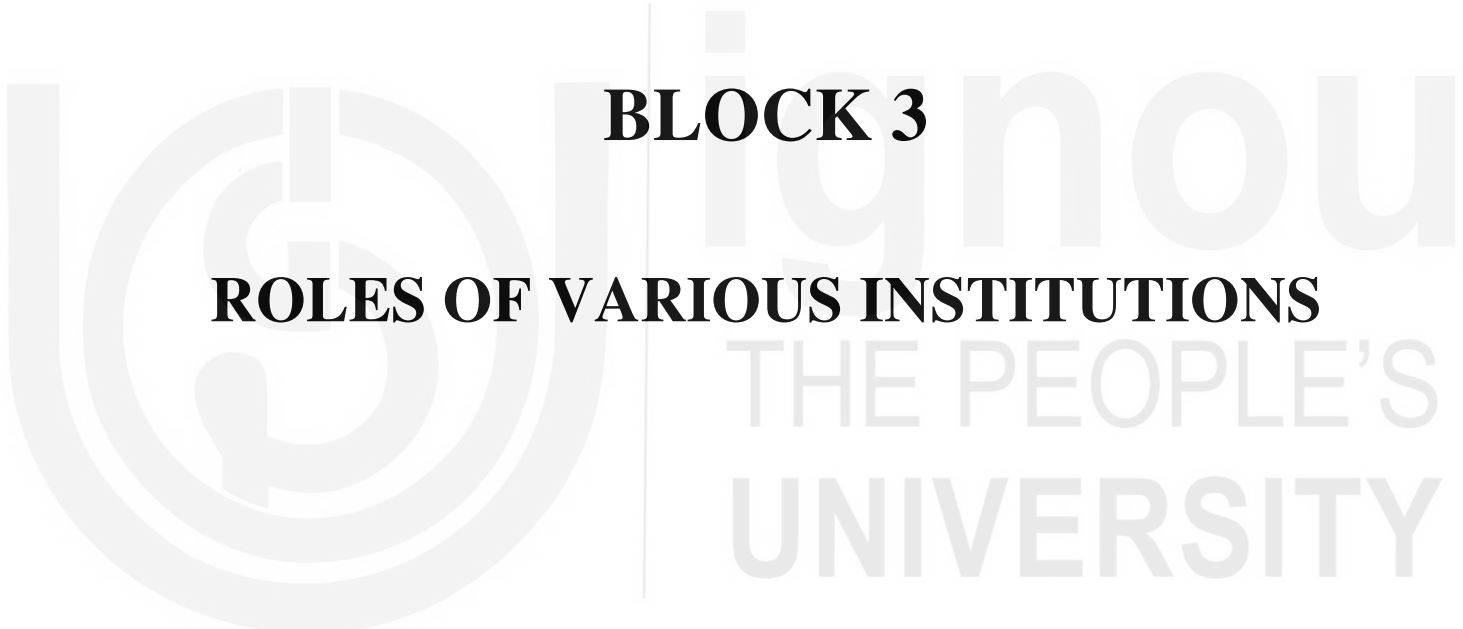




BLOCK 3

ROLES OF VARIOUS INSTITUTIONS

BLOCK 3 ROLES OF VARIOUS INSTITUTIONS

Unit 8	Role of Ministry of Social Justice and Empowerment
Unit 9	Role of various Commissions: National Commission for Scheduled Castes and National Commission for Scheduled Tribes
Unit 10	Role of various Institutes: National Institute of Social Defence
Unit 11	Role of Central Social Welfare Board
Unit 12	Role of Civil Society: Case Studies

UNIT 8 ROLE OF MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

Structure

- 8.0 Objectives
- 8.1 Introduction
- 8.2 Evolution of the Ministry of Social Justice and Empowerment
- 8.3 Constitutional Provisions: Directive Principles of State Policy
- 8.4 Department of Social Justice and Empowerment
- 8.5 Department of Empowerment of Persons with Disabilities
- 8.6 Conclusion
- 8.7 References

8.0 OBJECTIVES

After studying this Unit, you should be able to:

- highlight the role of the Ministry of Social Justice and Empowerment;
- describe the Directive Principles of State Policy guidelines relevant to social justice; and
- explain the structure, functions, and roles of the Ministry.

8.1 INTRODUCTION

A sound social policy confronts inequality and unfairness faced by the marginalised and vulnerable population. It also works to advance social justice. When it comes to social justice, it is about equitable treatment. In fact, social justice is about fairly distributing the resources to the target audience so that they feel part and parcel of the larger community. The target audience in this Unit refers to the Scheduled Castes, Backward Classes, senior citizens, victims of alcohol and substance abuse, Beggary, Transgender, De-notified Tribes/Nomadic Tribes/Semi-nomadic Tribes, and Economically Backward Class. For example, under the provisions of the Protection of Civil Rights (PCR) Act, 1955, denying access to Scheduled Castes to any public place of worship, shop, restaurant, hotel, public entertainment, cremation ground etc. is an offence. In this regard, equitable treatment is to remind the society that ‘all are equal’ and no member can be treated favourably or unfavourably.

Promoting social justice and inclusivity throws a spotlight on all sorts of significant societal challenges faced by the targeted audience. To achieve this, all modern governments have established institutions with responsibilities and commitments for empowering its people, especially, the underserved. With the establishment of welfare states and the renewed commitment that all citizens are

entitled for similar life chances and prospects, access to social welfare provisions has proved to be one of the ways in, which the target audience can gain recognition and progress. Social welfare provisions include the governmental programmes that are exclusively designed for the target audience to overcome the financial risks and uncertainties of life. The social welfare provisions include scholarships, free coaching, hostels for the socially and economically disadvantaged, schemes for economic development, and social empowerment. To illustrate, 'Free Coaching for SC and OBC students' is a social welfare scheme in India that is meant to provide quality coaching for economically disadvantaged Scheduled Castes (SCs) and Other Backward Classes (OBCs) students. This is to facilitate them to do well in the competitive examinations (public/private sector) and achieve their employment goals. The government has come up with such welfare schemes since years keeping in mind to fill the gap between the targeted audience and the society.

In this Unit, we shall discuss Ministry of Social Justice and Empowerment that strives to advance 'social justice and fairness' for the underserved communities. The thrust of this Unit is to understand the structure and functions of the Ministry along with its vision, capacity building plans for the targeted audience, and some of its continuous efforts to make change sustainable.

8.2 EVOLUTION OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

During the pre-Independence phase, India was not a welfare state as there was no equal opportunities and equitable distribution of resources to all. However, post-Independence, India made a self-declaration that it would protect and advance public interest and social justice. Eventually, there have been considerable efforts taken by the Indian government towards building public institutions. In this regard, Ministry of Welfare was created initially to cater to the development needs.

During 1985-86, the Ministry of Welfare was bifurcated into Department of Welfare and Department of Women and Child Development. Concurrently, the Scheduled Caste Development Division, Tribal Development Division, Minorities Welfare Division, Backward Castes Welfare Division, Wakf Division together joined hands with the Ministry of Welfare. It was in the year 1998, the Ministry of Welfare was renamed as the Ministry of Social Justice and Empowerment (Department of Social Justice and Empowerment Website). However, the erstwhile Tribal Development Division moved away from the Ministry to form a separate Ministry of Tribal Affairs. Minorities Welfare Division and Wakf Division formed a separate Ministry of Minority Affairs. And the Department of Women and Child Development became a distinct Ministry of Women and Child Development.

Besides catering to the development needs of the underserved, the government made its strong commitment to empower persons with various types of disability needs. Along with the Department of Social Justice and Empowerment, a separate Department of Disability Affairs (now renamed as Department of Empowerment of Persons with Disabilities) was created within the MoSJ&E in 2012. In fact, it was erstwhile functioning, as the Division of Disability Affairs under the same Ministry. However, it was the 11th Five Year Plan which had made recommendation to elevate the Division to Department. The Plan referred that the Disabilities Department would “liaise effectively with all the other concerned Ministries/Departments and fulfil its responsibilities towards the disabled.”

In this Unit, you will study the two departments of the MoSJ&E *vis-à-vis* Department of Social Justice and Empowerment (DoSJ&E) and Department of Empowerment of Persons with Disabilities (DoEPwD). Put together, the MoSJ&E is the nodal ministry for the welfare of the target audience *vis-à-vis* Scheduled Castes, Backward Classes, senior citizens, victims of alcoholism and substance abuse, Beggary, Transgender, Denotified Tribes/Nomadic Tribes/Semi-nomadic Tribes, and Economically Backward Class. The prime role of the Ministry is to empower the target audience socially, educationally, and economically. Currently, the MoSJ&E comprises of a Cabinet Minister and three Ministers of State. Administratively, it is governed by Secretary, Additional Secretary, Joint Secretaries, Deputy Secretary, Director, and Deputy Director.

Before discussing the functions of the aforesaid departments, let us understand the Directive Principles of State Policy (DPSP), as it stays vital to design policies, as per the people’s requirements and needs.

8.3 CONSTITUTIONAL PROVISIONS: DIRECTIVE PRINCIPLES OF STATE POLICY (DPSP)

DPSP is fundamental to the governance of our country as the morals identified in it are to be kept in view while formulating policies. In fact, they are the guidelines that intend to uphold the socio-economic justice of our country. These ideals are deeply ingrained into our constitution and put forth a code of conduct for its actors, both Central and State Governments. Indeed, the Ministry of Social Justice and Empowerment has expressed the DPSP framework in the Institution’s mission. To illustrate, the Ministry has demonstrated its strong welfare commitments in providing productive, safe, and dignified lives to the target groups *vis-à-vis* scheduled castes, backward classes, senior citizens, victims of alcoholism and substance abuse, beggary, transgender, de-notified tribes/nomadic tribes/semi-nomadic tribes, and economically backward class. In line with DPSP, the following articles are to be kept in mind while framing policies for the targeted group.

Article 38: State to secure a social order for the promotion of welfare of the people

According to Article 38 of the DPSP, the State endeavours to promote people's welfare and justice *vis-à-vis* social, economic, and political. Specifically, it intends to reduce income inequalities and eradicate exclusion across vocational and geographical grounds at both individual and group levels.

Article 41: Right to work, to education and to public assistance in certain cases

When it comes to challenges being faced by the unemployed, elderly, sick, differently abled, and the underserved communities, the State shall provision for right to work and education.

Article 46: Promotion of educational and economic interests of Scheduled Castes and other weaker sections

With the objective to protect the Scheduled Castes and Scheduled Tribes from all forms of social injustice and exploitation, the State resolves to promote their educational and economic rights.

Article 47: Duty of the State to raise the level of nutrition and the standard of living and to improve public health

To protect and improve public health, the primary duty of the State is to increase the nutritional levels and the standard of living of its people. Except on medical grounds, the State shall prohibit its people from consuming intoxicating drinks and drugs that are harmful to health.

In the following Section, we shall be discussing the Department of Social Justice and Empowerment.

8.4 DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT

According to the work allocation of the Ministry, it acts as the nodal Department for matters related to the targeted audience, such as, Scheduled Castes, Socially and Educationally Backward Classes, De-notified Tribes, Nomadic and Migratory Tribes, Economically Backward Classes, and Senior Citizens. A nodal Department is responsible for the overall policy, planning, and coordination of welfare programmes that is meant for the targeted audience. To illustrate, with the aim to generate awareness among the youth regarding the ill effects of substance abuse, the Ministry launched *Nasha Mukta Bharat Abhiyaan* in 2020. Accordingly, 272 vulnerable districts have been identified across India for community training and participation in eradicating the menace.

Though the Ministry is responsible for coordinating with various Departments, Ministries, and NGOs, the overall supervision and monitoring of the target specific programmes will be taken care by the concerned Central Ministries, respective State Governments' Departments and Union territory Administrations.

The Department has the following associated organisations:

- i) **Commissions** – National Commission for Scheduled Castes (this will be studied in Unit 9), National Commission for Backward Castes, National Commission for Safai Karamcharis, National Commission for De-notified, Nomadic, and Semi-nomadic Tribes.
- ii) **National Institute** – National Institute of Social Defence (this will be studied in Unit 10).
- iii) **Corporations** – National Scheduled Castes Finance and Development Corporation, National Backward Castes Finance and Development Corporation, National Safai Karamcharis Finance Corporation.
- iv) **Foundations** – Dr. Ambedkar Foundation, Babu Jagjivan Ram National Foundation.

Besides, the Department has the following Divisions *vis-à-vis* Scheduled Caste Welfare Division, Welfare of the Other Backward Classes Division, Social Defence Division, Plan Division, and Statistics Division. This will be studied in the ensuing paragraphs.

8.4.1 Scheduled Caste Welfare Division

In this regard, Scheduled Caste Welfare Division is a bureau under the Department that coordinates with various central ministries, state governments, and union territories in providing scholarships, hostels, residential schools, coaching classes, concessional loans and alike.

i) **Educational Empowerment**

In order to empower SC learners educationally, the government provides Post-Matric Scholarship for Scheduled Caste (SC) Students. The core aim of this scholarship is to provide financial assistance to those students who are not able to afford for their education at the post Matric level. The role of the Ministry is to notify those institutions, which is eligible to get covered under this scheme. Primarily, this scholarship has increased the gross enrolment ratio of the SC students. To illustrate, in 2002-03 there were 18.94 lakh SC enrolments whereas in 2018-19 there were 60.29 lakh enrolments, thus, increasing the enrolment to more than three fold in just two decades. In 2019-20, the government had allocated Rs. 2926 crores and nearly 53 percent of students had benefited from it. Also, financial assistance has been provided to higher education learners (M.Phil/PhD) under the 'National Fellowship for SC Students.'

