6 | *Social Empowerment*

Social empowerment is the process of enabling people to increase control over their lives, to gain control over the factors and decisions that shape their lives, to increase their resources and qualities and to build capacities to gain access, partners, networks, a voice, in order to gain control. A nation can never have a good growth trajectory without empowering all sections of society equally.

Need and Significance of Social Empowerment

- **Reduce the incidence of unemployment**: Social empowerment leads one to take the right job and hence reduce the incidence of unemployment and under-employment.

- **Reduction of social violence** : Social empowerment leads to a decrease in social violence engineered against the deprived section of the society. If one is empowered socially, they know the rights they enjoy and the duties they serve.

- **Corruption concern** : Social empowerment is also advantageous in case of corruption as people tend to understand the exploitative class and restrain from giving any bribe which ultimately reduces corruption.

- **To reduce poverty and inequality:** Social empowerment is one approach to reduce poverty. When people are empowered, they tend to use the knowledge in the right direction and somehow reduce their poverty which is so important for national growth also.

- **For inclusive development** : The main advantage of empowerment is that there will be an overall and inclusive development of the society. The money that people earn does not only help them and or their family, but it also helps develop society.

Dimensions of Social Empowerment

- **Dimension of legitimacy of Power** : The centrality of the notion of empowerment is located in the dynamics of sharing, distribution and redistribution of power, which has a basis of legitimacy.

- **Authority in general is used in the following contexts :**
  - ➢ **Regulatory,** based on one's formal position and status in relation to others;
  - ➢ **Expert knowledge,** where the expert may possess the power to define ordinary people or to withhold knowledge from those whose well-being is affected by it;
  - ➢ **Relationship ability or interpersonal skills,** where power comes from interpersonal influence based on abilities to work with people.

- **Dynamics of Power Relations** : Ability to exercise power in a given context as having power is not the same as exercising it.

- **Seizing or creating opportunities** in the environment, changing structural conditions or Relations **of symmetry,** where relatively equal amounts and type of power and authority, are exercised and are based on reciprocity.

- **Principle of Change and Transformation : Empowerment is concerned with the transformation of the structure of subordination, o Emancipation was associated with a view of progress as a movement towards freedom and equality.**

- **Article 29** : Protects the interests of the minorities by making a provision that any citizen/section of citizens having a distinct language, script, or culture have the right to conserve the same.

- **Article 46** : Under the DPSP, the state shall promote, with special care, the educational and economic interests of weaker sections of the people, and in particular, of the scheduled caste and scheduled tribes.

- **Article 275 (1)** : Provides Grants in-Aids to states (having scheduled tribes) covered under the fifth and six schedules of the constitution.

- **Article 350A** : States that the state shall provide adequate facilities for instruction in mother-tongue at the primary stage of education.

- **Article** 244 **(1)** : Defines Scheduled Areas as the areas defined so by the President of India and are mentioned in the fifth schedule of the Constitution. In India, there are 10 states having scheduled areas.

- **Article 244** : The Sixth Schedule of the Constitution deals with the administration of the tribal areas in the four north-eastern states of Assam, Meghalaya, Tripura and Mizoram as per Article 244.

PROBLEM FACED BY TRIBES:

- **Forest related issues** : The livelihood of the tribal community is based on forest. They enjoyed their traditional rights of hunting, gathering, shifting cultivation but the advent of modern government, in the name of forest protection, stopped the movement of STs which brought the question of existence.

- **Poverty and exploitation** : The tribal population are being exploited because of their innocence and they are pushed to a spiral of poverty. They have been living in forests from time immemorial, but after the government's restriction, many became bonded laborers and getting exploited.

- **Literacy rate** : Literacy among the tribes of the northeastern and island regions is relatively higher but despite that high dropout rate and the infant mortality rate is also a problem in the north-eastern region.

- **Health Issues** : PVTGs suffer from many health problems like anaemia, malaria; gastro-intestinal disorders; micronutrient deficiency and skin diseases due to poverty, lack of safe drinking water, bad sanitation, lack of health services, superstition and deforestation.

- **Agriculture angle** : The contributing factors such as dependency on agriculture, natural calamity, crop- failure, reduced access to land, and lack of employment, etc. are the reasons for poverty in the states like MP and Chhattisgarh.

- **Unemployment**: The rates of unemployment are high in the tribals of the island region. STs are confronted with problems like forced migration, exploitation, displacement due to industrialization led to losing command over the natural resources, and are unable to cope with the new pattern of work and resources for living.

- **Dependency on MFP** : Minor Forest Produce (MFP) is a major source of livelihood for tribals living in forest areas. Most of the trade-related to the MFPs remained unorganized in nature, which has led to low returns to the gatherers and high wastages due to limited value addition.

- **Inferior technology** : The tribes have a low level of technology which is not suitable for modern-day. For example, they are still practicing shifting cultivation which is problematic for the environment.

- **Identity loss** : Nowadays, the tribes are coming out of their tribal fold and are increasingly getting assimilated into the non-tribal population by which they are losing their tribal culture, social institution, language, etc.

- **Vulnerabilities of tribes in Andaman and Nicobar** : The fragile tribal communities have been facing expropriation of their ecosystem by outsiders. The outside influences are impacting their land-use patterns, use of the sea, and overall biodiversity leading to material and non-material changes.

LEGISLATIVE PROVISIONS FOR TRIBALS:

- **The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA): It has a special section regarding the 75 PVGTs and the Act recognises forest and habitat rights of PVTGs.**

- **The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)** : It extends Scheduled Areas of India under the purview of the national framework of Panchayat.

- **The Andaman and Nicobar (Protection of Aboriginal Tribes) Regulation, 1956** : The

Sentinelese and other aboriginal tribes of the Andaman & Nicobar Islands are protected under this act.

- **Foreigners (Restricted Areas) Order, 1963** : The Andaman & Nicobar Islands are a "Restricted Area" in which foreigners with a restricted area permit (RAP) can stay.
- **Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956** : The habitats of the PVTGs of Andaman and Nicobar Island have protected Tribal Reserve.

HIGH-LEVEL COMMITTEE (HLC) IN 2013, UNDER CHAIRMANSHIP OF PROF. VIRGINIUS JAXA:

- The Committee was mandated to examine the socio-economic, educational and health status of tribal communities and recommend appropriate interventional measures to improve the same.
- **It submitted its report in May, 2014. Key recommendations of the committee were: o Increase and strengthen the powers of Gram Sabha for land acquisition;**
- Mining rights to cooperatives;
- Acquired but unused land could be used for tribal rehabilitation;
- No to large dams;
- Judicial commission on Naxal offenses.

PARTICULARLY VULNERABLE TRIBAL GROUP (PVTG) CHARACTERISTICS:

- Pre-agriculture level of technology;
- **Mostly homogenous;**
- Stagnant or declining population;
- Relatively physically isolated;
- Extremely low literacy;
- Slower rate of change;
- Subsistence level of economy.

GOVERNMENT INITIATIVES:

e **Tribal and Harijan Research Institutes** : They were set up in MP, Odisha, Bihar, West Bengal, and Rajasthan. They study the tribal lifestyle, art, and customs for that protection and documentation.

The Stand Up India scheme : It aims at providing people belonging to the scheduled caste or scheduled tribe or women of the country a loan between Rs.10 lakhs to Rs.l crore to promote entrepreneurship among them.

Commissioner for the Scheduled Castes and Tribe : To investigate all matters relating to the safeguards for Scheduled Castes and Scheduled Tribes under the Constitution and To report the President on working of these safeguards.

Van Dhan Scheme : Under the scheme, 10 Self Help Groups of 30 Tribal gatherers (Van Dhan Vikas Samuh) will be constituted. Tribal peoples will be given working capital to add value to the products collected from the jungle.

Van Dhan Vikas Kendra : It is a multipurpose establishment for providing skill upgradation, capacity building training, and setting up of primary processing and value addition facilities.

WAY FORWARD

- A **region-specific approach** : It is required to bring positive change among the tribes. For example, the unemployment problems of the island region can be resolved by developing the fisheries and tourism industry at large scale.
- **Awareness generation**: There is a need for awareness generation is required for tribal communities to avail of the existing schemes and programs targeted.
- **More access to the forest products** : Among the forest dwellers should be facilitated in a positive direction.
- **Promote sustainable economic activities** : Development of cottage industries, plantations crops (e.g. coconut), fishing, animal husbandry etc. are some viable economic options given the fact that there is not much scope for agriculture.
- **Protect Cultural Heritage** : The ANTRI (Andaman and Nicobar Tribal Research and Training Institute) has been set up with an objective of formulation of policies for tribal integration and protection of PVTGs.

CONCLUSION:

- The various tribes in India are distinct and preservation of their people and culture should be the priority of the government. Hence, doing the needful for the continuation of tribes is the need of the hour.

WOMEN

Out of the total population in India, **women population contributes 48.37% (2011 Census).**

Women empowerment became a subject matter all around the world in the past few decades. Many international organizations and agencies including the United Nations emphasized gender equality as an important issue. It is said that **"empowering women is not alone morally essential, but also economically important for the country".**

ISSUES FACED BY WOMEN:

Domestic Violence And Dowry Deaths: Women continue to face the most risks from their families. Among all registered cases of serious crimes against women, the largest share approx. 36% of all cases were under "cruelty by husband and relatives".

Pink colorization of jobs : The women are mostly deemed fit for "pink-collar jobs" only, such as teachers, nurses, receptionists, babysitter, lecturer, etc. which have been stereotyped for women. This denies them opportunities in other fields.

Early marriages : Especially of girl children, reduces their opportunities, denying them the chance to get empowered.

Girl children denied timely interventions : In nutrition and healthcare, especially in rural areas. Hence malnutrition and anemia among Indian girls is one of the highest in the world.

Education issue : it is denied, and even if allowed in some cases, the girl couldn't attend classes due to time constraints as a result of household work.

Artificial barriers : Women in India face artificial poor pink barriers like stereotypes, media-related issues, and Politica! LFPR colorization & informal boundaries, which prevent them from advancing Representative.

