and when did it happen? None knows.

The caste system or ‘varna vyavastha’ in India was intended to inculcate harmony and cooperation amongst people. It was never thought to be hereditary. The four varnas were formed according to the inclination, temperament and aptitude of individuals. The system was flexible and was thought to be individual based in every generation. There are many examples in our religion to support the fact. Rishi Ved Vyas who wrote the ‘Mahabharata’ belonged to a low caste, but his talent made him a ‘Rishi.’ Similarly, ‘Maharshi’ Parasuraman was a brahmin, but he became a warrior when kshatrias tyrannized people. He destroyed kshatriya warriors twenty-one times. The original caste system was merit based. A person could choose his work according to his interest, ability and preference. A son of a warrior could become a saint or vice-versa.

But modified varna vyavastha which made caste system hereditary did much harm to the society.

CASTE SYSTEM IN THE POST- INDEPENDENCE ERA

After independence society was divided in four sections:

1. FC—Forward Communities
2. BC---Backward Communities
3. SC---Scheduled Castes
4. ST---Scheduled Tribes

RESERVATION SYSTEM

The PREAMBLE to the Constitution of India has resolved EQUALITY OF STATUS and of OPPORTUNITY to all the citizens of India. Thus, the concept of reservation got placed in the constitution. Its object was to prepare a level playing ground for the down-trodden classes to come up at par with the privileged classes. For that reservation was thought to be a solution. Reservation is a quota-based affirmative action facilitating three categories of people (SC, ST and OBC) in legislature, education and employment.

POLITICAL RESERVATION

Under political reservation our constitution provides for reservation of seats in the Lok Sabha for SC/ST. The Lok Sabha formed in 2019 had a strength of 543 seats out of which 84 were SC quota and 47 were ST quota seats. So, from Gram Panchayat, Municipality, Municipal Corporation to state Vidhana Sabha reserved quota seats for SC/ST have been provided in the constitution.

EDUCATIONAL RESERVATION

Originally the right to education was not a fundamental right in the constitution. It was added in the year 2002 in our constitution by an amendment under Article.21(A). When the constitution was framed, reservation for education was made for SC and ST. Later on, a new quota for OBC (27%) was added in the constitution by the recommendation of the Mandal Commission in 1991. Then a quota for the economically weaker section of the society (EWS) came into force on January 14, 2019. In the Indira Sawhney judgement of 1992 the Supreme Court of India gave a decision that the total number of reserve seats for all minority quotas should not exceed 50% of the available seats and the rest should be given to General Category class. The following table shows reservation quota in India's topmost educational institutions like IIT's and IIM's: -

Table No - 1

General – Economic Weaker Sections (GENEWS)	10%
Other Backward Classes (OBC-NCL)	27%
Scheduled Caste (SC)	15%
Scheduled Tribes (ST)	7.5%
Benchmark Persons with Disabilities (PWD)	5%

So, the cut-off marks vary according to each category. This policy also applies in almost all the educational institutions all over India.

IIM (Indian Institute of Management) : CAT exam cut- off

CATEGORY	CAT cut-offs (percentile)
General	90.13
OBC	80.05
SC	55.05
ST	55.05

JEE Mains cut-off

CATEGORY	Cut-offs (percentile)
General	78.21
OBC	74.31
SC	54.01
ST	44.33

NEET cut-off

CATEGORY	Cut-offs (percentile)
General	50
General-PWD	45
SC/ST/OBC	40
SC/ST/OBC-PWD	40

JOB RESERVATION

For reservation of jobs in Central Government , State Government and Local Bodies the table no – 1 referred above applies. In matters of promotion in government jobs, the reservation quota applies. If there is a back-log in some year in filling a vacancy for a reserved quota candidate the post would be filled in the next year from the quota candidate.

IMPACT OF RESERVATION POLICY

Reservation system has created social discontent in society. Some of them are briefly given here –

- ❖ Intelligent students of General Category have to struggle hard to succeed. They get harassed when they fail.
- ❖ The policy of reservation divides the society in two groups –
 - Forward Castes
 - Reserved Castes

It is not a sign of harmony and peaceful coexistence in the society.
- ❖ Brain Drain – When merit is not honoured with decent jobs, a bulk of intellectuals leave the country and settle in America , Europe , Australia and Canada. Thus the resources India spent on them benefits other countries.
- ❖ Lack of new innovations – When the cream of the country serves other countries then benefit of new innovations by them are made in foreign countries. It is a loss to our country which the politicians do not count .
- ❖ The instrument of reservation has been misused by politicians. They always work to gain political mileage and add 1 or 2 caste or sub caste to the reserved class.
- ❖ Frustration of youth might lead them to crimes.

SOLUTION

In the case of Balaji v. State of Mysore, the Supreme Court has held that caste of a person can never be the only criteria for deciding whether a particular caste is backward or forward. Determinants such as poverty, occupation, place of habitation and surroundings are all relevant factors to determine his or her caste for reservation purposes. The court further held that it does not mean that if once a caste is considered to be

backward it will continue to be so forever. The government should review the progress from time to time and if a class has reached the state of progress where reservation is not necessary it should remove that class from the list of backward classes.

So reservation should be based on the financial background of students and their family only. The rules defining 'creamy and non-creamy layer' should be made stringent. There should not be any political interference in the administration. It should be seen that favouritism does not creep in to feast the reservation quota by financially sound students.

PRESENT SCENARIO AND FINAL CONCLUSION

India's progress has been faster than many developing nations of the world. But we as a society are still people of orthodox beliefs who profess but don't practice equality and brotherhood in real life. The Caste based discrimination in society is so much mingled in our life-blood that justice and human values get crushed and defeated under the carpet of age-old customs and traditions. And we, the educated and honourable members of society, let it continue as helpless spectators. Manipulation and misuse of reservation quota, addition of new castes in reserved quota after every election, caste-based clashes, honour killing and untouchability are some of the evils that continue to poison our society even today.

Though there have been several positive and remarkable changes in the society after independence such as all sections of society are getting education in vast majority irrespective of their social background; the participation of SC/ST/OBC in employment has also increased due to reservation or otherwise; illiteracy as a whole is decreasing; condition of SC/ST/OBC is improving fast and they are becoming entrepreneurs, IAS/IFS, pilots and army officers etc. Is not it a reality that the President of India Shri Ram Nath Kovind and a former President shri K.R. Narayan belongs to a caste that was once called untouchables? Former Prime Minister Shri H.D Dev Gowda and present Prime Minister Shri Narendra Modi do not belong to the upper caste. But this achievement is just a tip of the iceberg. Majority of the down-trodden class is still suffering. The pace of change can be accelerated by education and the attitude of society. Swami Vivekananda once said, "Arise, awake and stop not till the goal is reached." Taking inspiration from his words we, the people of India, irrespective of our caste, creed, colour, religious belief and sex. should take a vow to break the shackles of casteism to build India a cultured and developed nation of the 21st century.

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