In addition, Babu Jagjivan Ram Chhatrawas Yojana is a scheme meant for construction of hostels for SC students, who live in remote and rural areas of the country. In fact, construction of hostels for SC girls has been in vogue since 1960s. Based on the norms provided in the scheme, 100 per cent central assistance is being provided to all state governments/union territories and central and state universities/institutions for the construction of hostels.

ii) Economic Empowerment

To boost the economic empowerment of the SC population, various income generating schemes, skill development programmes have been incorporated under the Special Central Assistance (SCA) to Scheduled Castes Sub-Plan (SCSP). Every state government/union territory is expected to include the SCSP in their Annual Action Plan. As part of its commitment to women population, 15 percent and 5 percent of the total SCA are to be utilised by the state governments/union territories on SC women and women with disabilities. To further boost the economic empowerment of the target group, National Scheduled Castes Finance and Development Corporation (NSCFDC) was created in 1989 as a Government owned Company (not for profit). The core mission of this entity is to finance, facilitate, and mobilise funds for the socio-economic development of SC.

iii) Community Empowerment

At the community level, Pradhan Mantri Adarsh Gram Yojana (PMAGY) has been launched for the purpose of development of villages wherein more than 50 per cent of SC population reside. Along with the social welfare programme, it intends to provide inclusive development in the areas of drinking water and sanitation, education, health and nutrition, social security, rural roads and housing, electricity and clean fuel, agricultural practices, financial inclusion, digitization and livelihood and skill development.

iv) Social Empowerment

Primarily, the Department is responsible for constituting a committee to come up with the steps to curb public offences like prevalence of untouchability and atrocities against the Scheduled Castes. Thus, it upholds the social justice of the target audience. The statutory Act that intends to promote social empowerment includes:

- a) The Protection of Civil Rights Act, 1955 – It provides punishment for those who indulge in untouchability practices.
- b) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 – it provides assistance to all states and union territories for the implementation of the Act. Some of the relief measures being provided include: financial assistance to the victims, incentives for inter-caste marriages, awareness generation on prevention of atrocities, establishing special courts meant to hear the injustice.
- c) The Prohibition of Employment, as Manual Scavengers and their Rehabilitation Act, 2013 – prohibits the employment of manual scavengers and hazardous manual cleaning of sewer and septic tanks. Besides, it identifies and rehabilitates the manual scavengers.

8.4.2 Welfare of the Other Backward Classes Division

This Division oversees the policy, planning, and implementation of matters regarding the social and economic empowerment of Other Backward Castes (OBCs). For the welfare of OBCs, two institutions have been set up, namely,

National Backward Classes Finance and Development Corporation (NBCFDC) and the National Commission for Backward Classes (NCBC). This Division looks into the matters of the aforementioned institutions.

Besides serving the needs of OBCs, the Division also caters to the requirements of De-notified, Nomadic, and Semi-Nomadic Tribes (DNTs), senior citizens, beggars, and transgender persons. To illustrate, the central scheme Assistance for Skill Development of Other Backward Classes (OBCs)/De-notified, Nomadic and Semi-Nomadic Tribes (DNTs)/Economically Backward Classes (EBCs), aims to improve the educational and socio-economic conditions of the target group by involving voluntary sectors and National Backward Classes Finance and Development Corporation (NBCFDC). NBCFDC is a Government of India Public Undertaking that has two pronged objectives (i) skill development; and (ii) self-employment ventures.

i) Educational Empowerment

Like Scheduled Castes Welfare Division, this Division also caters to the educational empowerment of the target group. Scholarships, namely, Pre-Matric Scholarship to OBC for studies in India, Post-Matric Scholarships, Dr. Ambedkar Pre-Matric and Post-Metric Scholarship for DNTs and EBCs have been provided. One of the flagship programmes, that is, 'Dr. Ambedkar Central Sector Scheme of Interest Subsidy on Educational Loans for Overseas Studies for Other Backward Classes (OBCs) and Economically Backward Classes (EBCs)' was launched in 2014-15. The core aim of this scheme is to support those qualified OBC and EBC candidates for better higher education and employment prospects. It includes interest subsidies to the eligible learners. For the year 2019-20, a total fund of Rs. 15 crores were released to 3290 beneficiaries.

ii) Economic and Social Empowerment

NBCFDC facilitates in myriad development areas, like agriculture and allied activities, small business/artisan and traditional occupation, transport and service sector, technical, vocational and professional trades etc. The Corporation assists in disbursing two types of loans *vis-à-vis* term loan and microfinance. For example, under the term loan, there is a scheme called as 'New Swarnima for Women' that caters to low income BC women to obtain loan up to Rs. 2 lakhs with five per cent interest per annum. Similarly, under the Micro Finance scheme, individual beneficiaries can access loan up to Rs. 1, 25,000/- and Self-Help Groups (SHGs) can access up to Rs. 15 lakhs.

NBCFDC also facilitates traditional BC artisans to (i) exhibit their products and (ii) establish linkages with the market. To illustrate, Indian International Trade Fair, Shilpotsav-Dilli Haat and Surajkund International Crafts Mela(fair) etc. were organised across the states enabled the artisans to sell their products. Also, e-marketing workshops and Goods and Services Tax (GST) awareness programmes have been given to the beneficiaries as well as the artisans.

8.4.3 Social Defence Division

This Division caters to the needs of senior citizens, victims of alcoholism and substance abuse, transgender persons, beggars/destitute people.

i) Senior Citizens

Various policies, Acts and programmes have been aimed to improve the welfare of deprived senior citizens. In an attempt to provide prompt justice to the atrocities against the elderly, the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeks to provide every police station a nodal officer for senior citizens. Secondly, National Policy on Older Persons was launched in 1999 to ensure and support senior citizens well-being *vis-à-vis* financial and food security, health care, shelter and other elderly needs, protection against abuse and exploitation and improved quality of life. Under the central scheme on 'Integrated Programme for Older Persons' (IPOP), financial assistance is being provided to government/non-government organisations/local bodies for implementation of various projects concerned with poor elderly population. The overall welfare provisions overseen by the Division include establishment of old age homes, adequate security and medical facilities for the senior citizens. Apart from this, research and training facilities are also provided to equip geriatric (elderly) care givers.

ii) Victims of Alcoholism and Substance Abuse

For the victims of alcoholism and substance abuse, the Division is responsible for building awareness about the ill effects of drug abuse. Also, community based interventions are given, such as, motivational counselling and rehabilitation, building human resource capacities in handling drug abuse cases. In 2019-2020, under the Scheme for Assistance for Prevention of Alcoholism and Substance Abuse, there was a total of 93, 364 beneficiaries. The Ministry has also envisioned the National Action Plan for Drug Demand Reduction (NAPDDR) to financially support the state governments/union territories *vis-à-vis* preventive education and awareness generation, vocational training and livelihood opportunities for ex-drug addicts etc. Under this initiative, it also provides assistance to Non-Government Organisations for setting up Integrated Rehabilitation Centres for Addicts, community based peer-led interventions etc. As on December 2020, a total amount of Rs. 105 crores have been released for this purpose

iii) Transgender Persons

The Ministry has been responsible for the welfare of transgender community since July 2012, however, the work has been allocated to the Department only since May 2016. Ever since the Ministry has been active in enacting various programmes and Acts including the Transgender Persons (Protection of Rights) Act, 2019. As per the rules of the Act, the transgender persons have the right to proclaim their gender identity. Not only this, a transgender person cannot be discriminated on any matters, like education, healthcare, employment etc. In 2019-20, the Ministry provided an amount of Rs. 1.50 crores for the welfare and skill development training. Under the Post Matric

Scholarship for OBC students, a total of 17 transgender learners have availed the scholarship as on December 2020. Similarly, a total of 75 transgender learners have availed the scholarship under the Post Matric Scholarship for SC students. A dedicated national portal has also been inaugurated for the transgender persons so that they can electronically apply for getting their identity cards duly certified by the district magistrate. This move was taken to avail service without face to face interaction with the office, thereby, protecting their dignity in public places.

iv) Beggary/Destitute People

In the absence of central legislation for the vagrants and destitute people, the Indian government has come up with the Persons in Destitution (Protection, Care and Rehabilitation) Bill, 2020. It is intended to be more rehabilitative rather than punitive. In fact, pilot projects have been initiated by the Ministry in rehabilitation of the targeted group *vis-à-vis* identification, health care, counselling, education and skill development. This pilot project intends to work with the support of state governments, union territories, local bodies, and voluntary agencies.

8.4.4 Plan Division

The Division monitors and implements the skill development programmes for the target audience. In this regard, Pradhan Mantri Dakshta Aur Kushalta Sampann Hitgrahi (PM-DAKSH) Yojana, a National Action Plan has been launched for skill training of the marginalised sections *vis-à-vis* SCs, OBCs, EBCs, DNTs, sanitation workers including waste pickers. Secondly, it works for the implementation of the Scheme for Rehabilitation of Manual Scavengers. For example, under the Self Employment Scheme of Liberation & Rehabilitation of Scavengers, a one-time cash assistance of Rs. 40,000 has been provided to the identified manual scavenger in the family. Besides, it caters to the monitoring of Sustainable Development Goals and all social welfare matters that comes under the United Nations and its agencies.

8.4.5 Statistics Division

The Statistics Division is majorly responsible for sponsoring evaluation/research studies on the target audience. It also provides financial assistance for organising seminars on topics related to the target group, grants for individual scholars, and publication grants. To illustrate, the grants for organising workshops/seminars are made available to universities, research institutes, voluntary organisations and professional associations. For the state level seminar, the ceiling of the grant is Rs. 1 lakh whereas for the National and International Seminar, it amounts to Rs. 2 lakh and Rs. 5 lakh respectively.

Now we will discuss the Department of Empowerment of Persons with Disabilities and its role.

8.5 DEPARTMENT OF EMPOWERMENT OF PERSONS WITH DISABILITIES

The Department is the nodal agency for implementation of policies and programmes related to disabilities. It coordinates with various stakeholders like state governments, central autonomous institutions like National Institutes for Disabilities, other agencies, such as, University Grants Commission (UGC), higher educational institutes, Non-Government Organisations (NGOs) etc. The Department of Disability Affairs was renamed as Department of Empowerment of Persons with Disabilities. The Department comprises of three statutory bodies, namely, Rehabilitation Council of India, Chief Commissioner for Persons with Disabilities, and The National Trust. It also includes Central Public Sector Enterprises *vis-à-vis* Artificial Limbs Manufacturing Corporation of India and National Handicapped Finance and Development Corporation. Besides, it has nine National Institutes that works in the domain of disability rehabilitation (Department of Empowerment of Persons with Disabilities Website).

8.5.1 Department's Mission and Commitment

The mission of this Department is to (i) rehabilitate persons with disabilities (ii) provide equal opportunities and protection of disability rights and (iii) add value to the society as an independent member. The Department's commitment to the disability population includes the following:

i) **Disability Right to lead a life with dignity, equality, and respect**

Being a signatory to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and Sustainable Development Goals, the Indian government has enacted the Rights of Persons with Disabilities Act, 2016. Please refer Box 8.5.1 regarding the Rights of Persons with Disabilities. As per this Act, the state shall ensure persons with disabilities the right to equality and to lead a life with dignity and respect. Concurrently, the Department also focuses on the National Policy for Persons with Disabilities which was formulated in the year 2006. Please refer Box 8.5.2 to know more about the policy.

Box 8.5.1 Rights of Persons with Disabilities Act, 2016

The Act broadly classifies five types of disabilities:

1) **Physical Disability**

- a) Locomotors Disability including: Leprosy cured person, Cerebral Palsy, Dwarfism, Muscular Dystrophy, Acid attack victims.
- b) Visual Impairment (only Blindness and Low Vision)
- c) Hearing Impairment (only Deaf and Hard of Hearing)
- d) Speech and Language Disability

2) **Intellectual Disability**

- a) Specific Learning Disability
- b) Autism Spectrum Disorder

3) **Mental Behaviour (Mental Illness)**

4) **Disability caused due to:**

- a) Chronic Neurological Conditions such as Parkinson's Disease and Multiple Sclerosis.
- b) Blood Disorders, such as, Haemophilia, Thalassemia and Sickle Cell Disease.

5) **Multiple Disabilities**

ii) **Barrier Free Environment** – One of the challenges for Persons with Disabilities (PwD) is to have free accessibility and mobility in public places. In order to create a hassle free environment, the Department has taken concrete steps in two pronged ways: (i) distribution of aids and appliances and (ii) making inclusive policies for easy access to public places. To illustrate, on account of Corona virus Disease (COVID) 19, the Department had issued Comprehensive Disability Inclusive Guidelines in March 2020. One of the important guidelines include making available the essential items (while quarantining) like food, water, medicines, and providing support on priority (Annual Report, 2020-21, Department of Empowerment of Persons with Disabilities).

iii) **Early Identification Centres** – As early identification of disability helps in scheduling the therapeutic interventions and thereby reducing its severity, the Department has established Early Intervention Centres at seven National Institutes and seven Composite Regional Centres across the country.

iv) **Rehabilitation of Persons with Disabilities** – the Department is committed to rehabilitate persons with all 21 categories of disabilities classified under intellectual, developmental, and mental disabilities. For example, National Institute of Mental Health Rehabilitation (NIMHR) at Sehore, Madhya Pradesh has been established to develop community based rehabilitation practices. This is aimed to mainstream people with mental disabilities.

v) **Sports and Recreation** – the government intends to create a positive environment for PwD so that they could participate in sports activities at the national and international level. In this regard, a Centre for Disability Sports has been planned at Gwalior, Madhya Pradesh to train at least 300 PwD.