Lack of political participation of women : The Indian ye ee imi nad oD Parliament currently has 11.8% women representation, Best and state assemblies have only 9%. Even though the 73rd HarasSment & CAA mandates 33% of panchayat seats to be reserved for Early csi domestic women and in spite of that, there is prevalence of marriage) Pe Violence "Sarpanch Pati".

Patriarchal society and gender discrimination : A patriarchal society means a male-dominated society, and gender discrimination is when one sex is given preferential concern over the others.

Employment grievances : The unequal treatment of women has been a characteristic of provision for unemployment throughout its existence. Even though women are generally paid less, they are not preferred in many industries.

Agap in digital literacy : Digital gender gap in India is huge, as less than a third of India's total interest users are female i.e. around 29 %. Internet access : Globally in developing countries, the number of women using the internet is approx. 12% less than men. Sexual Harassment : It acts as a deterrent to women's freedom and perpetuates the notion that women are the weaker sex. The NCRB data highlights that sexual harassment is a risk in all facets of life: in shelter homes, in the workplace, in the home, on public transport.

REPORTS

The National Family Health Survey-4 : It revealed that every third married woman had experienced physical and/or sexual violence but only 1.5% had sought help from the police.

International Monetary Fund's research : It has shown that raising women's participation in the workforce to the level of men can boost the Indian economy by 27%.

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SCHEMES FOR WOMEN EMPOWERMENT:

Beti Bachao Beti Padhao Yojana: It aims to generate awareness and also improve the efficiency of welfare services for the girl child and to address the declining Child Sex Ratio (CSR).

Sukanya Samriddhi Yojana: Falling under the ambit of the Beti Bachao Beti Padhao scheme, the Sukanya Samriddhi Yojana is a government-backed savings scheme for girl children.

Mahila-E-Haat: online marketing platform that leverages technology to help aspiring women entrepreneurs, self-help groups, and NGOs to showcase their products and services.

Mahila Shakti Kendra: to empower rural women with opportunities for skill development, employment, digital literacy, health and nutrition. Working Women Hostel: to ensure availability of safe, convenient accommodation for working families, along with day-care facilities for their children, wherever possible in urban, semi-urban and rural areas. Support to Training and Employment Programme for Women (STEP): set up to provide skills to women so that they can take up gainful employment.

GOVERNMENT INITIATIVES:

1. **The National Commission of Women (NCW):** started in 1992 to review the constitutional and legal safeguard of women, recommend remedial measures, facilitate grievance redressal, and advise the government on policy matters.

2. **Programs on Cyber Crime investigation :** Various Law schools are engaged in conducting several awareness and training programs on Cyber Laws and Cyber Crimes for judicial officers.

3. **Training :** It is imparted to Police Officers and Judicial officers in the Training Labs established by the Government.

4. **Women helpline :** The Scheme for Universalisation of Women Helpline has been approved to provide 24- hour emergency and non-emergency response to all women affected by violence

5. **National Mission for Empowerment of Women (NMEW) :** It aims to achieve holistic empowerment of women through the convergence of schemes programs of different Ministries Departments of GOI as well as State Governments.

6. **National health programs :** Such as the National Rural Health Mission (NRHM) and the Family Welfare Programme have been created to address the maternal health care needs of women across India.

7. **Pradhan Mantri Matru Vandana Yojna :** It is a maternity Benefit Programme being implemented in all the districts of the country in accordance with the provision of the National Food Security Act, 2013.

8. **Weekly Iron and Folic Acid Supplementation Programme :** To meet the challenge of high prevalence and incidence of anemia amongst adolescent girls and boys.

9. **Project Stree Swabhiman :** MelTY announced a project which aims to create a sustainable

model for providing adolescent girls and women access to affordable sanitary products in rural areas.

10. **Nari Portal**: It is a Mission Mode Project under the National E-Governance Plan. It is designed and developed by the National Informatics Centre (NIC), MelTY.

WAY FORWARD:

➲ **Improving health** : Including food security and nutrition Focus on recognizing women's reproductive rights, shift of family planning focus also to males, expansion of health insurance schemes and addressing the intergenerational cycle of under-nutrition.

➲ **Education empowerment** : Improve access to pre-primary education, enrolment and retention of adolescent girls, and address disparities with regard to ICTs.

➲ **Economic equality** : Raising visibility, engendering macro-economic policies, generating gender- disaggregated land ownership database, skill development and equal employment opportunities with appropriate benefits related to maternity and child care services.

➲ **Governance and decision making** : Increasing women's participation in the political arena, administration, civil services and corporate boardrooms.

➲ **Enabling environment gender perspective** : In housing and infrastructure, gender parity in the mass media & sports, and support services for all women especially the vulnerable, marginalized, migrant and single women.

➲ **Environment and climate change impact concerns mitigation** : Addressing gender concerns during distress migration and displacement in times of natural calamities due to climate change and environmental degradation.

CONCLUSION:

➲ India has shown a dedicated will to bring changes by pledging to achieve the Sustainable Development Goals which include ideals of gender justice and women empowerment. Only with constructive planning and comprehensive changes at

various levels in society the new emerging "women power" shall be soon able to realize its complete potential in India.

Empowerment of minorities

The Constitution of India uses the word 'minority' (in Article 29, 30, 350 A and 350 B) but does not define the word 'minority'. The minorities in India include:

1. **Religious minority-** As per National Commission for Minorities Act, 1992, it includes Muslims, Sikhs, Christians, Buddhists, Zoroastrians (Parsis) and Jains. Sects within a religion are not considered a religious minority.

2. **Linguistic minority** -They belong mainly to a State and not at the national level. The linguist minorities must have a separate spoken language but it is not necessary that they have a distinct script.

India is **home to thousands of distinct and unique cultures,** formed by mixing of multiple religious and linguistic minorities. However, with rapid socio-economic changes and urbanization in recent years, the valuable cultures and traditions of the minorities in India are under severe threat and in some cases face extinction. Today minorities who were known for metal works, elegant textiles such as Banarasi, kantha (West Bengal), Kashida (J&K) are leaving these art forms. Even the Parsi population has reduced to half.

Globalization has led to change in preferences and demands of consumers. They are preferring western, machine made, cheaper products over local, hand-made, exquisite so expensive products. **Increased competition** with such cheap machine made products and scarce and rising cost of basic resources has caused decline of traditional art and artifacts. Moreover, increased poverty levels, illiteracy, lack of adequate income has forced traditional artisans to either migrate to other regions or shift to some other occupation. As a result, **art forms** have not been able to pass on to successive generations. Homogenization is also impacting individual

fine arts, music, festivals. The changed lifestyle is giving way to **migration, homogenization, blind race behind western traditions and neglect**

of indigenous culture, stressful life, time and resource scarcity,intergenerational gaps which makes people lose sight of their prized heritage.

Even for linguistic minorities, discriminatory practices or policies against them in different states, can, in the long term, threaten national integration. We have already witnessed linguistic reorganization of states, immediately after independence, to help citizens stay connected with their linguistic identity and protect them from any discrimination. However, continued prejudiced treatment against linguistic minorities, can perpetuate 'separatism'. For example, Bengali speaking people in Assam; Kannada and Malayalam speaking people in

In Andhra Pradesh, Nepali speaking people (Gorkhas) in upper districts of West Bengal, are being discriminated against based on their languages and often efforts are taken to impose the state language on them. This suppression of cultural diversity can be very costly in terms of the alienation of the minorities.

Constitutional provisions:

There are various Constitutional provisions, to safeguard the interests of 'linguistic, religious and other minorities', as given below:

1. **Article 15**: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

2. **Article 16**: Equality of opportunity in matters of public employment and no citizens shall be ineligible for employment on grounds only of religion, race, caste, sex, descent, place of birth.

3. **Article 25**: Guarantees freedom of conscience and free profession, practice and propagation of religion.

4. **Article 26**: Every religious denomination has the freedom to manage its religious affairs.

5. **Article 27**: Freedom from payment of taxes for promotion of any particular religion.

6. **Article 28**: Freedom as to attendance at religious instruction or religious worship in certain educational institutions.

7. **Article 29**: Protection of distinct language, script or culture of minorities.

8. **Article 30**: Rights of all minorities, whether based on religion or language, to establish and administer educational institutions of their choice.

9. **Article 347**: The President may, if he is satisfied that a substantial proportion of the population of a state desires the use of any language spoken by them to be recognised by that State, direct that such language shall also be officially recognised throughout that State or any part thereof for such purpose as he may specify.

10. **Article 350**: The **Commissioner for Linguistic Minorities** was set up in 1957 to comply with this Article. It takes up grievances of linguistic minorities and submits annual reports to the government.

Court judgements:

1. In **St. Stephen's College vs University of Delhi** (1992), the court held that autonomy of a minority institution cannot be taken away as it will defeat the purpose of right to establish and administer educational institutions by minorities.

2. The Supreme Court in the TMA **Pai Foundation case** considered the question of definition of 'minority' within the meaning of Article 30(1). It held that 'a minority either linguistic or religious is determinable only by reference to demography of the State and not by taking into consideration the population of the country as a whole'. Thus, religious and linguistic minorities have to be considered state-wise for the application of central and state laws.

Legislative provisions:

The government has passed various laws for the protection and upliftment of minorities in India. They are:

1. Different personal laws govern marriage, divorce and succession rights of persons belonging to different religions. For example, **Indian Christian Marriage Act, 1872** and **Parsi Marriage and Divorce Act 1936**.

2. **National Commission for Minorities Act, 1992–** It set up the National Commission for Minorities to protect minority rights in the country. It consists of one chairperson and six members representing the six minor

communities – Muslims, Sikhs, Buddhists, Christians, Parsis and Jains. The Commission Performs various functions including evaluating the development of minority communities under Union and States, ensuring the safeguard of minority rights as per the Constitution and other laws, conducting studies on matters related to minorities and suggesting measures to the government. The commission also acts as a grievance redressal forum for persons belonging to minority communities. It functions as a civil court in matters concerning summoning of witnesses, discovery and production of documents, requisitioning of public records and copies, etc.

3. **National Commission for Minority Educational Institutions Act, 2004** -- This act allows direct affiliation of minority educational institutes to central universities in order to provide quality education in minority institutes. It can also look into any complaints relating to violation and deprivation of rights of minorities to establish and administer educational institutions of their choice.