8.5.2 National Policy for Persons with Disabilities, 2006

In India, as per the Census 2011, there are a total of 2.68 crore persons with disabilities which means 2.21 percent of the total population. In order to cater to their multiple needs, the government had launched a national policy in the year 2006. This policy was launched to (i) provide equal opportunities for protection of their rights and (ii) fully participate in society without any hassles.

Box 8.5.2 National Policy for Persons with Disabilities, 2006

- i) Prevention of disabilities
- ii) Rehabilitation strategies
 - a) Physical Rehabilitation Strategies: Early Detection and Intervention, Counselling & Medical Rehabilitation, assistive devices, development of Rehabilitation Professionals
 - b) Education for Persons with Disabilities
 - c) Economic Rehabilitation of Persons with Disabilities: Employment in government establishments, wage employment in private sector, self-employment
- iii) Provisions for Women with Disabilities
- iv) Provisions for Children with Disabilities
- v) Social Security
- vi) Collection of Regular Information on PwD
- vii) Sports, Recreation, and Cultural activities

8.5.2.1 Implementing Agency of the Policy

The Department is the nodal agency in matters relevant to the disability policy implementation in the country. In this regard, there is an Advisory Board on Disability at the central and state that coordinates the policy implementation. Some of the State actors *vis-à-vis* Ministry of Home Affairs, Health & Family Welfare; Rural Development; Urban Development; Youth Affairs & Sports, Departments of Elementary Education & Literacy, Secondary & Higher Education etc. have also been identified for policy implementation. Besides, there is also involvement of Panchayati Raj Institutions and Urban Local Bodies in the working of District Disability Rehabilitation Centres. This has been set up to sort out issues at the local level. For effective policy implementation, personnel like Chief Commissioner and State Commissioners operate at the central and state level respectively. One of the primary responsibilities of the Chief Commissioner is to (i) review those inhibiting factors that prevent PwD from enjoying their rights, and (ii) propose appropriate remedial action.

8.5.3 Schemes of the Department

In this section, let us understand some of the schemes of the Department.

1) Deendayal Disabled Rehabilitation Scheme (DDRS)

The central scheme Deendayal Disabled Rehabilitation Scheme (DDRS) provides grant-in-aid to those Non-Governmental Organisations (NGOs) that intends to work on projects relevant to disability rehabilitation. In 2017-18, a total of 562 NGOs have had received the financial assistance.

a) Special Schools for Children with Disabilities

One of the model projects under DDRS includes the 'Special Schools for Children with Disabilities' *vis-à-vis* Intellectual Disability, and Hearing and Speech Disability and Visual Disability. The core aim ranges from

developing routine life skills to integrating the special learners in regular institutions and to integrate them into the communities.

b) Projects for Human Resource Development

There are other projects like 'Projects for Human Resource Development' exclusively meant to (i) train the trainers in special education (ii) develop resource centres for disability rehabilitation, and (iii) establish networks of resources.

c) Home based and Community based Rehabilitation

While the home based rehabilitation programme deals with training and sensitising the families/caregivers of PwD, community based rehabilitation focuses on establishing strong ties between PwD, family, and community health professionals.

2) District Disability Rehabilitation Centre (DDRC)

The DDRC provides services, such as, Early Identification and Intervention, generating community awareness, need assessment and delivery of assistive devices, and therapeutic services like speech therapy, occupational therapy, skill training, self-employment loans, assistance in providing scholarships etc. According to the Annual Report (2020-21), among 264 DDRC across the Indian districts, only 55-60 are functioning efficiently.

3) Assistance to Disabled Persons for Purchase/Fitting of Aids/Appliances (ADIP) Scheme

This scheme intends to provide grant-in-aid to the implementing agencies like the National Institutes, DDRC, local bodies etc. so as to equip them to procure motorised tricycle, wheelchairs, sophisticated and scientific aids and devices for PwD. The purpose is not just to reduce the effects of disabilities but also to boost their morale that comes, as an outcome of independent functioning. In the last six years, nearly 19443 motorized tricycles have reached the beneficiaries.

8.6 CONCLUSION

Modern governments with a solid foundation for 'welfare' of the underserved communities always looked for protecting and advancing social justice wherein the target audience would feel safe and secure. When we talk about equitable treatment it is to remind the society that 'all are equal' and no member should be treated favourably or unfavourably. In India, several social welfare provisions have been included by the government that are exclusively formulated for the welfare of the target audience. Some of the social welfare provisions include scholarships, free coaching, hostels for the socially and economically disadvantaged, schemes for economic development and social empowerment.

Through this Unit, you were able to understand the two Departments that function under the Ministry of Social Justice and Empowerment *vis-à-vis*

Department of Social Justice and Empowerment and Department of Empowerment of Persons with Disabilities. Both these Departments along with its various Divisions strive to advance 'social justice and fairness' for the underserved communities

Activity

Read newspaper articles on the social issues faced by the transgender persons. You can also refer to any newspaper of your mother tongue (past or current newspaper) that has covered the difficulties faced by the transgender persons.

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UNIT 9 NATIONAL COMMISSION FOR SCHEDULED CASTES, NATIONAL COMMISSION FOR SCHEDULED TRIBES

Structure

9.0 Objectives

9.1 Introduction

9.2 Constitutional Safeguards

9.3 National Commission for Scheduled Castes

9.3.1 Duties of the Commission

9.3.2 Complaints Received by NCSC from across India

9.3.3 Functions of State Offices of the Commission

9.3.4 Approach and Strategy adopted by the Commission

9.4 National Commission for Scheduled Tribes

9.4.1 Duties of the Commission

9.4.2 Powers of the Commission

9.4.3 Complaints Received by NCST

9.4.4 Regional Offices

9.5 Conclusion

9.6 References

9.0 OBJECTIVES

After studying this Unit, you should be able to:

- describe the constitutional safeguards meant for Scheduled Castes and Scheduled Tribes;
- explain the role of National Commission for Scheduled Castes in protecting and promoting the welfare of Scheduled Castes; and
- describe the role of National Commission for Scheduled Tribes in protecting and promoting the interests of Scheduled Tribes.

9.1 INTRODUCTION

The founding fathers of the Indian Constitution took cognisance of the fact that certain sections of the population were found to be in extreme backwardness *vis-à-vis* social, educational, and economic, that they felt essential to protect and promote their fundamental interests on par with rest of the populace. The founding fathers attributed some of the reasons for such backwardness, such as, untouchability practices, poor agricultural practices, lack of access to resources

etc. As a result, their social mobility got restricted and it affected their development both socially and economically. With the aim to boost their morale and enable them to access resources equally without any hassles, these communities became notified as Scheduled Castes (SCs) and Scheduled Tribes (STs) under the Clause 1 of Articles 341 and 342 of the Constitution respectively.

Ever since 1950, the Scheduled Castes and Scheduled Tribes Commission had been operational, as constitutional bodies (Article 338). Though started to function, as a single Special Officer, currently the Commission functions, as a multi-member authority. This was owing to the intensity of the complexities faced by the target audience that called for the need of a strong, representative, and an effective body. Due to the political pressure put forth by the Members of Parliament that a single Commission is inadequate to monitor the constitutional safeguards of SCs and STs, the Constitution (Eighty-Ninth Amendment) Act, 2003, came to replace the Scheduled Castes and Scheduled Tribes Commission as:

- i) National Commission for Scheduled Castes (NCSC)
- ii) National Commission for Scheduled Tribes (NCST)

It is to be noted that it is the duty of the welfare state to protect the underserved communities from injustice and exploitation. In a welfare state, every institution/authority is expected to promote the welfare of the underserved communities and it is not just vested exclusively to National Commission for Scheduled Caste (NCSC) and National Commission for Scheduled Tribes (NCST). Although, the two Commissions enjoy constitutional backing, its recommendations are not mandatory rather only advisory.

In this Unit, you will study the constitutional bodies – National Commission for Scheduled Castes (NCSC) and National Commission for Scheduled Tribes (NCST) that caters to the protection of the target audience. Before discussing the two Commissions, let us understand some of the constitutional safeguards that are available for the SCs and STs.

9.2 CONSTITUTIONAL SAFEGUARDS

The constitutional safeguards can be classified as: (i) Development and Protective Safeguards (ii) Social Safeguards (iii) Economic Safeguards (iv) Educational and Cultural Safeguards (v) Political Safeguards (vi) Service Safeguards. The above mentioned safeguards are applicable to all the people, especially, to the SCs and STs (Handbook, 2016).

i) Development and Protective Safeguards

These safeguards could be found in the Directive Principles of State Policy. Specifically, Article 46 intends to:

- a) improve the educational and economic interests of SCs and STs (development safeguards)

- b) protect the target audience from social injustice and all forms of exploitation (protective safeguards)

ii) **Social Safeguards**

Article 17: With the objective to protect their social mobility and eradicate the untouchability menace, Article 17 was inserted. To give effect to this Article and to punish the miscreants, Protection of Civil Rights (PCR) Act was enacted.

Article 23 prohibits human trafficking, beggary, and other similar forms of forced labour. As majority of bonded labourers belong to SCs, it has significance to this community.

Article 24 states that no child below 14 years shall work in any factory or mine, that is, hazardous to his/her life. This is relevant in the context of SCs, as a considerable section of child labourers belong to these categories.

Article 25(2) (b) indicates that all Hindu religious institution would be made accessible to all classes and sections of the population. This law states that all persons irrespective of caste have the right to enter religious places.

iii) **Economic Safeguards**

Economic safeguards intend to protect the target audience from economic aggression and dominance. It also provides them freedom to pursue their interests without any coercive action. In this regard, Articles 23, 24, and 46 mentioned above form part of the economic safeguards for Scheduled Castes.

iv) **Educational and Cultural Safeguards**

Article 15(4) empowers the State to initiate progressive measures for the welfare of the socially and educationally backward sections, inclusive of SCs and STs. For example, reservation of seats made possible in technical institutions, and engineering, and medical colleges for the targeted audience.

v) **Political Safeguards**

According to the Article 330, Lok Sabha seats are to be reserved for SCs and STs and Article 332 indicate reservation of SC, ST seats in the State Legislative Assemblies.

vi) **Service Safeguards**

Under various sections of Article 16, the State has the right to reserve positions for the targeted audience and also promotion for the eligible groups.

Now we will discuss the role of the National Commission for Scheduled Castes in enabling the constitutional safeguards meted out to SCs.

9.3 NATIONAL COMMISSION FOR SCHEDULED CASTES

The National Commission for Scheduled Castes (NCSC) has been created for effective implementation of various safeguards provided in the Constitution for

the welfare of Scheduled Castes. In fact, Article 338 mandates the Commission to investigate and monitor all matters related to social inequalities. When it comes to institutional orientation of NCSC, it is undoubtedly a protective institution. As it can be dealt with Article 46 that State must seek to promote the educational and economic interests of the weaker sections of the society *vis-à-vis* Schedule Castes. In this process, the State shall protect the target audience from all forms of social injustice and exploitation.

Based on the provisions made by law, the NCSC comprises of Chairperson, Vice-Chairperson, and three other Members. Besides making appointment, the conditions of service and tenure of office of the Commission are determined by the President. The first National Commission was established in the year 2004. The headquarters of NCSC is in Delhi. The Secretary to the Government of India is the Administrative Head and is assisted by officers at the level of Joint Secretary, Directors, and Deputy Secretaries. NCSC is located across 12 State Offices.

The State Offices are headed by the officers of the rank of the Chairperson, who has special knowledge in matter relating to the Scheduled Castes, shall be nominated by the State Government; (b) the Vice Chairperson who has special knowledge in matter relating to the Scheduled Castes, shall be nominated by the State Government; (c) three persons, who have special knowledge in matters relating to the Scheduled Castes, shall be nominated by the State Government. The term of office and conditions of service of the Chairperson, Vice Chairperson, and Members shall be subject to the pleasure of the State Government, shall hold office for a term not exceeding three years, as may be specified by the State Government. The fixed amount and allowances payable to and the other terms and conditions of service of the Chairman, Vice Chairman and allowance payable to the Members shall be such, as may be prescribed.

12.3.1 Duties of the Commission

Article 338 of the Constitution deals with the functions, duties, and power of the Commission. For example, Clause 4 of Article 338 empowers the Commission to regulate its own procedure. The duties of the Commission are to:

- i) to investigate and monitor all matters related to the safeguards in the Constitution for the SCs or under any government order to evaluate the workings of such safeguards.
- ii) to inquire into specific complaints with regard to deprivation of rights and safeguards of the SCs.
- iii) To advice the government in the planning process of socio-economic development of the SCs and to evaluate the progress of their development under the Union and in any State.
- iv) To annually present the report on working of the safeguards to the President.
- v) To make recommendations to the Union or any State for effective implementation of the safeguards, and other measures for the welfare and socio-economic development of the SCs.

Power to Act as a Civil Court

The Commission has the power of a civil court in matters pertaining to SC welfare. It can use its power in summoning and enforcing the attendance of any person from any part of India and examining him on oath. Yet another power is to request any public record or copy from any court or office.

National Commission
for Scheduled Castes,
National Commission
for Scheduled Tribes

Consultation

The Union and every State Government consults the Commission on all major policy matters relating to Scheduled Castes.

Review Meetings

In 2016-17, NCSC reviewed the follow-up action been taken by the Public Sector Undertakings and Public Sector Banks. The reviews were to assess the implementation of reservation policy for SCs.