4. **Central Wakf Council** was set up as a statutory body, whose administration is the responsibility of the Ministry of Social Justice and Empowerment. A Wakf is a permanent dedication of movable or immovable properties for purposes recognised by the Muslim law as religious, pious or charitable. The Wakfs are also instruments of social and economic upliftment. The Council implements schemes for development of urban Wakf properties and educational programmes.

Government policies and schemes:

The Government of India has adopted a comprehensive approach to preserve minority heritage and culture. Various components of the strategy are:

1. **Educational empowerment:** Ministry of minority affairs provides pre-matric, post-matric and merit cum means scholarships to students of poor families. **"Maulana Azad National Fellowship"** for higher studies and interest subsidy schemes like **"Padho Pardesh".** The educated minority youth are

well placed to recognize the significance of historic resources, to preserve them for future generations, and to integrate them into everyday life through redevelopment, community efforts in conservation.

2. **Livelihood security:** Ministry's **"Nai Roshni"** scheme is empowering women by providing knowledge, tools, technique, while scheme **"Nai Manzil"** is bridging the skill gaps in madrasa students. **"Seekho Aur Kamao (Learn and Earn)"** scheme imparts minority youth with skill and 75% assured placement guarantee. National Minorities Development & Finance Corporation (NMDFC**)** fulfills microfinance needs of entrepreneurs. An empowered artisan can prudently manage inventory, access government schemes, can gather market trends, can tailor the product design as consumer needs.

3. **Jiyo Parsi scheme:** Parsi population has seen 50% decline since independence; reasons are low fertility, migration, a large number of Parsis who remain unmarried, late marriages etc. It is threatening their 2000 year old cultural practices such as Navjote, Zoroastrian weddings, funerals, their temples, dakhma (Tower of silence) etc. Government through this scheme has made unique structural intervention to **stabilize the Parsi population.** It provides for counseling, medical assistance which will indirectly help to preserve the rich heritage.

4. **USTAAD scheme: Upgrading the Skills and Training in Traditional Arts/ Crafts for Development** scheme, is direct intervention to preserve rich heritage of traditional arts/crafts of minorities and build capacity of traditional artisans/craftsmen through *recognition, preserving talent, exhibitions, stipend and awards.* With such unique provisions this scheme is preserving traditional textile, wood, carpet, handicraft, embroidery art forms of minority society.

5. **Hamari Dharohar scheme** has been announced to preserve the rich heritage of minorities, their literature/ documents, calligraphy etc. under the overall concept of Indian culture through documentation of oral traditions, art forms, exhibitions and

fellowships. It works in partnership with National museum, National gallery of modern arts, ASI, UNESCO and world monument foundation. Three iconic exhibitions of Parsi culture have been arranged and a project for **translation of 240 invaluable documents** has also been announced. These documents, belonging to the medieval period, on the subjects of medicines, mathematics, literature, etc., will be translated from the Arabic language to English; digitized, and re-printed.

6. **Nalanda Scheme:** Union Ministry of Minority Affairs has launched the Nalanda Project for higher educational institutions belonging to minorities. It is an innovative faculty development program and is taken up at Aligarh Muslim University.

7. **Waqf management:** Government provides **interest free loans** for construction and reconstruction of financially viable assets such as hospitals, marriage halls, cold storage on waqf lands.

8. **Prime Minister's New 15 Point Programme for the Welfare of Minorities:** It is an overarching programme which covers various schemes under concerned ministries by **earmarking 15% of physical targets/financial outlay** for minorities. For **enhancing opportunities for education**, it focuses on

   ➢ equitable availability of Integrated Child Development Services (ICDS),
   ➢ improving access to school education,
   ➢ mobilizing greater resources for teaching Urdu,
   ➢ modernizing Madarsa education,
   ➢ provision of scholarships for meritorious students from minority communities and
   ➢ Improving educational infrastructure through the Maulana Azad Education Foundation. In order to **generate equitable share in economic activities and employment**, the programme focuses on .
   ➢ self employment and wage employment for the poor.

   ➢ upgradation of skills through technical training,
   ➢ (9) enhanced credit support for economic activities and
   ➢ (10) recruitment to State and Central Services.
   ➢ To **improve the conditions of living of minorities**, it calls for (11) equitable share in rural housing scheme and
   ➢ (12) improvement in the condition of slums inhabited by minority communities. To **prevent**
   ➢ **and control communal riots**, it suggests
   ➢ (13) posting of efficient, impartial public servants in communally sensitive and riot prone areas, (14) prosecution for criminal offenses and rehabilitation of victims of communal riots.

9. *Minority Cyber Gram (MCG):* It seeks to introduce digital literacy skills in identified minority clusters in India through designated digital fellows for knowledge empowerment and entitlement gains of minority groups and beneficiaries.

In order to protect minorities, they should be given special consideration especially in a context where the normal working of the political and democratic system places them at a disadvantage with respect to the majority. Special rights for minorities were designed to help them preserve their institutions and to guarantee autonomy in the matter of administration of these institutions. Ensuring these rights does not imply that they are to be treated as a privileged section of the society, but the idea is to provide them with a sense of security.

Government's efforts are also incomplete **without citizen's participation.** Our cultural heritage teaches us about tolerance and respect for diverse traditions. Therefore, minority or no minority, it is the civic duty of every citizen to protect our heritage.

Empowerment of Senior citizens

The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 defines senior citizens as the Indian citizens who have attained the age

of 60 years or above. As per the Census of India 2011, there are 104 million senior citizens, females being 53 million and males 51 million, accounting for 8.6 % of India's population. There is a significant variation across states in terms of elderly population. For example, Kerala has 12.6 % of its population above 60 years while Arunachal Pradesh has only 4.6 % elderly population.

The Population Division of United Nations Department of Economic and Social Affairs in its 2015 report has projected the elderly population (60+age group) to be **19.4% in 2050** as per the details given below:

⮕ Old age dependency ratio in India is consistently on the rise reaching **14.2% in 2011 from 10.9% in 1961 (*Census of India 2011*).** The Constitution of India under **Article 41** directs the State to provide assistance to the old-age people, which has been followed up by enacting several laws and implementing various schemes. However, despite numerous interventions by the Governments at the Centre and State, their condition remains precarious as they continue to face marginalization at the level of family, society as well as the state.

Problems faced by the elderly population:

Aging is a life-cycle stage where the human capacity to think, act, relate, and learn starts to falter and deteriorate. It breeds illnesses such as loss of memory, immobility, organ failure and poor vision. These are critical dysfunctions that could sideline a senior citizen to a lonely and miserable life. The problem gets aggravated in countries like India. Elderlies face several issues such as lack of quality healthcare facilities in the vicinity, lack of financial means to secure healthcare, neglect and ignorance by the children, slow and inefficient administrative machinery, absence of elderly-friendly facilities in hospitals, banks, courts etc. Since they are susceptible to a **variety of diseases**, especially non-communicable ones like, diabetes, heart diseases and cataract, health costs also keep on rising with age. Older people, and those with underlying medical problems like cardiovascular disease, diabetes, chronic respiratory disease, and cancer are also more likely to develop serious illness due to the 'silent tormentor' COVID-19. Almost all of them retire by this age and have

no means of livelihood of their own, hence rely entirely on their children or government support for survival.

Shelter is a fundamental requirement of human beings. However, many of the homeless elderly the population have been pushed out of their homes because of family problems, that is to say, being beaten, death in the family, mental or physical illness, psychological abuse or property dispute, etc. For others it is the direct result of being unable to break the vicious cycle of homelessness in urban areas and they have sadly grown old on the streets, being unable to secure a permanent abode. The State's insensitivity to the issue makes the lives of these people more and more difficult. Rather than them receiving the support and security they need, instead homeless people are criminalized by various legislations e.g. **The Bombay Prevention of Begging Act 1959.** Delhi alone has over 56000 elderlies living on streets (Delhi Human Development Report 2013). The problem is as grim in literate states like Kerala which reported over 8600 cases of forced homelessness during 2011-16.

Rapid socio-economic change, including more **nuclear families**, is also making elder care management difficult, especially for busy adult children responsible for their older parents' wellbeing. Most senior citizens who live alone suffer due to lack of companionship, sometimes exacerbated by a lack of mobility due to ill health. Isolation can result in gradual depression and other mental disorders in the elderly. If there is one thing every senior citizen, man or woman craves for, it is emotional connection. All they expect from the current generation is a little love and attention so that they would gladly and graciously ride into the sunset of their lives. However, the degrading value system in the society has resulted in physical and mental abuse by their children and other members of the family. Elderly people are merely seen as a liability to them, who can earn no returns and any expenses on them are futile given their uncertain lifespan. The 2013 HelpAge India Report, revealed that the most common form of abuse nationally experienced by elderly was disrespect (79%) followed by verbal abuse (76%) and neglect (69%), and a disturbing (39%) elderly faced beating/slapping.

An elderly despised by his/her own family, is treated even worse by the society and various social disabilities are imposed on them. The report also found that nationally, in cases of elderly abuse, the daughter-in-law has been reported as a primary perpetrator (39%) followed closely by the son (38%). As per NCRB data, a total of **20,532 cases** of IPCcrimes against senior citizens were registered during 2015. This includes cheating, murder (or attempt to murder), homicide, grievous hurt, extortion etc.

Lack of physical infrastructure is a major deterrent in providing comfort to the senior citizens. There are very few purpose-built old-age care homes or even public ramps available for the less mobile older citizens, like those who need wheelchair access. With increasing longevity and debilitating chronic diseases, many elder citizens need better access to physical infrastructure in the current scenario, both in their own homes and in public spaces, like hospitals, Govt. offices, banks and malls. Public transport in India viz the Railways, buses, airports are devoid of elderly-friendly stairs/ramps, elevators at stations and ample sitting facilities. Road crossing is also a nightmare for them as Indian roads are jammed with automobiles.

A financially-handicapped senior citizen, afflicted with some degenerative or serious illness, is practically on the road to an early death. A financially secure senior citizen with the same illness, however, may have a longer life to live because money can give quick and convenient access to life-giving remedies.

Moreover, only **10%** of India's workforce is eligible for any kind of pension. In such cases, they are forced to work for a living. This may include working as a laborer, rickshaw pulling, vegetable seller, street vendor or even to work as a bonded farm labour. Due to lack of awareness about their rights in old age, many people are compelled to live in inhuman conditions. This can be largely attributed to politico-administrative failure to reach out to the elderlies with their programs. Illiteracy, linguistic barriers (especially in tribal areas), digital divided and unfriendly officials force them to give up even the scarcely available social support.

All the above-mentioned problems equally affect a male elderly and a female elderly. However, there are several issues that the old-age females have to bear alone, either on account of their social status or physical specialties.

Issues faced by old-age women:

Among old-age females, being widowed can have serious ramifications as compared to males. This is because most of the Indian women are traditionally housewives, and their husbands are the bread-earners. Death of the husband means breakdown of the financial support and hence the old-age widows are left at the mercy of their children. This also means an end of their independent existence and subsequent termination of realizing their non- basic needs. Older women are also more prone to suffer abuse due to factors like gender discrimination, longer lifespan than older men, longer span of widowhood and no source of income. Also, societal prejudices ensure that they are denied property and inheritance rights, which they could have leveraged to influence their family behavior towards them. These factors place old-age women at a highly disadvantageous position *vis* their male counterparts. Also, old-age deprives them of working in the farm. As a result, old-age women have very limited avenues to earn income of their own, unlike men. Older women, who live in cities, are prone to social alienation/ marginalization in comparison to older women of villages. Joint family system (to a certain extent) is still alive in rural areas. Older women, who live insemi urban situations/industrial townships also find it difficult to cope with old age, particularly after their children have grown up and husbands retire. Due to lack of social protection, older women are forced to lead a life full of distress. Due to negligence, lack of awareness, financial support and religious mind-set of women, older women often have to face acute health problems. Since most of the older women are living within the four walls and barely come out in open public places, most of their health problems remain unnoticed.

Government initiatives:

The government has taken the following policy initiatives to empower the elderly:

1. **Indira Gandhi National Old Age Pension Scheme (IGNOAPS)**

It forms a part of the National Social Assistance Programme (NSAP) which is in operation since 1995. This scheme provides social assistance for the old age persons aged 60 years and above, belonging to the Below Poverty Line household. The central assistance provided as pension is **Rs. 200 per month** for persons between 60 years and 79 years. For persons who are 80 years and above the pension is **Rs.500 per month**.

2. **Vayoshreshtha Samman**

   Launched in 2005, it is a scheme to confer National awards to institutions involved in rendering distinguished service for the cause of elderly persons and to eminent citizens in recognition of their services/achievements. These awards are presented as part of the celebration of the International Day of Older Persons on 1st October every year.

3. **Maintenance of Parents and Senior Citizens Act, 2007**

   The Act makes it a legal obligation for children and heirs to provide maintenance to senior citizens and parents, by monthly allowance. This Act also provides a simple, speedy and inexpensive mechanism for the protection of life and property of the older persons.

National Programme for the Health Care for the Elderly (NPHCE)

It was launched in 2010 for providing preventive, curative and rehabilitative services to the elderly persons at various levels of the healthcare delivery system of the country. It aimed to provide dedicated health facilities in district hospitals, community health centers (CHC), primary health centers (PHC) and sub-centers levels through State Health Society. The healthcare facilities, being provided under this programme, are either free or highly subsidized.

Rashtriya Vayoshri Yojana

As per Census 2011, A sizeable percentage (**5.2%**) of the senior citizens suffers from some sort of physical disabilities related to old age. Thus, the Government in 2017, launched this scheme to provide physical aids and assisted-living devices for senior citizens belonging to Below Poverty Line (BPL) category. The eligible elderly beneficiary will get walking sticks, elbow crutches, walkers/crutches, tripods/qadpods, hearing aids, wheelchair, artificial dentures and spectacles depending upon their physical impairment. These products will be distributed free of cost in camps across the country. It will help the senior citizens to overcome their age-related physical impairment and to lead a dignified and productive life with minimal dependence on others.

Pradhan Mantri Vaya Vandana Yojana (PMVVY)

It was launched in May, 2017 to provide a long-term income option for senior citizens in the country. Under the scheme, on payment of an initial lump sum amount ranging from Rs 1,50,000 to Rs. 15,00,000, pensioners would receive a pension of Rs 1,000 to Rs. 10,000 per month. Subscribers will get an assured pension based on a guaranteed rate of return of 8% per annum payable monthly/quarterly/half-yearly/annually.

Integrated Programme for Older Persons (IPOP)

Steps to improve the quality of life of the senior citizens by providing basic amenities like shelter, food, medical care and entertainment opportunities through capacity building of State/ UT Governments/ Non-Governmental Organizations (NGOs)/Panchayati Raj Institutions (PRIs) / local bodies and the community at large, were to be undertaken. Under the scheme, grants are given for running and maintenance of old age homes, day care centres, mobile Medicare units, multi-facility care centers for older widows, etc. Funds are directly released to the implementing agencies like NGOs and not to the State Governments.

National Council for Senior Citizens

The Ministry of Social Justice & Empowerment has constituted the "National Council of Senior Citizens (NCSrC)" by renaming of the erstwhile "National Council for Older Persons (NPOP)". Its mandate is to advise the Central and State Governments on the entire gamut of issues related to the welfare of senior citizens and enhancement of their quality of life.

Concessions and facilities given to senior citizens– Various Ministries offer different types of concessions to the elderly population:

1. **The Ministry of Finance** provides income tax rebates, exemption from e-filing, benefits under **Sections 80 TTB & 194A** of the

Income Tax Act, Income tax rebate for medical treatment & insurance premium etc.

2. **Ministry of Health & Family Welfare**: The Ministry is implementing The Senior Citizens Health Insurance Scheme (SCHIS) over existing schemes which provides enhanced coverage of upto **Rs. 30,000** per senior citizen per annum in the eligible households. The beneficiaries include BPL households and 11 other designated categories.

3. **Ministry of Railways**: Railways Ministry provides fare concession in all Mail / Express including Rajdhani / Shatabdi / Jan-Shatabdi trains for senior citizens aged 58 years (females) and 60 years (males) and above. The amount of concession is **40 % for male and 50 % for females.**

4. **Ministry of Consumer Affairs, Food and Public Distribution**: Under the Antyodaya Scheme, the BPL families which also include older persons are provided food grains at the rate of 35 kgs. per family per month .

National policy on senior citizens, 2011:

The **Ministry of Social Justice** came up with the policy due to demographic explosion among the elderly, the changing economy and social milieu, advancement in medical research, science and technology and high levels of destitution among the elderly rural poor. Social deprivations and exclusion, privatization of health services and changing patterns of morbidity also called for a holistic treatment of the elderly population.

The policy aims to mainstream senior citizens, especially older women, and bring their concerns into the national development debate with priority to implement mechanisms already set by governments and supported by civil society and senior citizens' associations. It recognizes that senior citizens are a valuable resource for the country and create an environment that provides them with equal opportunities, protects their rights and enables their full participation in society. The policy stresses on the **need of preventive care** rather than cure. It also promotes the concept of "**Ageing in Place**" or ageing in own home, housing, income security and homecare services, old age pension and access to healthcare insurance schemes. It recognizes that **care of**

senior citizens has to remain vested in the family which would partner with the community, government and the private sector. Long term **savings instruments** and credit activities will be promoted to reach both rural and urban areas. It encourages **employment** in income generating activities after superannuation and support and assistance to organisations that provide care to the elderly population. It calls for proper implementation of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 by the States and setting up Tribunals so that elderly parents unable to maintain themselves are not abandoned and neglected.

The areas of intervention recognized in the policy include income security in old age, healthcare, safety and security, housing facilities, **productive ageing**, welfare (through a welfare fund), multigenerational bonding and role of media. The policy also envisages establishment of a National Council for Senior Citizens to monitor the implementation of the policy and advise the government on the concerns of senior citizens.

Though successive governments have taken several steps to provide old-age citizens a life of dignity and well-being, there are several challenges hindering the efforts. The mandated use of Aadhaar card has left a huge number of old-age citizens out of the ambit of the welfare schemes as their fingerprints tend to wear away with age.

This has led to exclusions and errors in beneficiaries' identification. Also, lack of coordination among Centre and States and among various Departments and Ministries has caused further issues. Health being a State list subject, various states run their own schemes for the elderly people and refuse to integrate or align their schemes with that of the Centre or many times even refuse to share the financial burden.

Implementation of the Rashtriya Vayoshri Yojana is another issue. Even after one year since the launch, only over 61,000 elderly people have benefitted so far. Similarly, under the PMVVY (Pradhan Mantri Vaya Vandana Yojana), just over 2 lakh people are receiving the benefits. Further, PMVVY entails a minimum purchase price of Rs 1.5 lakh to redeem monthly pension of mere Rs 1000. Even the pension amount under Widow

Pension scheme is a meager Rs 500 per month while that under IGNOAPS is as low as Rs 200 per month.

By no means these amounts are sufficient to help an individual even achieve a decent standard of living.

Geriatric healthcare challenges have also started emerging. Being a relatively new branch of healthcare in India, most practicing physicians have limited knowledge of the clinical and functional implications of aging. India's old, their caregivers and healthcare providers recognize ill-health as part of old age. In fact, healthcare providers often view elderly patients in a "negative and mechanistic fashion".

Condemnatory attitudes, limited awareness and knowledge with non-acceptance of geriatrics as a legitimate discipline has manifested in inaccessible or poor-quality care. The National Programme for Health Care of the Elderly (NPHCE) also seems to have overlooked the problems of caregivers of the beneficiaries. Although a number of dedicated services have been set up at various levels of healthcare delivery, these services **lack specialized equipment and trained geriatric healthcare team** to bring about target oriented management of geriatric problems

Despite several initiatives, old-age people continue to live a life of isolation, destitution and agony, being seen as a burden by the society as well as their family. There is ample scope for improving the way schemes are implemented. Further, to ensure financial security, the pension amount under the **IGNOAPS** should be raised and the premium under schemes like **PMVVY, Atal Pension Yojana** etc. should be kept low so that most of the poor elders can afford it. There is also a need to provide dedicated sections and wards for elderly people in every hospital in the country and it should be made easily accessible.