9.3.2 Complaints Received by NCSC from across India

NCSC has dedicated Wings *vis-à-vis* Service Safeguard Wing, Economic and Social Development Wing, and Atrocities and Protection of Civil Rights Wing, that caters to different types of cases. To illustrate, in 2016, a total number of 38,669 cases were dealt with 13,540 cases at the headquarters and 25,129 cases at the state offices (Annual Report, 2016, NCSC). The grievances/complaints received by NCSC, both at the headquarters and in state offices can be broadly classified into three categories:

- i) Complaints related to Service Safeguards are dealt by the Service Safeguards Wing.
- ii) Complaints related to economic-social development are handled by the Economic and Social Development Wing.
- iii) Complaints related to atrocities are dealt by Atrocities and Protection of Civil Rights Wing. Atrocity related matters include harassment, land conflict, temple entry/social boycott etc.

Box 9.3.1 refers to few examples of complaints dealt by NCSC.

Box 9.3.1 Case Examples regarding Complaints

Case Example 1: Harassment and Discrimination Matters

A male Higher Secondary School Teacher in Chennai submitted a representation alleging harassment and discrimination from Headmaster in-charge. Post intervention by the Commission the Headmaster in-charge was transferred from the school.

Case Example 2: Atrocity related Matters

A villager (petitioner) from Chapoli (Maharashtra) filed a complaint against police who made a false case of looting and firing against him. In fact, the police filed a charge sheet in the court against the petitioner and 4 others. Owing to NCSC intervention and with the approval of the court, the case was reinvestigated. In the process, it was found that the villager (petitioner) did not commit any crime and it was proved that the police had constructed a false case against the petitioner and others.

Source: Annual Report 2016-17, NCSC

9.3.3 Functions of State Offices of the Commission

- i) The state offices of NCSC serves as the ‘eyes’ and ‘ears’ of the Commission as they act as a watchdog in the formulation of policies and in issuance of guidelines. Besides, they periodically update the NCSC headquarters about the development status. The policies evolved by the respective state governments are brought to the notification of the state offices in case of any changes to be added. Further, to assess the various development schemes meant for SCs, the state officers are expected to network with the State/Union Territory administration. Based on the findings of the assessment, appropriate measures can be taken to ameliorate the socio-economic development of the target audience.
- ii) Secondly, the state officers of the Commission need to frequently communicate with the state administrators and accordingly guide them be it monitoring the funds earmarked and utilised for SCs as well as protecting and promoting their socio-economic interests.
- iii) Thirdly, each State Office compiles a quarterly report regarding the activities undertaken by them for the welfare of SCs in that respective state/union territory and reports to NCSC. This is done to provide a general view about the welfare status of SCs to NCSC and take appropriate action (National Commission for Scheduled Caste Website).

Box 9.3.2 Suo Moto case

NCSC State Office: Bengaluru

In 2016, the NCSC State Office of Bengaluru, took a suomoto¹ cognisance of the news that reported the Scheduled Caste people of Hassan district were not allowed to enter the Hindu temple. During a Mahotsava in Basaveswara temple, they were boycotted and the State Office members made a spot visit to the temple. After discussing the issue with the administration the SCs were permitted to enter the temple for worship.

Source: *Annual Report (2016-17), NCSC*

9.3.4 Approach and Strategy adopted by the Commission

To monitor and evaluate the outcome of development schemes, NCSC has decided to frequently interact with the State/Union Territory governments through state level review meetings and field visits. State level review meetings are held with Chief Secretaries and senior officers to get a perspective about the ongoing development schemes and to chalk out appropriate strategies.

¹ With reference to an action taken by a court, without any request by the parties involved.

Future Strategy

- i) NCSC intends to undertake research activities with reference to SC rights and deprivation of such rights. By way of such studies, NCSC plans to spread awareness programmes on the issues and challenges faced by SCs.
- ii) (ii) NCSC plans to coordinate with NGOs and other stakeholders to promote activities related to social justice and empowerment.

After the discussion on NCSC, we will now discuss the National Commission for Scheduled Tribes (NCST).

**National Commission
for Scheduled Castes,
National Commission
for Scheduled Tribes**

9.4 NATIONAL COMMISSION FOR SCHEDULED TRIBES

With the Constitution (89th Amendment) Act, 2003, under the Article 338A, the National Commission for Scheduled Tribes (NCST) was established in the year 2004. As per the Article, it is the duty of the Commission to oversee the effective implementation of the safeguards available for the Scheduled Tribes (STs). As NCSC, is for SCs, the role of NCST is to protect and promote the socio-economic development of STs. Besides, NCST presents the annual report to the President that documents the ST socio-economic status across the country.

Like NCSC, the NCST comprises of a Chairperson, Vice-Chairperson and three other members. The term of office of the Commission is for three years from the date of assuming charge. The Chairperson and the Vice-Chairperson holds the rank of Cabinet Minister and Minister of State respectively. Other three members hold the rank of a Secretary to the Government of India. In 2004, the first National Commission for Scheduled Tribes (NCST) was constituted. The Ministry of Tribal Affairs is the nodal Ministry for NCST. The conditions of service and tenure of office of the NCST are notified by the Ministry. The headquarters of NCST comprises of Regional Offices located in six states. Besides, the headquarters include six units: Administration, Coordination, and 4 Research Units.

9.4.1 Duties of the Commission

The duties of the Commission are mentioned, as follows:

- i) Investigate and monitor all matters related to the safeguards that are provided for the STs under the constitution or any law or government order or policy. The function of NCST is to evaluate the way the safeguards are put to operation.
- ii) Inquire into specific complaints concerning deprivation of rights and safeguards of the STs.
- iii) Take part and counsel the government in the planning process of socio-economic development of the STs and to evaluate the progress of their development under the Union and any State.
- iv) Annually present the report on functioning of the safeguards before the President.

- v) Make recommendations to the Union or any State for effective implementation of the safeguards, and other measures for the welfare and socio-economic development of the STs.
- vi) Discharge those functions as may be specified by the President, or any law or rule. The functions include the policies and programmes that cater to the protection, welfare, development, and advancement of STs.

9.4.2 Powers of the Commission

The powers of the Commission are given, as follows:

Procedural Autonomy

It is the power to regulate its own procedures without interference of any external entity.

Clause (4) of Article 338A of the Constitution empowers the Commission to regulate its own procedure. The procedural autonomy include:

- i) procedure of investigation and enquiry into the working of the safeguards;
- ii) frequency of meetings to be conducted;
- iii) delineate the duties of the Commission's Regional Office;
- iv) advisory role of the Commission in the policies of the Union and State/Union Territory that are connected to ST welfare; and
- v) monitoring of functions of the Commission and its Regional Offices.

Powers to act as a Civil Court

While investigating any matter related to the deprivation of safeguards or rights, the Commission shall enquire into any complaint and if needed can assume the powers of a civil court. Even the Supreme Court has declared that whether NCSC or NCST, it has the power of a civil court to investigate into the matters related to SC/ST, however, such powers to do not convert a Commission into a civil court. The powers include to:

- i) summon, enforce, and examine an oath of any person across any part of India;
- ii) access, discover, and production of any documents pertaining to STs;
- iii) receive evidence on affidavits;
- iv) request any public record or copy from any court or office; and
- v) any other matter, as referred by the President or Parliament.

9.4.3 Complaints Received by NCST

The Commission receives grievance petitions from across India that includes (i) alleged violation of service safeguards (ii) matters related to alienation of land, admission in higher educational institutions *vis-à-vis* medical, engineering, etc. (iii) atrocities in offices, public places etc.

With the objective to provide information regarding the working of NCST to the tribal petitioners, an Information and Facilitation Centre has been established at

the headquarters. Secondly, to enable the poor tribal people to reach out to the officers of NCST, a toll free number has been created. Thirdly, a dedicated web portal for tribal affairs and welfare has been instituted in the year 2007.

9.4.4 Regional Offices

NCST has Regional Offices to formulate policies and issue guidelines for the welfare of STs in the respective states and union territories. The offices also update the headquarters regarding the developments in policy decisions in their respective jurisdictions pertaining to STs.

Functions of Regional Offices

- i) The Regional Offices are expected to communicate with the State authorities and guide them so as to keep the policies intact with the interests of STs. The state offices also monitors the funds being earmarked under Tribal Sub-Plan and oversees the utilisation of funds.
- ii) Each Regional Office compiles the major issues related to ST welfare that have been undertaken in their respective jurisdiction and periodically sends the quarterly report to NCST. It enables the Commission to understand the perspectives of ST welfare at the national level and take appropriate action.
- iii) The regional officers accompany the Chairperson and members of NCST on their visits to the respective states/union territories. The regional officers are involved in the on-the spot enquiry conducted by NCST in case of atrocities against STs. Moreover, they are expected to network with the state authorities for proper conduct of review meetings at the state and district level (National Commission for Scheduled Tribes Website).

Let us look into some of the complaints dealt by NCST in Box 9.4.1.

Box 9.4.1 Case Examples regarding Complaints

Development matters

Case Example 1

In March 2013, the Dean Students Welfare of Indira Gandhi National Tribal University (Madhya Pradesh) wrote a letter to the Commission concerning non-payment of Post Matric Scholarship to some of the SC/ST students of the Tribal University. It was informed that the payment had to be done by the District Tribal Welfare Department. Even after the intervention of the Commission in April 2013, and subsequent reminder letters from 2014 to August 2015, there was no response from the Collector office. Finally, in September, 2015, the District Collector reported to the Commission that 2 SC and 2 ST students of the university have received the scholarship and thus the matter was closed.

Case Example 2

In 2014, a petitioner from Kolkata made a representation to NCSC citing that few tribal people despite applying for caste certificate in the sub-divisional officer did not receive the certificate. Post intervention of NCSC with the District Collector

reported to the Commission that 2 SC and 2 ST students of the university have received the scholarship and thus the matter was closed.

Case Example 2

In 2014, a petitioner from Kolkata made a representation to NCSC citing that few tribal people despite applying for caste certificate in the sub-divisional officer did not receive the certificate. Post intervention of NCSC with the District Magistrate, the certificates were eventually issued in August 2015.

(Continued)

Service matters

Case Example 3

A petitioner from Hooghly made a representation in 2015 that his pensioner and retirement benefits were not paid by the Department of Posts since February 2014. NCSC took this matter with the General Manager, Kolkata and later it was sorted out in July 2015.

Atrocity Matters

Case Example 4

In September 2014, there was a news article in the Bhopal edition of “Patrika” titled ‘Tribal Sarpanch beaten by blusterer’. As per the article, the Sarpanch refused to give his cock to the blusterers (miscreants), consequently, he was severely beaten by the miscreants. At an extreme level, the family had to leave the village as they were constantly under threat and fear. On its own initiative, the NCST took the matter with the District Collector and Superintendent of Police (SP). SP sent a letter to NCST confirming the news article about the atrocity. Accordingly, a case was registered and investigated. In due course, the accused were arrested and as monetary assistance to the victim an amount of Rs. 1, 80,000 was deposited in the bank account of the tribal sarpanch.

Case Example 5

In 2015, there was a news article in the Bhopal edition of “DainikBhaskar” titled ‘TTE threw woman from running train in Jabalpur’. According to the article, a railway ticket checker pushed a tribal woman from a running train because of which she lost her one leg (as it was cut by the wheels of the train). The reason was she purchased general ticket but was found to be seated in reserved compartment. The Commission took suo moto cognisance of the issue and immediately sought the report from the District Collector and SP of Jabalpur. NCST followed it up with Tribal Welfare Department and came to know that as first instalment the victim had been paid a sum of Rs. 90,000 and the remaining amount would be settled after the court convicts the ticket checker.

From the above case examples, we can understand the various issues and challenges being faced by STs and how NCST intervenes to enable optimal justice to the victims.

ACTIVITY

Read some of the newspaper articles on the prevailing situation for/against Scheduled Castes/Scheduled Tribes in India.

National Commission
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for Scheduled Tribes

9.5 CONCLUSION

In order to improve the social mobility of SCs and STs, the Constitution of India had constituted Scheduled Castes and Scheduled Tribes Commission in 1950. It was started with a single Special Officer, however due to the complexities faced by the target audience there was a need for a strong, representative, and effective body. On the other hand, owing to the political pressure put forth by the Members of Parliament, a single Commission was deemed inadequate, therefore, the Scheduled Castes and Scheduled Tribes Commission became as two independent constitutional bodies:

- i) National Commission for Scheduled Castes (NCSC)
- ii) National Commission for Scheduled Tribes (NCST)

Both NCSC and NCST are functioning to protect the constitutional safeguards of the target audience *vis-à-vis* (i) Development and Protective Safeguards (ii) Social Safeguards (iii) Economic Safeguards (iv) Educational and Cultural Safeguards (v) Political Safeguards (vi) Service Safeguards. Whenever there is a violation of deprivation of rights and entitlements, the constitutional bodies either take suo-moto action or coordinate with state offices of the respective Commission or network with local authorities to seek remedy and appropriate measures. Besides, both NCSC and NCST have been vested with powers and functions to protect and promote SCs and STs. Through this Unit, we are able to understand the role and functions of the Commissions and through case examples, we are able to infer the perspectives of the underserved communities and how the intervention of the Commission help them in protecting their interests.

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UNIT 10 ROLE OF VARIOUS INSTITUTES : NATIONAL INSTITUTE OF SOCIAL DEFENCE

Structure

- 10.1 Objectives
- 10.2 Introduction
- 10.3 Evolution of the National Institute of Social Defence
- 10.4 Administration and Planning
- 10.5 National Centre for Drug Abuse Prevention
- 10.6 Senior Citizens
- 10.7 Social Defence
- 10.8 Research and Documentation
- 10.9 Conclusion
- 10.10 References

10.0 OBJECTIVES

After studying this Unit, you should be able to:

- highlight the role of the National Institute of Social Defence (NISD);
- describe the key initiatives of NISD; and
- understand the plight of the elderly, victims of alcohol and substance abuse, transgender persons and the need for a plan for them.

10.1 INTRODUCTION

When it comes to social defence, it means a sound social policy that confronts injustice being faced by the vulnerable population. It aims to uphold social justice irrespective of the population. We have already read in Unit 11 that social justice is about fairly distributing the resources to the target audience so that they feel safe and secure. From the perspective of social defence, policy and development process must be advanced to protect human rights of the concerned stakeholders. Secondly, the process strives to advance human dignity irrespective of their realities *vis-à-vis* gender, age, income levels, victims of various forms of crime etc. scholars have been vocal about modern governments that it is their fundamental duty to set right the incompatibilities that arise out of discriminations, prejudices, and fragmentation of society. According to Singh (n.d), social defence is protecting the society from crime through a systematic organisation and coherent action of both the state and civil society actors. When it comes to ‘protecting the society from crime’ it focuses on fostering public sensitivity that are concerned with the marginalised and vulnerable sections of society *vis-à-vis* elderly, victims of substance abuse, beggary, transgender persons etc.

In this Unit, we shall discuss about the National Institute of Social Defence (NISD), its focus areas and concerns.

10.2 EVOLUTION OF THE NATIONAL INSTITUTE OF SOCIAL DEFENCE

The National Institute of Social Defence (NISD) was initially associated under the Ministry of Home Affairs in 1961. Originally, it was called as the Central Bureau of Correctional Services. In 1964, the Central Bureau came under the Department of Social Security. In 1975, the Central Bureau functioned as a subordinate office under the Ministry of Welfare (now Ministry of Social Justice and Empowerment). Since 2002, it became an autonomous body registered under the Societies Registration Act XXI of 1860. When it comes to the field of social defence, NISD is the nodal institute that specialises in human resource development training and research *vis-à-vis* substance abuse prevention, geriatric care, beggary prevention, transgender persons etc. With the objective to strengthen human resources in this field of social defence, the Institute intends to sensitise, orient, and build capacities at the state, regional, national, and international levels. NISD intends to achieve this objective with the collaboration of various organisations. One of the primary objectives of NISD is to evolve psychosocial health policies in social defence domain *vis-à-vis* preventive, rehabilitative and curative. Secondly, to identify the problems relating to social defence. Thirdly, to evolve instruments for achieving the objectives of social defence policies. Fourthly, to develop and promote voluntary effort in the social defence domain.

Let us discuss about the Organisation and Management of the Institute.

10.3 ORGANISATION AND MANAGEMENT

NISD has a multi-level support structure for the efficient functioning of the Institute goals. The Director is the administrative head of NISD. Director is supported by four Deputy Directors to head the respective Divisions. Additionally, there are two councils, namely, General Council (GC) and Executive Council (EC). While the role of GC is to frame the broad policy parameters, the role of EC is to monitor and direct NISD's activities and programmes. Both GC and EC are to be reconstituted for a period of two years by the Ministry of Social Justice and Empowerment.

General Council: The GC members constitute the apex governing body of NISD along with the Secretary, Ministry of Social Justice and Empowerment (MoSJE), as its ex-officio President. Totally, there are 12 members (8 official members and 4 non-official members). While the official members include the representatives from the relevant Ministries and Departments, the non-official members include the expertise in the area of social defence.

Executive Council: The Executive Council comprises of 5 members (3 official members and 2 non-official members). It is headed by the Joint Secretary for Social Defence, MoSJE.

In the ensuing Sections, let us discuss about the Divisions *vis-à-vis* Administrative Planning, National Centre for Drug Abuse Prevention, Care for Senior Citizens, Social Defence, and Research and Documentation.

10.4 ADMINISTRATION AND PLANNING

Administration and Planning Division is headed by a Deputy Director. This Division caters to *vis-à-vis* General Administration, Finance and Accounts. With regard to financial aspects of NISD, it is supported by MoSJE through grant-in-aids. To illustrate, during 2017-18, NISD received a total of Rs. 4.10 crores under the grant-in-aids. These funds had been allocated for programmes and activities concerning the communities.

10.5 NATIONAL CENTRE FOR DRUG ABUSE PREVENTION

In 2018, the Ministry of Social Justice and empowerment in collaboration with the National Drug Dependence Treatment Centre (NDDTC) of the All India Institute of Medical Sciences (AIIMS), New Delhi had conducted the first National Survey on Extent and Pattern of Substance Use. According to the report, the most common psychoactive substance used by Indians is Alcohol (16 crores) followed by Cannabis (3.1 crores) and Opioids (2.26 crores). The drug and substance abuse is indeed a social menace that adversely affects not only the victim's physical and mental health but it also disturbs their families and the society (Annual Report, 2017-18).

Keeping in view of the substance abuse menace, NISD established a National Centre for Drug Abuse Prevention (NCDAP) in the year 1998. The mandate of this Centre is to provide technical aid to the Government in terms of (i) framing preventive policies (ii) better coverage of country-wide services for substance demand reduction. Since 1998, the NCDAP has been actively involved in augmenting its activities and in evolving strategies for handling the issues of substance abuse. In this regard, its mission is to build the capacities of the service providers at the ground level. In fact, the Centre collaborates with state governments, Non-Government Organisations (NGOs), State Level Coordinating Agency (SLCA), Panchayat Raj Institutions (PRIs), youth agencies etc.

One of the core concerns of this Centre is to strengthen the field level functionaries *vis-à-vis* project coordinators, counsellors, social workers, outreach workers, community workers, school teachers, National Service Scheme (NSS) volunteers, Master of Social Work (MSW) students, nurses and hospital ward boys. Besides, it regularly organises capacity building programmes on harmful effects of drug abuse to schools, colleges, and universities. For example, in the year 2017-18, NCDAP in association with Regional Resource and Training

Centres (RRTCs) and universities conducted 333 capacity building programmes. It covered a total of 26,249 trainees. Specifically, a three month Certificate Course on “Drug De-addiction Counselling and Rehabilitation” has been instituted exclusively for the prospective trainers and functionaries who work in Drug De-addiction Treatment-cum-Rehabilitation Centres. The course outline includes: basics of addiction, counselling treatment protocols, awareness creation, and rehabilitation and alike. You can refer to the Box 13.1 to learn the real life episode of a drug abuse victim who had successfully recovered from the adverse effects of usage of drugs.

10.6 SENIOR CITIZENS

10.6.1 Geriatric Care

The unprecedented increase in the number of elderly population poses a big challenge not just for the elderly people but also for the country as it has to cater to their various needs. Some of the challenges faced by the elderly population include losing sense of purpose in life, financial insecurity, difficulty in everyday mobility, inaccessibility to quality healthcare etc. Secondly, to cater to the needs and requirements, countries face steep challenges to tap the resources, be it financial or human. According to Census 2011, the total percentage of senior citizens is 8.6 percent (10.38 crore) and the projected elderly population percentage in 2026 is likely to go up to 12.4 percent. This means provisioning adequate social security to the target group without compromising on the quality of services.

The Senior Citizens Division caters to the needs of the elderly population, such as, convening One Year Post Graduate Diploma in Integrated Geriatric Care and a three month certificate course on Geriatric Care giving. To illustrate, one of the focus areas of the three month certificate programme is to facilitate quality services at the elderly care centres/homes by building skills for the staff *vis-à-vis* resource management and networking. In the ensuing paragraphs we shall see two case examples related to Geriatric Care.

Case Example 1

Ms .Pooja, a 23 year old bright young woman is a story of inspiration. Survived by her mother and brother who works as a contractual employee, Pooja’s dream job was to become a nurse. Despite applying for various nursing colleges and institutes Pooja was unable to seek admission due to financial constraints. Since her brother was the only bread winner she had to almost drop her passion of becoming a nurse. Pooja was looking for alternatives to achieve her passion and finally came across the three month certificate course on ‘Geriatric Care for Bedside Assistance/Caregivers’ offered by NISD. As the course was free, she applied and on successful completion of the course, could get a job at a reputed nursing home in Delhi (Newsletter, September 2021)

Case Example 2

Mr. Deepak, a 24 year old youth from a remote village in Bihar did a 6 month computer course after completion of his Grade ten. In 2013, he lost his father who was the sole bread winner of the family. Owing to his limited educational qualifications, Deepak could not find a good job and hence worked in a shoe-making factory. Although disliked his work, Deepak felt contented that he could financially support his mother. However, with a willingness to improve his financial condition, Deepak was keen to look for a good opening. Through word of mouth he came to know about the three month 'Certificate Course on Geriatric Caregiving' in the year 2018. With adequate exposure in geriatric care coupled with his determination and grit to switch to a better career, Deepak got placement with a monthly income of Rs. 30,000/- With the savings, he could lead a dignified life and managed to own a bike. Due to the three month course, Deepak could enhance his scientific knowledge about geriatric care and aspires to work for the well-being of the elderly.

From the above two examples you must have understood how the Certificate Course has improved the financial security of Pooja and Deepak.

10.6.2 Maintenance and Welfare of Senior Citizens

With the objective to ensure social security for the elderly, the Government of India intends to amend the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in the 2021-22 winter session of the Parliament. According to the Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, 2019, children and distant relatives of the elderly are held responsible for their maintenance and well-being. In case of abandonment or causing distress to the elderly, their relatives can be penalised and even imprisoned. To illustrate, the Bill provisions that those who have abused the elderly would be imprisoned for a term of three to six months or a penalty of Rs.10, 000 or the offender may have to undergo both penalty as well as imprisonment. Notably, such provision did not exist in the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

Another provision to be included in the Bill refers to the elderly welfare *vis-à-vis* housing, clothing, safety, and amenities for physical and mental well-being. At the institution level, the Bill seeks to establish senior citizen care homes which may be either run by the government or private. However the Bill states that such homes need to be registered with the respective state governments. And the role of the central government is to evolve minimum standards for such homes like physical infrastructure, medical facilities etc. (PRS Legislative Research, 2019). The role of this Division is to create legal awareness to the field level functionaries about such provisions that exist for upholding the dignity of the elderly.

In the ensuing paragraphs let us look into the lives of two elderly people who were left alone by their children and how institutional support could transform their lives.

Case Example 3

Ms. N. Rukmani, a nonagenarian from Nilgiri district was abandoned by her daughters and sons and had to rely on her neighbours for food and shelter. Gradually, her health started declining because of which she was admitted to a government hospital. Lack of physical and moral support at the hospital made the hospital staff to network with Sri Ramakrishna Old Age Home, a home that has been supported by NISD. There was a request from the hospital to add her as their beneficiary. In 2016, when she was brought to the home she was unable to walk on her own, however, with the support of the Home staff, she was able to recover physically and mentally. To illustrate, she could walk without any support and gradually her health improved that she became an active member of the old age home (Newsletter, June 2021)

Case Example 4

Ms. Chandrarajini, a septuagenarian widow from Manipur was ill-treated by her son and daughter-in-law. She was financially sound when her husband was alive as they used to run a grocery shop. When her husband fell seriously ill, she did petty jobs for buying medicines. Despite having two sons, none of them offered financial or moral support. After the death of her husband, her sons disowned her. Despite being a diabetic, she was left alone in her house. Gradually, her physical health started deteriorating. Owing to her weak financial status and none to provide her support in any form, she started experiencing loneliness which eventually led to depression. Seeing her plight, one of her relatives recommended her to take asylum at the Senior Citizen Home, run by Integrated Rural Development and Educational Organisation (IRDEO), Wang Bal. This Home is of one of the stakeholders of NISD in Manipur. As days passed she could make friends with her fellow inmates to share her personal story. With care and share, she could overcome her grief and sadness that she started to pursue her hobbies like gardening, growing vegetables etc. (Newsletter, August 2021).

10.7 SOCIAL DEFENCE

Stigma¹ and marginalisation² are one of the big challenges the target audience face in their everyday lives. The target audience in this context refers to the elderly, transgender persons, victims of drug abuse, beggary, Human Immuno Deficiency (HIV)/Acquired Immuno Deficiency Syndrome (AIDS), human trafficking, prisons, probation services³ etc. The above mentioned target audience

¹ A strong lack of respect for a person or a group of people or a bad opinion of them because they have done something that the society does not approve of.

² treatment of a person or a group as insignificant

³ Probation is the most important branch of the Criminal Justice system. It is an alternative Prisons, which helps the reduction of Prison population and thereby enormous savings is made to the Government exchequer. It is a community based treatment. Hence the bread winner of the family is neither separated nor sent to the Prison but allowed to be within the family (Probation Branch).

have been stigmatised and marginalised that it affects their psychosocial health⁴. Hence, with the aim to rebuild their psychosocial well-being, appropriate interventions have been in place. One of the interventions can be read towards the end of this Section.

The Social Defence Division aims to build networks with the police departments, Regional Institutes of Correctional Administration (RICA), State Institute of Rural Development (SIRD), Social Welfare Departments and social work institutions so as to provide training to the concerned stakeholders. For example, besides the above mentioned functionaries, this Division also provide training to PRI and NGO functionaries, social workers, prison officials, school teachers, and counsellors. The whole purpose of this Division is to enable the target audience to lead a dignified life. In 2017-18, this Division conducted 131 training and sensitisation programmes at national, state, and regional levels thus covering 9,339 trainees. To illustrate, a three day state level training programme on 'Specialized Care for Children Affected by Drug Abuse' was conducted in 2017-18 for 242 trainees. The beneficiaries included the concerned government and NGO functionaries, school teachers, and counsellors. Besides, this Division also conducts skill development training programme to transgender persons and beggars so that they would acquire skills to lead a decent standard of living.