The attempt to improvise geriatric educational programmes at medical and public health institutes can be elaborated by extending the education to Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy (**AYUSH**) professionals. These professionals can replenish the deficit of medical manpower and gaps in delivery of healthcare to the elderly. Home based care backed up by a predefined referral chain especially in rural and tribal areas should also be incorporated in the **NPHCE**.

All the Government offices and establishments must have ramps and wheelchair facilities while the private established shall be asked to do so by utilizing the **CSR funds.** The government must also make use of this second demographic dividend, which results from an increase in adult longevity, and causes individuals to save more in preparation for old age. This increase in savings can thus contribute to capital accumulation and economic growth. Also, the Centre and the State Governments should work in the spirit of **Cooperative federalism** with respect to the schemes they formulate. The public officials should be held liable for ineffective implementation of legislations like **Maintenance of Parents and Senior Citizens Act.** A dedicated senior citizens' **helpline number** should be launched nationally where they can seek guidance to avail their entitlements and register complaints. Also, a mass awareness campaign to make all citizens aware of elderly human rights and entitlements under various schemes should be launched.

Today, the old-age people remain the least empowered group in the country, physically, psychologically, and financially. However, empowering them shall not be seen as a sole prerogative of the State. The degrading moral values in the society and rapid transition from joint family to nuclear family system have also contributed to the agony of the old-age people. It must be ensured that the kith and kin who owe their very existence to them are enlightened and encouraged to take care of their parents in the final years of their life. It is time to see the elderly population not as a liability but as an asset of the society. All schemes and statutes shall be implemented in letter and spirit to ensure their human rights. India being a signatory to the **Madrid Plan of Action on Ageing** must ensure that ageing remains a healthy and blissful process. Unless we secure a better future for our senior citizens, the idea of *Swaraj* as envisaged by Mahatma Gandhi will remain a distant dream.

DIFFERENTLY ABLED PERSONS

Any restriction or lack of ability to perform an activity in a manner or within the range considered normal for human beings, resulting from impairment is termed as a disability. Disability is an important public health problem especially in developing countries like India.

The Right of Persons with Disabilities Act, 2016 defines "Person with disability" as a person with long term physical, mental, intellectual or sensory impairments which, in interaction with barriers, hinders his full and effective participation in society equally with others.

Census 2011: In India, out of the total population of 121 crore, about 2.68 Cr persons are 'Disabled' (2.21% of the total population) : Out of 2.68 crore, 1.5 crore are males and 1.18 crore are females; Majority (69%) of the disabled population resided in rural areas.

CONSTITUTIONAL FRAMEWORKS FOR DISABLED IN INDIA:

- ⮑ **Article 41 of the DPSP:** It states that State shall make effective provision for securing right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, within the limits of its economic capacity and development.

- ⮑ **Seventh Schedule** : The subject of 'relief of the disabled and unemployable' is specified in the state list of the Seventh Schedule of the constitution.

PROBLEM FACED BY DISABLED SECTION:
Health:

A large number of disabilities are preventable, including those arising from medical issues during birth, maternal conditions, malnutrition, as well as accidents and injuries, o However, the health sector especially in rural India has failed to react proactively to disability. Further there is a lack of affordable access to proper health care, aids and appliances, Healthcare facilities and poorly trained health-workers in rehabilitation cenres is another concern.

Education:

- ⮑ The education system is not inclusive. Inclusion of children with mild to moderate disabilities in regular schools has remained a major challenge.

- ⮑ There are various issues such as availability of special schools, access to schools, traine teachers, and availability of educational materials for the disabled. Further, reservations for the disabled in higher educational institutions has not been fulfilled in many instances.

Employment:

Even though many disabled adults are capable of productive work, disabled adults have far lower employment rates than the general population.

The situation is even worse in the private sector, where much less disabled are employed.

Accessibility : Physical accessibility in buildings, transportation, access to services etc still remain a major challenge.

Discrimination/Social Exclusion:

- ⮑ Negative attitudes held by the families of the disabled, and often the disabled themselves, hinder disabled persons from taking an active part in the family, community or workforce, or People suffering from mental illness or mental retardation face the worst stigma and are subject to severe social exclusion.

- ⮑ **Inadequate data and statistics** : The lack of rigorous and comparable data and statistics further hinders inclusion of persons with disabilities. The major issues with collection of data and measuring disability are: o Difficult to define disability

- ⮑ Coverage: Different purposes require different disability data Reluctance in reporting disability as disability is considered to be a stigma in many places/societies

- ⮑ **Poor implementation of policies and schemes** : It hinders the inclusion of disabled persons. Though various acts and schemes have been laid down with an aim to empower the disabled, their enforcement faces many challenges.

Schemes:

1. **Accessible India Campaign:** Accessible India Campaign (AIC) is the nationwide flagship campaign to make a barrier-free and conducive environment for **Divyangjan** all over the country. It was launched on **International Day of Persons with**

Disabilities on 3rd December, 2015. The campaign is based on the principles of the social model of disability, that disability is caused by the way society is organized, and not the person's limitations and impairments. A barrier-free environment facilitates equal participation in all the activities and promotes an independent and dignified way of life. For creating universal accessibility for Persons with Disabilities, the campaign has been divided into three verticals:

a. **Built environment:** Measures should be undertaken to eliminate obstacles and barriers to indoor and outdoor facilities including schools, medical facilities, and workplaces.

b. **Transport:** The term transportation covers a number of areas including air travel, buses, taxis, and trains.

c. **Information & Communication Technology (ICT) ecosystem:** Access to information can range from actions such as being able to read price tags, to physically enter a hall, to participate in an event, to read a pamphlet with healthcare information, to understand a train timetable, or to view webpages. However, the campaign has progressed at an excruciatingly slow pace. A parliamentary standing committee report tabled in 2021, pointed out that just 494 or 29.7% of the total buildings identified have been made accessible by nine states and Union territories till date.

2. **Sugamya Pustakalaya:** An online platform that makes accessible content available to print-disabled people was also launched in August, 2016.

3. **Deendayal Disabled Rehabilitation Scheme (DDRS):** Deendayal Disabled Rehabilitation Scheme to promote Voluntary Action for PwDs aims at creating an enabling environment to ensure equal opportunities, equity, social justice and their empowerment.

4. The Ministry of Human Resource Development (Department of Secondary and Higher Education) has been implementing a scheme of '**Integrated Education for the Disabled Children**' (IEDC) in **formal schools** since 1982. The main objective of the scheme is to provide educational opportunities for the disabled children in normal schools so as to facilitate their retention in the school system.

5. **Special schools**: This is a programme of the Ministry of Social Justice and Empowerment. Children with severe multiple disabilities who have difficulty in coping with regular schools are referred to such special schools. Most of these special schools are located in urban areas and run by voluntary organizations. A majority of them are residential schools, and boarding- lodging and other services are provided free of cost. At present more than 3000 special schools for the disabled children are functioning across the country.

Other benefits/schemes for differently-abled by government of India:

1. **Tax:** Persons with disabilities and their legal guardians are eligible for income tax deduction and deduction is based on the severity of a person's disability.

2. **Comprehensive education scheme for disabled children** – The scheme provides for accessible and barrier free built-in infrastructure and transport facilities, supply of books, uniforms and stationery, specialized learning aids and scholarships for students with disabilities.

3. **Rajiv Gandhi Fellowship scheme:** This scheme provides scholarships to persons with disabilities to pursue higher education such as M Phil / Ph.D. for five years.

4. **Employment:** Government has **reserved 5% posts** in Group A, B, C and D positions in government PSUs, PSBs and services for persons with disabilities. Persons with disabilities are given age relaxation for recruitment in government positions.

Role of civil society:

NGOs and Civil Society organizations have been playing an invaluable role in the protection of rights of differently-abled persons and towards their development. **Smile Foundation, Udaan, Ability Foundation** are NGOs which bring together like-minded people to work towards a

common goal of improving the living conditions of people with disabilities by developing appropriate opportunities and means for them, especially for those from poor socio-economic backgrounds. They aid in creating awareness, sensitizing the masses about various aspects of disability, developing skills and capacities and enabling PwDs to realize their potential and latent talents.

Preventive and rehabilitative steps need to be taken by way of obtaining realistic estimates of the number of people who are coping with various types of disabilities. Early detection of disability, strategic interventions, counseling and medical rehabilitation will ensure that differently-abled get a favorable environment to grow and contribute to society. There is a need to improve accessibility by formulating mandatory provisions for accessibility in government and private sector buildings, public transport etc.

Corporate social responsibility funds could be tapped to achieve this. Measures to strengthen education by providing scholarships/fellowships, infrastructural improvements in educational institutions, sensitization and capacity building of teachers and developing special teaching material etc. also need to be taken. Employability can be enhanced by providing skill training through dedicated ITI Centres for PwDs according to the requirements of the private sector. Authorized share capital of National Handicapped Finance and Development Corporation (NHFDC) could be enhanced to Rs 1000 Cr (at present Rs 400Cr) to increase loans for self-employment. Steps need to be taken to improve access to aids/assistive technologies for PwDs.

⮞ Digitization of the process of issuing disability certificates through Unique Disability Identity Card (UDID) should also be fast-tracked. Also, there is a need to improve community participation program, to increase their participation in **Paralympic Games**, etc.

PROGRAMMES/INITIATIVES FOR DISABLED IN INDIA:

⮞ **Accessible India Campaign:** A nation-wide flagship campaign for achieving universal accessibility that will enable persons with disabilities to gain access for equal opportunity and live independently and participate fully in all aspects of life in an inclusive society.

⮞ **DeenDayal Disabled Rehabilitation Scheme** : Under the scheme financial assistance is provided to NGOs for providing various services to Persons with Disabilities, like special schools, vocational training centers, community based rehabilitation, pre-school and early intervention etc.

⮞ **Assistance to Disabled Persons for Purchase / fitting of Aids and Appliances (ADIP)** : The Scheme aims at helping the disabled persons by bringing suitable, durable, scientifically-manufactured, modern, standard aids and appliances within their reach.

⮞ **National Fellowship for Students with Disabilities (RGMF)** : The scheme aims to increase opportunities for students with disabilities to pursue higher education.

⮞ **Schemes of the National Trust**: For the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities.

Constitutional provisions:

The Constitution contains various provisions to prevent discrimination of people and provide the differentlyabled opportunities for their development.

1. The Constitution of India through its **Preamble**, inter-alia seeks to secure to all its citizens– Justice Social, economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and of opportunity.

2. **Part-III** of the Constitution provides for a set of six **Fundamental Rights** to all the citizens. These include – Right to Equality; Right to Freedom; Right against Exploitation; Right to Freedom of Religion; Cultural and Educational Rights and Right to Constitutional Remedies. All these rights are also available to the persons with disabilities even though no specific mention of such persons appears in this Part of the Constitution.

3. **Article 41:** Right to work, to education and to public assistance in certain cases, is provided as "The State shall, within the limits of its economic capacity and development, make

effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement and in other cases of undeserved want".

4. **Eleventh Schedule** to Article 243-G and **Twelfth Schedule** to Article 243-W, which provides for powers and responsibilities of the panchayats and municipalities respectively with respect to implementation of schemes for economic development and social justice, include welfare and safeguarding the interests of persons with disabilities among other weaker sections of the society.

Eleventh Schedule to Article 243-G: **"Social welfare, including welfare of the handicapped and mentally retarded"**.

Twelfth Schedule to Article 243-W: **"Safeguarding the interests of weaker sections of society,** including the handicapped and mentally retarded".

Measures taken for welfare of persons with disability:

Social protection plays a key role in realizing the rights of persons with disabilities of all ages. Efforts have been made to give social security to disabled at the global and national levels, some of the measures are given below:

Global Efforts– There have been many efforts and initiatives over the past few decades at global level to include people in social and economic development. Some of the measures undertaken at the global level are as follows:

1. **United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)**

India is one of the few first countries which ratified the Convention. This Convention places the following three important obligations on each State party: implementation of the provisions of the Convention; harmonization of the country laws with the Convention and preparation of a country report.

2. **Incheon Strategy**

It is intended to enable the Asian and Pacific region to track progress towards improving the quality of life, and the fulfillment of the rights of persons with disabilities. It builds on the Convention on the rights of persons with disabilities and the **Biwako** millennium framework for action. The Incheon Strategy goals cover development areas including poverty reduction, employment generation, political participation, ensuring accessibility in comprehensive terms, social protection, early intervention, education, and disability-inclusive disaster risk reduction. Improving disability statistics, and increasing ratification of the Convention on the Rights of Persons with Disabilities are also contained in the Incheon Goals.

Government policies:

The government has come up with various policies to empower the differently-abled. They are:

1. **National Policy for Persons with Disabilities, 2006**

The Policy recognized that the persons with disabilities constitute a valuable human resource for the country and that a majority of such persons can lead a better quality of life if they have equal opportunities and effective access to rehabilitation measures. The government, with a view to create an environment that provides such persons equal opportunities for protection of their rights and full participation in society, formulated and brought out the National Policy for Persons with Disabilities.

2. In order to give focused attention to policy issues and meaningful thrust to the activities aimed at welfare and empowerment of the persons with disabilities, a separate Department of Disability Affairs was carved out of the Ministry of Social Justice and Empowerment in 2012. The Department was renamed as **Department of Empowerment of Persons with Disabilities** in 2014. The Department acts as a nodal agency for matters pertaining to disability and persons with disabilities including affecting closer coordination among different stakeholders-related Central Ministries, State/UT Governments, NGOs etc. in matters pertaining to disability.

The Rights of Persons with Disabilities Act, 2016

The Act defines disability based on an evolving and dynamic concept. The **types of disabilities have**

been increased from existing 7 to 21 and the Central Government will have the power to add more types of disabilities. Speech and Language Disability and Specific Learning Disability have been added for the first time. Acid Attack Victims have also been included. Dwarfism, muscular dystrophy has been indicated as a separate class of specified disability. The New categories of disabilities also included three blood disorders, Thalassemia, Hemophilia and Sickle Cell disease. Responsibility has been cast upon the appropriate governments to take effective measures to ensure that the persons with disabilities enjoy their rights equally with others. Every child with benchmark disability between the age group of 6 and 18 years shall have the right to free education.

b. **Reservation in vacancies** in government establishments has been increased from **3% to 4%** for certain persons or class of persons with benchmark disability. It provides for various rights and entitlements for persons with disabilities which include equality and non-discrimination, community life, protection against cruelty and inhuman treatment, access to justice, legal capacity etc.

c. The Act also mandates the appropriate governments to frame schemes and programmes in the area of social security, health, rehabilitation, recreation, skill development etc.

1. How technology is making life easier for differently-abled?

People with disabilities meet different kinds of barriers. However, with the help of assistive technology, they are now able to do things that would have never been possible before—from switching on a light to having a voice to express themselves. Technology has always lent a helping hand for people with visual impairment, speech impairment and motor disabilities. Mobile technology, in particular, has provided the foundation for development of a lot of applications and gadgets that can help ease the difficulties people with disabilities face on a daily basis. Some of these devices which have been used by the differently-abled people are discussed below:

1. Braille e-book reader.

2. Tactile wand electronic stick- It uses a distance sensor to detect objects in front of the user.

3. Finger Reader- This wearable tool assists in reading as well as translating text.

4. Lechal Shoes- GPS & Bluetooth enabled shoes are helping differently-abled to navigate through the streets.

5. It is suggested that multiple departments or agencies need to be integrated together to have a comprehensive programme design and implementation policy. There is a need to introduce a component plan for the disabled in the budget of all concerned ministries in order to ensure a regular flow of funds for schemes for the empowerment of the differently abled. Focus should be given more on preventive **social security schemes.** The Rights of Persons with Disabilities Act, 2016 needs to be implemented strictly. The decision to publish government documents in the electronic publication (e-PUB) or optical character reader (OCR) based the pdf format on portals is good in this regard. Recently, the government also awarded **Khel Ratna** (country's greatest sporting award) to Devendra Jhajharia (javelin medallist at Japan, Athens and Rio Paralympics).

This recognition will go a long way in ensuring that differently-abled athletes will henceforth be considered at par with the able bodied.

Such recognition from other fields too will go a long way in boosting the morale of differently-abled people in India. Even the release of the movie 'Zero' in which both the lead actors-Shah Rukh Khan and Anushka Sharma, had disabilities of different kinds helped in bringing this issue into the mainstream.

Civil society and private initiatives like **kickstart cabs in Bangalore**, which have modified vehicles designed for PwDs have made mobility of PwDs easy and more inclusive.

Disability need not be an obstacle to success. We have a moral duty to remove the barriers to participation, and to invest sufficient funding and expertise to unlock the vast potential of

people with disabilities. There is a need to shift from a **charity-based approach to a rights-based approach.** In an era where **'inclusive development'** is being emphasized as the right path towards sustainable development, focused initiatives for the welfare of disabled persons are essential. Therefore, challenges of social stigma, providing right to health and meaningful employment must be tackled to transform a dream of a **New India** into a reality.

WAY FORWARD:

⮞ **Prevention:** Preventive health programs need to be strengthened and all children need to be screened at a young age. Kerala has already started an early prevention programme.

⮞ **Awareness** : People with disabilities need to be better integrated into society by overcoming stigma. There should be awareness campaigns to educate and aware people about different kinds of disability

⮞ **Employment**: Disabled adults need to be empowered with employable skills. The private sector needs to be encouraged to employ them.

⮞ **Better measurement** : The scale of disability in India needs to be better understood by improving the measurement of disability.

⮞ **Education** : State-wise strategies on education for children with special needs need to be devised. There should be proper teacher training to address the needs of differently-abled children and facilitate their inclusion in regular schools.

⮞ **Access:** Safety measures like road safety, safety in residential areas, public transport system etc, should be taken up. Further, it should be made legally binding to make buildings disabled-friendly.

⮞ **Policy Interventions:** More budgetary allocation for welfare of the disabled. There should be a disability budgeting on the line of the gender budget.

CONCLUSION:

⮞ Merely using the word 'Divyang' or 'differently-abled' won't change the psyche of the masses towards persons with disabilities. It is critical that the government work with civil society and individuals with disabilities to craft an India where everyone feels welcome and treated with respect, regardless of their disabilities.

⮞ *Empowerment of youth:* UNESCO defines 'Youth' as "the period of transition from dependence to independence and awareness of our independence as members of a community." India is a very young nation with around 65% population under the age of 35, thereby compelling even political parties to cater to its needs – 2014 elections was a significant event in this particular regard when its role was aptly considered. The inherent nature of youth is its potential which has to be tapped by substantial policy orientation and support. In recent times, youth have the public discourse on matters as diverse as LGBT movement to women emancipation to environmental sanctity to human rights. Hence youth is acting as an emerging pressure group beyond the confines of traditional political mores. The fact that it acts as bridge between two generations and filters knowledge amply on the two sides, therefore creating new social thinking and political activity. The importance of the youth and their indomitable spirit has been exemplified by Swami **Vivekananda's words – "Arise! Awake! And stop not until the goal is reached".**

Challenges faced by the youth:

Indian demographic transition is uniquely placed and therefore offers a unique opportunity for India to become the skill capital of the world. It will in turn open avenues for the aging economies as well to meet the skilled manpower requirements. However, it needs to be appreciated that the demographic advantage of India is not uniformly distributed. Mobilization of youth for vocational education or skill development beyond the confines Caste occupations are difficult. Also there is lack of willingness to migrate, inability to pay for training, low literacy or lack of awareness etc. which hinders the desired aim.

Indian youth can be harbinger of economic growth of India if they are efficiently absorbed in the labour market. India is already experiencing a youth bulge which needs to be tapped. It needs to

be noted that this is much more pronounced in the northern and eastern states which are incidentally backward. But the prospects for the youth in the job market are not bright as the jobs which are being created are not sufficient to absorb the huge chunk of the youth. Since the attractive factor of agriculture is diminishing for various reasons, not to mention the economic dwindling returns, they are more slated to join sectors such as construction, manufacturing and trade relating service activities. The shift from agriculture is albeit a good sign, but the jobs outside remain cruel to the expectations of the youth. Moreover, unemployment is a harsh reality and it is higher in urban areas than in rural areas where people still become disguisedly unemployed through agriculture. Females are **largely unemployed post 1991 as per ILO** because definite gender roles assigned became prominent when incomes increased in the middle class.