Case Example 5

During the lockdown, many of the underserved communities, including the transgender persons lost their livelihood and did not have any visible means of support. To overcome this, NISD in association with National Backward Classes Finance and Development Corporation (NBCFDC) intended to provide Covid19 relief fund for the underserved communities. Accordingly, Covid19 relief fund would be directly credited into the accounts of the eligible transgender persons. One of the beneficiaries Ms. Mukti from Madhya Pradesh struggled to eke out a living due to the lockdown and was unable to pay her house rent. Due to her economic setback, her landlord demanded to either pay the rent or vacate the house. During the struggle, she came across a transgender activist Ms. Reshma Prasad who briefed her about the relief fund. Through the timely release of funds, Ms. Mukti was able to settle her rental dues (Newsletter, January 2021).

10.8 RESEARCH AND DOCUMENTATION

The Research and Documentation Division is responsible for evolving Information, Education, and Communication materials in all the concerned areas of NISD, such as, drug/alcohol abuse, intergenerational bonding, elderly care etc. One of the significant public events that NISD had participated was 'Shilpotsav'

⁴ Psychosocial Health: A multidimensional term that encompasses mental, emotional, social, and spiritual dimensions of health.

at DilliHaat, New Delhi wherein community awareness programmes were conducted about the harmful effects of alcohol and substance abuse. Community awareness programmes include informative and interactive stalls for public view, on-the-spot counselling, film shows etc.

Activity

You must have come across elderly relatives. Discuss with them about the challenges of old age.

10.9 CONCLUSION

Social defence has been vogue ever since the evolution of modern governments. The role of the modern governments is to ensure welfare of its entire people irrespective of gender, age, economic and social status etc. However, the challenges are manifold due to resource constraints as well as under-utilisation of resources. In order to overcome these challenges, developing countries have evolved institutions that cater to the needs of the stigmatised and marginalised population. India too has resolved to provide adequate provisions for the needy and in this regard, National Institute of Social Defence was instituted under the Ministry of Social Justice and Empowerment. The ultimate purpose of NISD is to promote the psychosocial well-being of the underserved communities. Through its various administrative Divisions like the National Centre for Drug Abuse Prevention, Senior Citizens etc. NISD is able to create an impact in people's lives, especially, the underserved communities. While the services at an individual level range from providing relief funds to skill development, at an institutional level the services include identifying the functionaries and building their capacities.

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UNIT 11 ROLE OF CENTRAL SOCIAL WELFARE BOARD

Structure

- 11.0 Objectives
- 11.1 Introduction
- 11.2 Evolution and Structure
- 11.3 The General Body and the Executive Committee
- 11.4 State Social Welfare Board (SSWB)
- 11.5 Family Counselling Centres
- 11.6 National Crèche Scheme
- 11.7 Short Stay Home
- 11.8 Conclusion
- 11.9 References

11.0 OBJECTIVES

After studying this Unit, you should be able to:

- explain the evolution of the Central Social Welfare Board;
- describe the functioning of Central Social Welfare Board and State Social Welfare Board; and
- highlight the pioneering schemes of the Board *vis-à-vis* Family Counselling Centre, National Crèche Scheme, and Short Stay Home.

11.1 INTRODUCTION

The concept of social welfare is an intended outcome of modern governments. In a wider sense, social welfare connotes the well-being of the community, especially, the vulnerable and underserved communities. Since they do not have access to quality services, such as, shelter, healthcare, education etc. it is the duty of the State to ensure equitable distribution of resources to the underserved. On account of limited resources, be it human or financial or infrastructure, the State finds it challenging to directly provide services to the communities. Hence, it seeks to involve voluntary agencies for an organised action to handle the needs and challenges faced by women and children. In fact, women and children should not be neglected as they constitute a vital element of the nation's progress.

In this Unit, we shall discuss about the role of Central Social Welfare Board (CSWB) and understand its functions and schemes. CSWB acts as a facilitator in providing financial assistance to voluntary agencies at the ground level, thus evolving its role from a service provider to a facilitator.

11.2 EVOLUTION AND STRUCTURE

The Central Social Welfare Board (CSWB) was instituted in the year 1953 by a resolution of the Government of India. It is a fully funded autonomous organisation that comes under the aegis of the Ministry of Women and Child Development. The mandate of CSWB is to promote social welfare activities and implement welfare programmes for the target audience *vis-à-vis* women, children, and physically challenged. While executing the responsibility CSWB intends to bridge the existing gap between the government and voluntary sector and strengthen connection with people. Keeping in view of the significance of social welfare schemes, in 1954, State Social Welfare Boards (SSWB) were established in all States and Union Territories. The main objectives of SSWB is to (i) coordinate welfare and development activities of the state departments; and (ii) promote voluntary social welfare agencies especially in the remote areas. CSWB gained its legal status in 1969 and registered under Section 25 of the Indian Companies Act, 1956.

During 1950s, under the guidance of Dr. Durgabai Deshmukh, the founder Chairperson of CSWB, various welfare schemes were launched. When Dr. Deshmukh was in charge of 'Social Services' in the Planning Commission, she played a pivotal role in planning the social welfare programmes for the First Five Year Plan (1951-56). To illustrate, the First Five Year Plan emphasised that the needs and challenges of women and children must be prioritised not that they are in a state of vulnerability, but they form the most vital elements of the community (Government of India, 1951). In line with this agenda, CSWB executes various schemes that provide support to the needy, destitute, and disadvantaged women and children. In order to provide seamless service at the field level several voluntary agencies team up with State Social Welfare Boards (SSWB). Indeed, based on the recommendations of SSWB, CSWB provide financial support to those voluntary organisations that are committed to advance social justice. The SSWB play a vital role in disseminating information and creating awareness on issues that affect women and children through posters and public campaigns.

CSWB has implemented several development projects and schemes, such as, Grant in Aids, Welfare Extension Projects, MahilaMandals, Socio Economic Programme, Dairy Scheme, Condensed Course of Education Programme for adolescent girls and women, Vocational Training Programme, Awareness Generation Programme, National Creche Scheme, Short Stay Home Programme, Integrated Scheme for Women's Empowerment for North Eastern States, Innovative Projects and Family Counselling Centre Programme. One of its flagship programme is the Family Counselling Centre. It offers counselling services to the aggrieved women in case of marital discord, dowry, family, maladjustment, domestic violence, molestation, cybercrime etc. The services at the Family Counselling Centre is being delivered across the country through voluntary agencies.

For administrative efficiency CSWB has established the Monitoring Assessment and Capacity Building Division (MAC). The chief aims of the Division is to monitor the functioning of all the thirty three SSWB, organise capacity building training for the functionaries as well as for women and children. To illustrate, training programmes were held for the field officers to groom their skills on monitoring the scheme. To coordinate the various development projects and schemes, CSWB has established the Coordination Division. The role of this Division is to act as a channel of communication between CSWB and Ministry of Women and Child Development, National Institution for Transforming India (NITI) Aayog and other ministries.

Over the decades, CSWB has confronted inequality and unfairness by coordinating various development projects. Significantly, social justice when delivered at the right time enable the vulnerable to feel safe and secure. In the beginning, CSWB focus was only towards welfare, gradually it set foot in the development of the women and children. Currently, the shift has been towards empowerment. When it comes to empowerment it means promoting inclusiveness, gaining recognition, access to quality services and opportunities and above all overcoming uncertainties (Central Social Welfare Board Website).

11.3 THE GENERAL BODY AND THE EXECUTIVE COMMITTEE

For conducting the business of CSWB the General Body and the Executive Committee have been constituted. The General Body is headed by the Chairperson of CSWB. It also comprises of all Chairpersons of the respective SSWB, six professionals *vis-à-vis* law, medicine, nutrition, social work, education, and social development, three eminent social workers, representatives from Ministry of Women and Child Development, Rural Development, Health and Family Welfare, Finance, and National Institution for Transforming India (NITI) Aayog etc. It also includes two members from Lok Sabha, one member from Rajya Sabha, and the Executive Director of CSWB.

The Chairperson of CSWB also heads the Executive Committee. Besides, other members include representatives from five SSWB including one from the Union Territory, one representative from Ministry of Women and Child Development, Department of Rural Development, Department of Finance, Department of Health and Family Welfare, Department of Education, each and two professionals from the General Body. The administration of CSWB has been entrusted to the Executive Committee

The Central Government from time to time may appoint a Chairperson to head CSWB. In this regard, an eminent social worker with the administrative and organisational abilities may be considered fit for the position. The Government can consult the Chairperson to nominate the Executive Director and Internal Financial Advisor cum Chief Accounts Officer. On the other hand, Chairperson may also be consulted to replace them with other personnel.

The of the functions of CSWB include: (i) to survey the needs and requirements of social welfare organisations (ii) to establish social welfare institutions in remote areas (iii) to provide grants-in-aid to those voluntary institutions and Non-Governmental Organisation (NGO) that offer welfare service to the vulnerable population, and (iv) to coordinate with government departments and voluntary organisations with regard to development programmes and schemes.

11.4 STATE SOCIAL WELFARE BOARD

The SSWB comprises of fifty percent of CSWB members and fifty percent of SSWB members and government officials. It is headed by a Chairperson and a Secretary. Besides, they also consists of field officers and staff. The Board shall be constituted every three years. According to the Rules Governing Composition and Functions of the SSWB, an eminent social worker will be the Chairperson at the state level. Apart from being an eminent social worker, the condition for becoming the Chairperson include that they should neither be an elected representative nor a person who holds office of profit. CSWB in consultation with the state government selects the Chairperson of SSWB. The Chairperson of SSWB would be appointed by the respective state governments with the approval of CSWB. As of 2020, there are thirty three Chairpersons of SSWB. The SSWB may consist of members as decided by CSWB.

According to the 'Rules Governing Composition and Functions of the SSWB' the Chairperson must be a female social worker and regarding the composition there shall be one social worker as member to represent each major district of the respective states. Additionally, a representative from the University, Department of Social Work, officials who represent departments like health, education, social welfare, women's welfare, community development etc. There shall also be one woman representative from the respective state legislatures who shall be nominated by the respective state governments. With reference to the upper limit of the non-official members, it shall be fixed by CSWB. Regarding the duration of the membership, the Chairperson of SSWB shall hold office for three years with a maximum duration of two consecutive terms. Likewise, the Board members cannot hold office for more than two consecutive terms. The Board shall meet for at least four times a year. All the meetings shall be convened and presided by the Chairperson. In case of absence of the Chairperson, any member can be elected from amongst the members.

The SSWB can be dissolved or the Chairperson or any member of the Board can be removed from office only with the mutual consent of CSWB and the respective state government. The term of office of either the Chairperson or any of the members shall be terminated only for the following reasons: (i) of unsound mind (ii) convicted or sentenced to imprisonment (iii) declared insolvent (iv) person who refuses or incapable to discharge duties (v) absence of attendance in three consecutive meetings of the Board.

Some of the functions of the Board include: (i) to act as a medium of information exchange between the field and CSWB and vice versa (ii) to invite, accept, scrutinise, and recommend to CSWB the applications received for grant-in-aids from voluntary organisations and other institutions (iii) to supervise and report

about the working of the voluntary organisations/institutions/projects to CSWB or other government departments (iv) to provide advice and assistance to CSWB in sponsoring new welfare programmes and activities based on the needs of the state (v) to coordinate the welfare and developmental activities undertaken by state departments (vi) to promote the advancement of voluntary agencies in the areas uncovered so far (vii) to assist CSWB in offering field counselling services for aided agencies.

In the ensuing Sections, we shall discuss the pioneering schemes of CSWB *vis-à-vis* Family Counselling Centres, National Crèche Scheme, and Short Stay Home.

11.5 FAMILY COUNSELLING CENTRES

CSWB launched the Family Counselling Centre (FCC) in the year 1983. It is a pioneering scheme of CSWB implemented through various voluntary organisations. The role of FCC is to counsel, recommend, and rehabilitate services to the target audience. The target audience include the women and children who have been victims of abuse/atrocities, family maladjustments, and social ostracism¹. In case of natural disasters, it also offers interventions and trauma counselling². Besides, it generates awareness and mobilise public opinion and support on social issues that affect the dignity of women. Since they work at the field level with the distressed women and children they collaborate with the local administration, police, courts, free legal aid centres, medical and psychiatric institutions, vocational training centres etc.

Some of the objectives of FCC is to (i) provide crisis intervention services like to make an independent inquiry in dowry death case (ii) make efforts for reconciliation in separation marital cases and out of court settlement in marital cases (iii) offer referral services like Swadhar Grih³, free legal aids, police assistance etc. (iv) provide appropriate rehabilitation services for the distressed women/children and their dependents (Central Social Welfare Board Website).

11.5.1 Eligibility Conditions for Availing Assistance

The eligibility conditions for availing financial assistance under FCC includes (i) the organisation should be registered under an appropriate Act (ii) all voluntary organisations should be registered at National Institution for Transforming India (NITI) Aayog portal along with the Permanent Account Numbers (PAN) of the Non-Government Organisation (NGO) and the office bearers of the NGO (iii) It must have involved in social welfare work for at least three years before applying

¹ Social ostracism is a term referring generally to the exclusion of an individual or group from other individuals or groups.

² Trauma therapy is a form of therapy that can help deal with the emotional response caused by a traumatic event, such as, personal loss or financial loss or any unfortunate incident.

³ The Ministry of Women and Child Development is implementing the **Swadhar Greh** Scheme, which targets the women victims of difficult circumstances, who are in need of institutional support for rehabilitation, so that they could lead their life with dignity. The Scheme envisages providing shelter, food, clothing and health as well as economic and social security for these women.

for seeking grants (iv) The roles and responsibilities of personnel, facilities, resources, managerial skill, and experience to fulfil the objectives of FCC (v) the organisation's financial position should be sound and able to seek additional funds (vi) the FCC scheme would be open to all Indian citizens irrespective of religion, caste, race, creed or language.

11.5.2 Organisational Set-up

Each FCC is mandated to form a sub-committee of social workers, representative from the local administration, police, State Free Legal Aid Cells and other voluntary organisations which provide Swadhar Grih facilities. Also, any organisation that is involved in the rehabilitation of deserted women. The sub-committee may evolve a plan of action to achieve the objectives of FCC. For effective performance of FCC, the sub-committee need to meet at least once in three months.

Besides, FCC need to be located in an area that is easily accessible for the victims. It should have a pleasant ambience and a separate room with basic amenities for counselling services. The location of FCC will not be changed without seeking approval from CSWB. It is to be noted that FCC's address and counselling services should be intimated to the District Collector and District Police Commissioner so that there is active collaboration among them. 90 percent of expenditure would be incurred by CSWB and 10 percent by the concerned voluntary organisation. To illustrate, out of total annual budget of Rs. 3,20,00, Rs. 2,88,000 will be contributed by CSWB (90 percent) and Rs. 32,000 by the voluntary organisation (10 percent) that implements FCC. Since the primary responsibility of FCC is to provide counselling services, two counsellors are allowed per FCC to offer services. An honorarium of Rs. 10,000 per month would be paid to each counsellor.

Some of the training programmes conducted for the betterment of FCCs in the past five years were: (i) A two-day 'Orientation Training Programme for the counsellors of Family Counselling Centres (FCC)' was conducted by the Madhya Pradesh State Social Welfare Board in Bhopal; (ii) National Institute of Public Cooperation and Child Development (NIPCCD), Bengaluru, had conducted training programme for the FCC counsellors registered with the Andhra Pradesh Social Welfare Board; (iii) Karnataka State Social Welfare Board in collaboration with National Institute of Mental Health and Neuro-Sciences (NIMHANS) organised a Refresher Training Programme for the FCC counsellors.

Case Example 1

Abinash, an introvert and hardworking student was pursuing Grade 8 in Sembukudipatti, Tamil Nadu. One day he had gone missing and his parents received information that he was kidnapped on October 13th, 2016. The community members guided them to approach FCC, Centre for Rural Education and Development (CRED). The traumatised parents approached the counsellor present at FCC and shared information about Abinash. As the objective of FCC is to provide legal and psychological counselling, the parents were provided with

Emotion-Focused Therapy. Based on the details furnished by his parents, Mr. Alagesan, Secretary, CRED filed for First Information Report (FIR) on October 14th, 2016. Despite the efforts of Police, Abinash was not to be found anywhere. Further, Mr. Alagesan reported the case to the Child line 1098. With the help of the Child line team (a helpline that works for the aggrieved children) and CRED it was found that Abinash was kidnapped by a man named Marudhu. Eyewitness and other sources revealed that Abinash was found with the stranger near the bus stand and the motive was to involve him, as a child labourer. CRED promptly communicated the matter to the kidnapper's parents and asked them to locate his place. Eventually, Abinash was safely rescued from the kidnapper and reunited with his parents.

11.6 NATIONAL CRECHE SCHEME

One of the flagship schemes of CSWB is the National Crèche Scheme which is implemented through the SSWBs and NGOs. Crèche and day care services are needed not only for working mothers but also for poor women who do not have access to adequate childcare support and relief. The Crèche Division of CSWB under Ministry of Women and Child Development deals with the scheme. It is operational in all states and union territories. The objectives of the scheme is to: (i) provide day care facilities for children from 6 months to 6 years (ii) enhance nutrition and health status of children through supplementary nutrition and adequate healthcare facilities (iii) provide pre-school education for the children (iv) ensure holistic development of the child (physical, cognitive, social, and pre-school education) (v) provide age-appropriate activities to the children (vi) educate and empower women and caregivers so that they would provide better child care. As of 2016-17, each crèche centre would be provided up to Rs. 1, 26,440 per annum.

Need-based

Applications for new crèches will be widely publicised in local newspapers as well as in CSWB web portal. To avoid wastage of resources, NGOs as well as field officers of SSWB are expected to conduct base line survey to examine whether there is any requirement of crèches. For example, data with regard to working mothers at village level are needed. Also, uncovered areas would be given preference. In order to review the situation at the ground level and to ensure the requirement of a crèche, district administration is engaged to ensure. Once the voluntary agency has applied, the SSWB would scrutinise the same based on the agency's credentials.

Services offered

The day care facilities are available for eight hours in a day or as provided in the scheme. Besides pre-school education, it also offers supplementary nutrition, routine health check-ups and immunisation for the child, growth monitoring, and health and nutrition aspects etc. Within a centre up to 25 children can be enrolled. Thrice a day food is provided to the children *vis-à-vis* one morning snack/

breakfast, one noon meal, and one noon snack. If required, small children are provided with milk.

Monitoring

To monitor the functioning of crèches, CSWB has fifteen project officers, forty nine Assistant Project Officers, and fifty five Welfare Officers. A total of hundred and nineteen field officers have been posted across differed states. The officers need to be a Post Graduate in Social Sciences and CSWB allots zones and districts for monitoring. These officers are expected to submit periodical reports to CSWB and SSWB.

In the year 2016-17, there were a total of 11,451 sanctioned crèches with 2,92,990 children. Presently, the National Crèche Scheme has been passed on to the state governments.

Case Example 1

Training Programmes for Crèche Workers: Select Examples

- (i) A two-day training programme for crèche workers was organised by the Meghalaya State Social Welfare Board in 2016. The training content included the skills needed to deal with infant care, age-appropriate nutritional requirements of the children, and pre-school education.
- (ii) The Karnataka Social Welfare Board had organised a two-day Crèche Workers Training in 2017. The training content included the concepts like communicable diseases that affects children between 0 to 6 years, hygiene and cleanliness of the centre, maternal and child care, psycho-social care, and catering to the needs of children.
- (iii) A two-day Crèche Workers Training was organised by the West Bengal State Social Welfare Board in 2016. The trainers demonstrated about the healthy cooking skills and habits and ways for preserving the nutritional values of food.

Case Example 2

Seema's mother was a commercial sex worker. When she was six months old, Seema grew up in the crèche. Being an elder sibling she took care of her two brothers when she was just three years old. The staff at the crèche found her to be a responsible and mature person even at a very young age that she used to discover her joys in all the play-way activities *vis-à-vis* songs, dance, painting etc. As crèche was safe and secure, Seema's contact with crèche staff continued even when she became an adolescent. The crèche staff took utmost care of her that Seema used to organise her day, as attending school in the mornings and crèche in the noons. Her interests in teaching were immense (which she acquired while in crèche) that she started, teaching her brothers as well as to the neighbourhood women in Basti, Uttar Pradesh. Seeing her academic prowess, the crèche staff convinced her mother to permit Seema to pursue further education.

This is a case example to understand how the sensitivity of the crèche staff could preserve a child's curiosity for learning.

11.7 SHORT STAY HOME

The Short Stay Home scheme was launched by the Department of Women and Child Development in 1969, however, it was handed over to CSWB in 1999-2000. The objective of this scheme is to offer temporary shelter and rehabilitative services to the homeless women and girls. This scheme has been implemented only through registered voluntary organisations who are experienced in dealing with issues related to aggrieved women and girls. Also, the voluntary organisations would be recommended by the State-level Empowerment Committee. The inmates of the Home can stay from six months to three years. Besides providing shelter to the homeless women and children, the components of the scheme include medical care, counselling, occupational therapy, social facilitation in adjustment, education/recreational facilities, vocational training for development of skills, food and clothing. The Home also caters to the children's needs like pocket money and educational fee.

11.8 CONCLUSION

The Central Social Welfare Board (CSWB), a fully funded organisation was instituted in the year 1953 by a resolution of the Government of India. The mandate of CSWB is to promote social welfare activities and implement welfare programmes for the target audience *vis-à-vis* women, children, and physically challenged. To administer the development projects at the state level, SSWB has been established. The main aim of SSWB is to act as a facilitator between the field, state, and CSWB. CSWB has implemented several development projects and schemes, such as, Family Counselling Centres, National Crèche Scheme, and Short Stay Home etc.

Activity

Identify a nearby Family Counselling Centre at your place/district and request them to share public campaigns undertaken by them in the last few years.

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UNIT 12 ROLE OF CIVIL SOCIETY: CASE STUDIES

Structure

- 12.0 Objectives
- 12.1 Introduction
- 12.2 Community Empowerment: Development Alternatives (Social Enterprise)
- 12.3 Financial Empowerment: Barefoot College (Community-based Organisation)
- 12.4 De-Addiction Centres run by Non-Government Organisations
- 12.5 Social Justice for Sexual Minorities: Role of Community-based Organisations
- 12.6 Fight against Caste Discrimination: Evidence (Non-Government Organisation)
- 12.7 Conclusion
- 12.8 References

12.0 OBJECTIVES

After studying this Unit, you should be able to:

- explore the various services delivered by the civil society organizations;
- analyse the various empirical evidences of social justice as well as injustice;
- explain the role of civil society actors in governance; and
- understanding the plight of marginalised women, victims of alcohol and substance abuse, transgender persons, and victims/survivors of atrocities.

12.1 INTRODUCTION

Ever since the term ‘governance’ has become the buzzword at all national and international platforms, experts and practitioners have been looking at the potential role of civil society as one of the key partners of development along with state and market. In fact, civil society actor like Mazdoor Kisan Shakti Sangathan (MKSS) played a vital role for the enactment of Right to Information (RTI) Act. The role of civil society had been comprehensively acknowledged by the Twelfth Five Year Plan (2012-17) when civil society as an actor was engaged to identify the challenges of governance in India. Civil society actors include traditional associations, religious association, non-government organisations, self-help groups, community based organisations, and social enterprise¹ etc. In

¹ A social enterprise refers to a business with certain social objectives as its primary goal while using a commercial structure to run the organisation.

this Unit, we shall discuss about some of the civil society actors who have made exceptional contribution to uphold social justice.

12.2 COMMUNITY EMPOWERMENT: DEVELOPMENT ALTERNATIVES (SOCIAL ENTERPRISE)

Development Alternatives are social enterprises with one of its mandates to empower communities, especially, women and marginalised groups. In fact, Development Alternatives developed the Technology and Action for Rural Advancement (TARA) Akshar+ to impart functional literacy to those women who have missed their basic education. With its focus in rural and semi-urban areas, the purpose of TARA Akshar+ is to (i) empower women's ability to read and write (ii) create awareness about basic healthcare and legal rights (iii) explore income generating opportunities (TARA Akshar Website).

Now let us discuss one of the success stories of TARA Akshar+ in the ensuing paragraph.

Kalui Devi, a mother of five from Chakjudawanvillae, Uttar Pradesh, aspired for a village where both sons and daughters would experience equal treatment. But, owing to illiteracy, poverty, and patriarchy, there were many women like Kalui Devi, who felt hopeless and were kept out of educational, financial, and leadership roles. However, Kalui Devi decided to empower herself when the centre of TARA Akshar+ was established in her village. She joined the centre with the ambition to become literate for myriad reasons: (i) to sign the documents rather than using thumb impression (ii) to read signboards (iii) to travel independently and (iv) to support her family members in handling the accounts of their family shop. Above all, she wanted to be a good role model for her children.

At TARA Akshar+, the Information and Communication Technology (ICT) programme enabled her to read and write. This learning stimulated her to enrol at the Gyan Chaupali. At Gyan Chaupali she acquired awareness about nutrition, environment protection, financial literacy, women's rights, and entrepreneurial skills. With confidence and skills acquired through the centre she was able to develop her eco-conscious outlook. Especially, Kalui Devi reflected upon the way groceries were packed in the past *vis-à-vis* paper, cloth, and glass and how currently plastic has conquered all spheres of human life. She was extremely bothered about the growing plastic waste around her village, specifically, the single-use plastic.

With her newly acquired entrepreneurial skills she wanted to start a sustainable venture that produces paper bowls. Kalui Devi had set up her enterprise with the objective to create a plastic-free environment and secondly to employ women staffs. Her mission was to make durable, cost-effective, and recyclable paper cups. Gradually, the venture earned her Rs. 5000 per month. In fact, the governmental agencies at the village level took cognisance of her eco-vision and esteemed her, as the 'change maker'. To illustrate, under the Swachh Bharat Mission, Kalui Devi was honoured, as the Sanitation and Water Conservation

Motivator by the District Panchayat Raj Officer (DPRO). Her role was to interact with villagers and participate in events along with government representatives so as to increase the scope for a clean and green village.

Once during the International Literacy Day (September 8th), Kalui Devi was invited to share her experiences on how did her life transform after becoming a literate. In that forum, she spoke about the hurdles of women empowerment, especially illiterate women, by citing her own example and appreciated the significance of capacity building programmes in elevating one's life. Indeed, the impressed officials requested her to co-create solutions along with the government and further supported Kalui Devi to start a Self Help Group (SHG) meant for social and economic empowerment of local women. Upon the success of SHG, the government provided assistance to start a poultry farm. She was once kept out of family leadership role, however, with her determination Kalui Devi provides leadership not just at the SHG level but also at the government level for issues on rural development. Kalui Devi inspired 24 women to become literate through TARA Akshar programme and continues to inspire many women.

12.3 FINANCIAL EMPOWERMENT: BAREFOOT COLLEGE (COMMUNITY-BASED ORGANISATION)

Barefoot College, a community-based organisation at Tilonia, Rajasthan, was established in 1972. Some of its core missions include: (i) to improve the quality of life (ii) to upgrade people's existing traditional skills through capacity building programmes (iii) to enable the community to assume responsibilities for the provision of basic services (iv) public advocacy² for justice and rule of law (Roy and Hartigan, 2008). For the past two decades, the Barefoot College has been engaged in training rural illiterate and semi-illiterate women in solar electrification, rain water harvesting etc. For instance, women who have been trained in solar electrification are called as Barefoot Solar Engineers (BSE). The Barefoot College has been supported by the Ministry of New and Renewable Energy, European Union (EU), and United Nations Development Programme (UNDP) etc. At the national level, the numbers of solar electrified houses are 25,951 and the total numbers of Indian Barefoot Solar Engineers are 624. Now let us discuss the inspiring story of Kamala Devi, BSE, in the ensuing paragraph.