The discrimination against women also persists when it comes to hiring them, as they are considered less productive or are presumed to be simultaneously engaged in reproductive and household works. The recent amendments in the **Maternity Act** which mandates employees to provide crèche facilities may also create some hindrance, as suggested by some. It is also generally accepted that the lack of suitable infrastructure facilities such as transport, crèche facilities, etc. which facilitate women's access to jobs is a major reason in limiting the women to the job market.

There has been a decline in labour force participation rate for all age groups irrespective of gender and spatial distinction. Still this decline is steep for the rural females which could be attributed to the absence of jobs in rural areas. The challenge is to address the problem of working poor, insecurity at the workplace, lack of market linked skills, information asymmetry, poor perception about skill development. Hence there is a need to match supply to current demand for skills. Help workers and enterprises adjust to change and build and sustain

competencies for future labour market needs. Naxalism's Red Corridor has also spread geographically over the years with continuing violence perpetrated by angry Naxal youth. The

youth in such areas are particularly vulnerable due to the environment they grow up in. Similarly, the youth in Kashmir is estranged with the Indian goal of democracy and has to be rescued. Youth today is also prone to ill effects of urban culture and therefore often resorts to illegal activities to make a living. The disparity between availability and accessibility is the major reason behind the alienation of the youth, which needs to be fulfilled, as only digital empowerment cannot be complete.

COVID-19 has worsened the situation for youth. School and college closures has had a serious impact on their lives and their mental well-being. In India, more than 32 crore students have been affected by the nationwide lockdown due to COVID-19. Of these, about 15.8 crores are female. Many of those who have dropped out are unlikely to go back to school or college. 17% of young people are likely to be suffering from anxiety and depression. Moreover, increased poverty levels during the pandemic may result in early marriages of girls in India and gender violence. Adolescent girls are at high risk, given their vulnerability to abuse and trafficking, especially if primary caregivers fall ill or die.

Government initiatives:
1. **National Youth Policy-** "The National Youth Policy 2014" reiterates the commitment of the entire nation to the all-round development of youth of India so that they can realize their full potential and contribute productively to the nation building process.

2. **Nehru Yuva Kendra Sangathan** – It is an autonomous organization of the Department of Youth Affairs and Sports, under the Government of India. It was established in 1987-88 to provide rural youth, avenues for nation building, as well as opportunities to develop their personality and skills.

3. **National Service Scheme (NSS)** – National Service Scheme(NSS) is an Indian government-sponsored public service program conducted by the Department of Youth Affairs and Sports of the Government of India. Popularly known as NSS, the scheme was launched in Gandhiji's centenary year, 1969. It is aimed at developing student's personality through community service, NSS is a voluntary association of young people in

Colleges, Universities and at +2 level working for a campus-community linkage.

4. **Skill Upgradation Training Programme** –Aims to develop vocational training to help generate extra income and boost self confidence

5. Promotion of Folk Art, Culture and **Yuva Kriti** – Opportunity for rural youth to showcase their talent and culture.

6. **Mahatma Gandhi Yuva Swachata Abhiyan And Shramdaan Karyakram** – To engage youth in contributing to the cleanliness drive and water conservation.

7. **Life Skill Training for Adolescents** – Training youth to enable them to cope with pressure and make healthy life choices. To sensitise the adolescents about reproductive sexual health and issues involved which concerns their health.

8. **Tribal Yuva Exchange Programme** – It aims to sensitize the tribal youth to rich cultural heritage of the country and to enable them to appreciate the concept of unity in diversity, to expose them to development activities and technological/ industrial advancement in other parts of the country, to enable them to develop emotional linkage with the people in other parts of the country and to develop their personality by enhancing their understanding of the core life skills, identifying their skill development needs and providing them necessary career counseling. Youth are generally selected from left wing extremism affected areas and taken on tour to different parts of the country, in order to nationalize their mind-set.

9. **Start-up India**: It is based on an action plan aimed at promoting bank financing for start-up ventures to boost entrepreneurship and encourage start-ups with jobs creation, particularly for the youth. It is focused on to restrict the role of States in policy domain and to get rid of "license raj" and hindrances like in land permissions, foreign investment proposal, environmental clearances. The government has already launched iMADE, an app development platform aimed at producing 1,000,000 apps and PMMY, the MUDRA Bank,

a new institution set up for development and refinancing activities relating to micro units with a refinance Fund of ₹200 billion. Rural India's version of Start-up India was named the Deen Dayal Upadhyay Swaniyojan Yojana.

10. **Stand Up India**: It aims at promoting entrepreneurship among SCs/STs, women communities and to make them job-creators rather than job-seekers.

11. **Pradhan Mantri Mudra Yojna**: It is under the Micro Units Development and Refinance Agency (MUDRA) Bank, which is a new institution set up by Government of India for development and refinancing activities relating to micro units. It was announced by the Finance Minister while presenting the Union Budget for FY 2016. The purpose of MUDRA is to provide funding to the non corporate small business sectors and create more jobs.

12. **Startup Village Entrepreneurship Programme**: It intends to encourage entrepreneurship amongst the rural youth.

13. **National Skill Development Mission** together with the new National Policy for Skill Development and Entrepreneurship was launched in 2015. It focuses upon creating a pipeline of skilled people, upskilling and reskilling to align supply for demand. Further there is a renewed focus on reorienting the school education by vocalizing it from class 9th It seeks to create both capacity and quality improvement.

14. **New Integrated Action Plan**: It aims to bring Adivasis in LWE areas, in the mainstream while dealing with the security aspect simultaneously. Government has also launched initiatives relating to education and skill development for the youth of these areas.

15. **Residential Schooling Facility**: It is provided to all children under Sarva Shiksha Abhiyan in left wing violence affected regions.

16. **Kasturba Gandhi Balika Vidyalayas**: It aims to provide affordable and elementary education for the girl children.

17. **Rashtriya Madhyamik Shiksha Abhiyan**: It is being implemented vigorously to provide

secondary education to growing children who are most vulnerable to be attracted by ideological violence.

18. **Prayas**: It is an institute established by the government where children are being prepared for competitive exams.

19. **UDAAN**: It is a special industry initiative for J&K funded by Ministry of Home Affairs and implemented by National Skill Development Corporation. It aims to provide corporate exposure to the youth as well as provide corporate India the talent available in the state.

20. **Sadbhavna**: Under Sadbhavna, Army runs several important programmes for the youth of J&K. Army Goodwill Schools which is an education initiative works to provide middle and high school level education to over one lakh students. Army runs National Integration Tour where students get to visit other states and get a first-hand view of the culture of their fellow citizens. Army also runs vocational training centers and women empowerment centers spread across the state to provide practical skills to interested and deserving candidates.

21. **Himayat**: Run under the Ministry of Rural Development, Government of India's Deen Dayal Upadhyay Grameen Kaushal Yojana the scheme endeavors to train 1.24 lakh local youth of J&K in job intensive vocational courses.

➦ *Empowerment of transgenders:* According to World Health Organization, Transgender is an umbrella term for people whose gender identity and expression does not conform to the norms and expectations traditionally associated with the sex assigned to them at birth. They are referred to as transsexuals if they desire medical assistance in order to make the transition from one biological sex to another.

As per the Census of 2011, the total population of Transgender in India is 4.9lakh. The highest the proportion of the trans-gender population, about 28%, has been identified in Uttar Pradesh followed by Andhra Pradesh, Maharashtra, Bihar, Madhya Pradesh and West Bengal. There are various types of transgender communities in India- Hijras, Kothis, Aravanis, Jogappas, and Shiv-Shakthis etc.

Problems faced by Transgender communities in India

Transgender population remains one of the most marginalized groups. Sexuality or gender identity often makes transgender a victim of stigmatization and exclusion by the society. They are often ousted by their own biological family or run away at an early age due to harassment. Transgender people are unable to access equal educational opportunities because of harassment, discrimination and even violence. Most transgender children are forced to drop out of schools as Indian schools remain unequipped to handle children with alternative sexual identities. As a result, they are economically marginalised and forced into professions like prostitution and begging for livelihood or resorting to exploitative entertainment industry.

Transgenders frequently experience discrimination when accessing health care, from disrespect and harassment to violence and outright denial of service. The community remains highly vulnerable to sexually transmitted diseases like HIV AIDS. According to a recent UNAIDS report, the HIV prevalence among transgenders in India is 3.1% (2017). They are often subjected to sexual abuse, rape and exploitation. Mental health issues including depression and suicidal tendencies, and violence-related stress also hamper their wellbeing. They face direct discrimination and denial while accessing houses or apartments. Further, they also face problems due to lack of provision of gender neutral/separate transgender toilets and discrimination in accessing public toilets. Moreover, possessing accurate and consistent identification documents has always been challenging for the transgender community.

Constitutional Safeguards

The Constitution guarantees Fundamental rights to all communities including transgenders. They are:

1. **Article 14.** The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

2. **Article 15.** The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them

3. **Article 19:** Right to freedom of speech and expression

4. **Article 21**: No person shall be deprived of his life or personal liberty except according to procedure established by law.

5. **Article 23:** Traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with The Constitution provides for the fundamental right to equality, and tolerates no discrimination on the grounds of sex, caste, creed or religion. But the transgender community continues to be ostracized.

Court judgements:

Courts have led the way in recognizing the rights of the transgenders and accepting years of discrimination that the community has been subjected to. Some important court judgements include:

1. **NALSA Judgement, 2014:** The Supreme Court in National Legal Services Authority v. Union of India & Ors recognized the third gender along with the male and female. The Court upheld that transgenders should be treated as third gender for the purpose of safeguarding their fundamental rights. It acknowledged that **Article 21** of the Constitution guarantees the right to choose one's gender identity. The Court directed the state to provide reservations in public education and employment as socially and educationally backward class of citizens and to make special provisions regarding HIV serosurveillance for transgender persons and provide appropriate health facilities. It also directed the state to frame social welfare schemes for their all-round development

2. **Section 377 Judgement, 2018**: Supreme Court decriminalised homosexuality by partially striking down the colonial era provisions of Section 377 of the Indian Penal Code (IPC).

3. In April 2019, **Madras High Court** upheld that the marriage solemnized between a man and a trans woman was valid under the Hindu Marriage Act, 1955 and ordered its registration. This is the first time in India where marriage between a man and Trans woman has been legally recognised.

4. The **Kerala High Court** allowed a petition by a trans woman seeking admission into the National Cadet Corps based on her self-claimed gender identity. The court noted that the NCC Act cannot prevent the operation of the Transgender Persons Act.

Legal Provisions:

Legislative steps for the empowerment of transgenders include:

1. In 2014, The Rights of Transgender Persons Bill, 2014, was introduced as a Private Member's Bill in the Rajya Sabha by Tiruchi Siva, a Dravida Munnetra Kazhagam (DMK) MP. It was unanimously passed in the Upper House but was never debated in the Lok Sabha. Later in 2015, the Union government drafted the **Rights of Transgender Persons Bill, 2015.**

2. **Right of Transgender Persons Bill, 2016:** The bill aimed at defining the transgender people and prohibiting discrimination against them. Through this Bill the Government evolved a mechanism for their social, economic and educational empowerment. The Bill was originally introduced in 2016 and was passed with 27 amendments (after the recommendations of Parliamentary Standing Committee) by Lok Sabha in 2018, but didn't see the light of the day.

3. **Transgender Persons (Protection of Rights) Act, 2019**: The Act aims to mitigating the social stigma against transgenders and ensure fundamental and basic human rights for them. It also aims at preventing discrimination and abuse against their population and bringing them into the mainstream of society. It defines transgenders as, 'Those whose gender does not match the gender assigned to that person at birth.' The Act prohibits the discrimination against a transgender person, including denial

of service or unfair treatment in relation to education, employment, healthcare, access to, or enjoyment of goods, facilities, opportunities available to the public, right to movement, right to reside, rent, or otherwise occupy property, opportunity to hold public or private office and access to a government or private establishment in whose care or custody a transgender person is.

The Act mentions that every transgender person shall have a right to reside and be included in his household. If the immediate family is unable to care for the transgender person, the person may be placed in a rehabilitation centre, on the orders of a competent court. It also states that no government or private entity can discriminate against a transgender person in employment matters, including recruitment, and promotion. Every establishment is required to designate a person to be a complaint officer to deal with complaints in relation to the Act. Educational institutions funded or recognised by the relevant government shall provide inclusive education, sports and recreational facilities for transgender persons, without discrimination. The government must take steps to provide health facilities to transgender persons including separate HIV surveillance centres, and sex reassignment surgeries. The government shall review medical curriculum to address health issues of transgender persons, and provide comprehensive medical insurance schemes for them.

A transgender person may make an application to the District Magistrate for a certificate of identity, indicating the gender as 'transgender'. A revised certificate may be obtained only if the individuals undergo surgery to change their gender either as a male or a female. The Act states that the relevant government will take measures to ensure the full inclusion and participation of transgender persons in society. It must also take steps for their rescue and rehabilitation, vocational training and self-employment, create schemes that are transgender sensitive, and promote their participation in cultural activities. The Act mentions the following offences against transgender persons– forced or bonded labour (excluding compulsory government service for public purposes), denial of use of public places, removal from household,

and village, and physical, sexual, verbal, emotional or economic abuse.

The National Council for Transgender persons (NCT) will advise the central government as well as monitor the impact of policies, legislation and projects with respect to transgender persons. It will also redress the grievances of transgender persons. Thus transgenders Act, 2019 seeks to provide justice to the community. It ensures various fundamental rights to transgender community under **Article 14, 15, 19, 21 and article 23** of the constitution. It seeks to instill social reform through legislation which is important for the rights of transgenders.

However, critics argue that the definition in the Act emphasizes the biological dimension of transgender identity and conflates "sex" with "gender". Further, the definition erroneously includes all intersex persons under the transgender category. They also argue that transgenders need assistance with housing, not 'rehabilitation.' Further there are concerns as state-run rehabilitation centres are known to have deplorable living conditions and frequent instances of sexual violence. The Act fundamentally misunderstands the specific circumstances in which transgender persons are forced to beg or take up prostitution as a profession. In such circumstances, to criminalize whoever "compels or entices a transgender person to indulge in the act of begging" can criminalize transgenders. Also, the Act fails to prescribe a punishment for the violation of prohibited acts like sexual crimes. The Act also overlooks everyday acts of bullying, intimidation and abuse carried out by police officials and further grants them complete immunity from prosecution.

State Level Initiatives:
1. **Odisha**: Draft Odisha Transgender Policy 2017: It seeks to protect rights of the gender non-conforming child.
2. **Kerala:** Kerala is the first state to formulate a transgender policy in 2015 which is aimed at ending the discrimination and bringing the third sex to the mainstream. The state has also set up a transgender justice board to deal with their complaints

3. **Maharashtra:** Maharashtra is the second state in India to set up a welfare board and the first, to set up a cultural institute dedicated to the transgender community.

4. **Tamil Nadu:** Tamil Nadu has established Tamil Nadu Transgender Welfare Board (TGWB) and has also been providing welfare schemes for socio-economic upliftment of the community. The Tamil Nadu police also welcomed a few transgender contables.

5. **Chhattisgarh:** Post the 2014 Supreme Court judgment, the Chhattisgarh government created the Third Gender Welfare Board. It takes various welfare measures in favour of trans people. Firstly, all departments were asked to include the third gender as an option in official documents that need mention of gender or sex of a person. Secondly, district-level committees were established to recognize members of the transgender community to help in the implementation of welfare schemes for their benefit. Thirdly, sensitisation workshops were held at State and district levels by the police department and police officers. Fourthly, training capsules were prepared for police training institutes with the help of transgender members of the Welfare Board. Fifthly, the police permitted the use of their sports ground for practice and also helped the trans-genders in preparing for the written examination. It was the hard work of the transgender people which ensured their success and marked their presence in the department.13 members of the transgender community were selected as constables under the Chhattisgarh police. This move is truly historic and exciting for this community.

⮕ Their entry into the law and order system would ensure the empowerment of the transgender

⮕ Community. It is important to evolve an effective system to sensitize schools and universities as regards to the needs and the nature of the transgender community. Further, the issues pertaining to the transgender community within the education sector must be dealt with a holistic approach by addressing the core issues of **equity, environment and employment.**

⮕ Schemes and measures should be directed towards skill development among transgender communities. Further, bank credit, micro loans, subsidized loans should be provided to support self-employment or entrepreneurial initiatives. Anti-discrimination Policies must be effectively followed in processes of hiring, retention and promotion. Workplace anti-sexual harassment policies should be transgender inclusive.

⮕ Separate policies related to health care must be framed and communicated in all private and public hospitals and clinics. The focus should not only be on HIV prevention but also on mental health issues and measures to address alcohol and drug abuse. Legal and the law enforcement systems need to be empowered and sensitized on the issues of Transgender community. Stringent criminal and disciplinary action must be taken against the people who commits violence against Transgender. Amendments should be made in several other laws like IPC to include transgender. For example, definition of rape under Section 376 IPC deals with crime committed against a female. Provision of free legal aid must be ensured for the Transgender community.

⮕ A multi-prolonged approach with focus on public awareness campaigns is needed to eliminate the social stigma associated with the transgender community. Large scale sensitization needs to happen starting from the school level to accept the transgender community integral component of societal life.

7 Regionalism, Communalism, Secularism

Regionalism

- Regionalism is defined as a strong feeling of love and patriotism towards a particular region or state within a country, to an extent that it is far different from and sometimes exceeds the love for and interest of the nation. It is the ideology of focusing on **social, political and economic** interests of a particular region and is encouraged when a particular identity marker is concentrated in a geographical region.

- It has a tendency to militate against nationalism and impede the process of national integration. A preference of a **region over nation produces** a sense of sub-nationalism and threatens balkanization or political division of one Nation into many.

- However, regionalism also has a positive side. It is a political attribute associated with people's love and loyalty for their region, culture, language, etc. with a view to maintain their independent identity.

- People cherish and celebrate their cultural diversity including language, food, festivals etc.

- For example, people of Punjab celebrate Baisakhi while people of Kerala celebrate Onam. Such feelings **for one's region can very well be in line** with the feeling of patriotism for the larger nation. For example, a feeling among people of being proud of their identities as a Tamil, a Punjabi, a Bengali or a Gujarati is not contrary to patriotism, until and unless they are less proud of being Indian or are hostile to people from other regions, thus keeping regional love above the love for the nation.

- Further, looking after a region's benefits like dealing with poverty and increasing industrialization or providing lucrative offers to industries to attract them there, does not qualify as regionalism unless it is being done to harm other states. India is a country with wide diversity and plurality.

- Regionalism is a common phenomenon resulting from this diversity. Some experts argue that regionalism manifested in coalition politics has made Indian democracy stronger and more representative.

- Regionalism is a phenomenon that precedes the independence of the nation. During the independence struggle, regionalism was not seen as a disruptive force to the idea of India as a nation, even though the **Indian National Congress** wanted to develop a sense of national unity among people, irrespective of the province of an individual.

- This is evident from the fact that the provinces in British India were drawn out of administrative convenience, yet the national movement rejected these divisions as artificial and promised linguistic principle as the basis of formation of states. In fact, in the Nagpur session, Provincial Congress Committees were formed on the basis of linguistic zones and did not coincide with the administrative divisions of the time.

- The bitter experience of partition had made the founding fathers averse towards regionalism. They felt carving out of states based on regional factors like language might act as a barrier in the process of nation building and might lead to disintegration. The prevalent idea among the political commentators at the time that a diverse nation like India would not survive added to the pressure. Since then regionalism has manifested in the following ways:

1. ***Drawing of state boundaries:*** The Dhar Commission and JVP Committee rejected the linguistic province and this triggered the Vishal Andhra movement. After the death of Sriramulu the Centre was forced to carve out a separate Andhra state on the basis of language. Fazl Ali Commission broadly accepted the language as the basis of reorganization of states and eventually more reorganization followed.