Kamala Devi was born in an economically backward family. Due to financial constraints she pursued her education through night school as she had to work during the day. In 1986, during one of her learning sessions she happened to see

² Public advocacy means to educate the public by providing adequate information and resources about a social issue, lodging a complaint, to represent the people in matters of public importance etc.

solar lamps replacing the kerosene lamps and became inquisitive to know the principle behind the solar lantern. However, post-marriage she could not pursue learning but her passion for knowledge did not cease. In 1997, Kamala Devi was selected to receive training in Barefoot Solar Engineering; nevertheless, she had to witness severe resistance. In fact, her husband and father-in-law supported her to pursue training. She wanted to overcome all barriers amidst her hectic schedule. In fact, in the morning she would complete the household chores and later attend the training workshop. In spite of feeling tedious, she took time to teach children at the night school. Within six to eight months of training, she learnt the repair solar lamps and became adept in assembling spare parts. Besides, she relentlessly taught the local children and women about their health and rights. Apart from her other commitments, Kamala Devi currently runs an independent solar power unit at her village. After her husband's death she became the sole bread winner of the family and taking care of two adolescent children. Her vision is "to make every child, especially, girls, to be educated and empowered so that they can become economically independent and lead meaningful lives" (Brara, 2012).

12.4 DE-ADDICTION CENTRES RUN BY NON-GOVERNMENT ORGANISATIONS

Kripa Foundation is a Non-Government Organisation (NGO) affiliated to the Ministry of Social Justice and Empowerment. It deals with the victims of drug abuse and Human Immunodeficiency Virus (HIV) infected persons. Having started in 1981, the NGO has its presence in 12 Indian states. Since one of its core missions is to deal with victims of drug abuse and HIV infected, it runs Treatment cum Rehabilitation Centres in Mumbai, Goa, Imphal, Kohima and Shillong. All these rehabilitation centres have been aided through the Ministry of Social Justice and Empowerment. In 1995, the Foundation did a survey to identify the link between substance abuse and HIV/AIDS. Subsequently, it made them to commission a 24/7 HIV/AIDS helpline in 1995. As per their Annual Report (2017-18), the helpline has been successfully handling the aggrieved victims. The organisation conducts various awareness programmes for the youth and community, and also de-addiction centres; and capacity building programmes for the functionaries. For example, a training programme was conducted at Mumbai District Aids Control Society (MDACS) to sensitise on the roles and responsibilities of teachers/trainers in health sector. Similarly, a training programme was conducted exclusively for medical professionals regarding the basics of addiction, national programmes and initiatives, Rehabilitation and Medicare at Homoeopathic Education and Research Institute etc.

Like Kripa Foundation, there have been several civil society organisations that work for the victims of substance abuse, HIV/AIDS infected persons. In the ensuing paragraphs, let us discuss some of the positive impacts created in the lives of victims of substance abuse, HIV/AIDS infected persons and their families.

Case 1

Prabha, a widow and HIV positive addict is a mother of five children. With the help of Community-based Drug Rehabilitation³ (CBDR) project she was able to overcome her depression. She got a loan of Rs. 18,000 from Horizon of Prosperity and Education (HOPE). It is a foundation that intends to provide micro credit for the recovering victims of alcohol and substance abuse and to their family members. With the help of the microcredit, Prabha was able to buy a loom and yarn. As days passed, with the meagre money earned she was able to send three of her five children to a residential school meant for poor children while the other two children go to a nearby school. She also grows vegetables from the kitchen garden.

Case 2

Rani, another HIV positive widow could utilise the microcredit received through HOPE for running a tea shop. With the earnings she could send both of her children to a private school. Besides, she also works as an active member of HOPE.

Case 3

Sameer, a young drug addict started using drugs from the age of 11. He became a victim of alcoholism and substance use during his adolescence. His parents were separated. After two decades of drug usage he enrolled for the de-addiction programme. Due to inefficient de-addiction centres, Sameer could not quit his addiction. Sameer finally could get appropriate interventions from Shine, a Non-Government Organisation (NGO). As part of providing employment skills for recovering victims, Shine provided training in mushroom agriculture with a loan of Rs. 6,300. With that amount he established a mushroom unit within the premises of Shine. Over a period of time, Sameer could expand his unit and train clients in this business. As the unit produces excellent mushrooms and makes good profit, Sameer could expand his mushroom unit.

Case 4

Aniket Seva, a NGO has established its de-addiction centre called Savera. During the process of recovery from alcoholism and substance abuse, Savera roped in group of professionals to provide basic skills and training, such as, candle making, tailoring etc. One of the trainers at the centre perceives that “these may seem like simple activities, but for someone living in this area, it makes the difference between starvation and earning a livelihood”. Mukul Kumar at the de-addiction centre underwent tailoring course. With his newfound skill, Mukul could establish himself, as a tailor in his locality. He has taken loan from Savera for purchasing his sewing machine and pays monthly instalments.

³

Community-based Drug Rehabilitation: It focuses on Whole Person Recovery (WPR) that seeks to make a person ‘drug free, crime free, and gainfully employed’.

12.5 SOCIAL JUSTICE FOR SEXUAL MINORITIES: ROLE OF COMMUNITY-BASED ORGANISATIONS

In order to achieve an equitable society, government has taken steps to collaborate with community based organisations. These community based organisations make use of local resources and functionaries to identify and fix the social issues. For delivering the services, whether to run de-addiction centre or provision of shelter homes or building skills of the beneficiaries, the organisations seek grants both from the state as well as non-state actors.

According to Hartney (2020), “sexual minorities are groups of people whose sexual orientation, gender identity, or sexual characteristics are different from the presumed majority of the population”. In this regard, sexual minorities include the following: gay (men attracted to men), lesbians (women attracted to women), bisexuals (attracted to both men and women), and transgender persons (people who appear different from the gender they were born with). The sexual minorities have often been discriminated and, as a result, they feel unsafe and lead a not so dignified life. Our constitution seeks to treat every individual equally irrespective of their gender orientation and hence any injustice cannot be tolerated. In this section, let us discuss about the two organisations that work for the development of sexual minorities.

12.5.1 Lakshya Trust

The Lakshya Trust was founded by Manvendra Singh Gohil, a person of royal lineage, who publicly declared that he is a homosexual (Narang, 2011). Looking into the pathetic conditions of the gay community and stigma around them made him to become an activist. Besides promoting gay rights, the Trust has been involved in HIV/AIDS prevention among Lesbian, Gay, Bisexual, and Transgender (LGBT) community. Gradually, the Lakshya Trust has evolved, as a community based organisation that works to accomplish gender tolerance and gender equity towards transgender persons. In the process, Lakshya Trust wanted to empower the most invisible sections of the country, that is, the transgender community. Being a public charitable trust based in Gujarat, the organisation advocates for the health, social, economic, legal, psychological, and spiritual aspects of the gay, bisexual, and transgender population. Lakshya has been supported by the local government.

The Trust’s outreach services related to HIV/AIDS infected covers more than 10,000 people across Vadodara, Surat, and Rajkot. The objective of the community outreach services is (i) distribution and usage of condoms (ii) to reduce incidents of Sexually Transmitted Infections (STIs) and Sexually Transmitted Diseases (STDs) (iii) promote treatment of STIs (iv) to empower HIV positive persons (v) to mainstream the issues of HIV/AIDS infected and transgender persons (vi) to promote scientific research in the field of transgender and HIV/AIDS infected communities. Under the National AIDS Control Organisation’s annual HIV and STI surveillance exercise, Lakshya Trust has been roped as a national surveillance site to find out the prevalence HIV rate among the gay populace.

The Trust's commitment to enable LGBT community, as a self-empowered community was indeed realised during the first lockdown in 2020 when the Kinnar (transgender) community from Baroda approached the Director of Lakshya Trust to secure passes for movement. The passes were used to visit different slums in Baroda, where people were found to eat rice with weevils⁴ To illustrate, the Kinnar community had spent around Rs. 40,000 of their savings (included mortgage of gold jewellery) to purchase and distribute the essentials to the starving population (Mishra, 2020). In fact, during the lockdown interested and selfless individuals did network with established organisations to help the needy ones from procurement to distribution of essential items.

The Ministry of Social Justice and Empowerment in collaboration with the Lakshya Trust initiated the GarimaGreh Scheme in 2020. The Scheme is meant to provide a dignified and safe shelter home for the transgender community. This Scheme was hailed by the transgender community as most of them had been abandoned by their family members. The core mission of this Scheme is to provide “shelter, food, clothing, recreational facilities, skill development opportunities, yoga, meditation/prayers, physical fitness, library facilities, legal support, technical counsel for gender transition and surgeries, capacity building of trans-friendly organizations, employment, and skill-building support, etc.” The Ministry with the singular vision to improve the conditions and self-esteem of the transgender community has identified Lakshya Trust, as one of community-based organisations to roll out the pilot project⁵. As part of this pilot project, 13 community-based organisations have been selected across Indian cities *vis-à-vis* Vadodara, New Delhi, Patna, Bhubaneswar, Jaipur, Kolkata, Manipur, Chennai, Raipur, Mumbai to rehabilitate 25 transgender persons in each shelter home (PIB, 2020).

12.5.2 The Humsafar Trust

With the objective to serve the LGBT community in Mumbai and its suburban areas, the Humsafar Trust was established in 1994. The Humsafar Trust and its staff have been active petitioners before the Supreme Court for the LGBT issues, such as, dealing crisis with family members, cheaters, harassment, abuse, blackmail, violence etc. They have been fighting for the LGBT rights and entitlements in private and public sphere. The Humsafar Trust has been organising advocacy workshops to various stakeholders' *vis-à-vis* health care personnel, law enforcement agencies, judiciary, legislators, politicians, government agencies, media, and student community. The objective of such workshops is to sensitise the policy makers and functionaries about the LGBT issues. Besides, it all provides legal support, crisis management, community mobilisation, and mental health and nutrition counselling to its target audience (The Humsafar Trust Website).

⁴ They are a member of a family of beetles and considered to be pests that destroy plants and grain.

⁵ The pilot project is an initial small-scale implementation that is used to prove the viability of a project idea.

In order to deal with queries and concerns of parents and family members of LGBT individuals, Humsafar came up with a manual for counsellors and mental health professionals (The Hindu, 2016). The Trust had launched an online petition in 2020 for the cause of civil rights of LGBT community (The Times of India, 2020). The sole purpose was to compile the grievances of the community and present it to before the Government of India for action. The petition included the following: (i) Recognition of same-sex marriages (ii) adoption and inheritance rights for LGBT community (iii) right to own property, avail housing loans and insurance etc. Thus, the Humsafar Trust has a pivotal role in bringing social justice to the sexual minorities.

12.6 FIGHT AGAINST CASTE DISCRIMINATION: NON-GOVERNMENT ORGANISATION 'EVIDENCE'

With the objective to fight against caste discrimination and to uphold social justice and equality for the Scheduled Castes (SC), a NGO called 'Evidence' was established in the year 2005. The core mission of Evidence is effective implementation of laws and policies that are meant to protect and promote SC and Scheduled Tribe (ST) rights *vis-à-vis* women and children. They network with human rights organisations to demand social justice for the SC and ST communities. The organisation has been instituted as many marginalised communities are still being treated inhumanly despite constitutional safeguards (Evidence Website). It adopts a 'rights-based approach' wherein every human being has been recognised as a person with entitlements. Moreover, a rights-based approach intends to safeguard the freedom, well-being, and dignity of deprived communities. Evidence plays a vital role when it comes to know the incidents of atrocities against SCs and STs. To illustrate, in 2003, a couple were killed in the name of honour killing and Evidence took up the legal battle against the killings. Secondly, they work to change the public perception about such crimes against fellow human beings.

According to the founder, Mr. Kathir 80 percent of the victims happens to be women. In fact, Evidence had handled hundreds of caste-based honour killings since 2005 and Mr. Kathir points out that "each case only shows different dimensions of caste and it has been challenging" (Muralidharan, 2018). In case of atrocities against the deprived communities the first and foremost duty of Evidence is to collect facts and document the proof for facilitating the victims/survivors and their families to reach out to the judiciary. Secondly, Evidence networks with several state mechanisms and human rights organisations. Thirdly, incidents of human rights violation and atrocities have been reported through media so as to generate awareness among the people. In addition, Evidence organises counselling and rehabilitation efforts for the victims and survivors to recover from abuse and injustice.

ACTIVITY

We all see eunuchs asking for money from people travelling in cars on road. Just let us know what transpires your thought when you see them.

12.7 CONCLUSION

In this Unit, you have come across some of the exemplary initiatives of civil society actors for the afflicted and aggrieved people. You were able to understand the multiple vulnerabilities and struggles being faced by the victims/survivors of injustice and abuse. Although, the examples mentioned may vary geographically, you must have noticed the common issues of patriarchy, negligence, caste-bias, violation of human rights, exclusion etc. and how it impacts the rights and entitlements of the deprived communities. As discussed in this Unit, several civil society actors have been taking commendable efforts whether it is in terms of providing literacy, education, skill development, etc. or enabling the victims to lead a dignified life. These efforts have been highly appreciated by the central, state and local governments. It is to be understood that in the governance matrix the role of civil society actors cannot be denied. Indeed, their role is much needed to co-create a meaningful democracy as enshrined in our Constitution.

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