

SECTION – III

SOCIAL JUSTICE: THE LEGAL INSTRUMENTS¹

FOUNDATION: THE CONSTITUTIONAL SCHEME

The Constituent Assembly debates recognized that a section of people in Indian Society had been denied certain basic rights since ancient times and had therefore remained economically, socially and educationally backward. As a result, this had created widespread disparities between them and the rest of the society and a situation had emerged which underlined the need for special measures to uplift their status. This understanding is clearly reflected in the Constitution itself where a chapter under the title “Special provisions relating to certain classes” in Part-XVI has been incorporated. Special provisions have also been made for the Scheduled Castes and Scheduled Tribes in Part-X of the Constitution. The Constitution provides for protection and promotion of their social, economic, educational, cultural and political interests to remove the disparities and to bring them on par with other sections of the society. In addition, many articles in Parts III, IV, IX, IX- A, Fifth and Sixth Schedule of the Constitution reinforce these arrangements.

Article 14 provide that States shall not deny any person **equality before law** or the equal protection of laws within the territory of India. **Article 15** operationalises the concept of equality in a manner which specifically touches upon the conditions of the Scheduled Castes and Scheduled Tribes. It says:

1. The State **shall not discriminate** against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.
2. No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subjected to any disability, liability, restriction or condition with regard to -
 - (a) access to shops, public restaurants, hotels and places of public entertainment; or
 - (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.
3. Nothing in this article shall prevent the State from making any special provision for women and children.

¹Sixth Report of the National Commission for SCs/STs, op. cit., Chapter II, pp 8-17 may be seen for more details on the Constitutional provisions

4. Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

The Constitution also contains provisions which **guarantee certain minimum rights** for all its citizens and also specifies duties which the State should discharge for social and economic development of backward classes, specially Scheduled Castes and Scheduled Tribes. The rights of the citizens are guaranteed under the Chapter on Fundamental Rights contained in Part-III of the Constitution. The duties of the State are included in the Chapter on Directive Principles of the State Policy.

Article 46 under the Directive Principles of State Policy provides that “The State shall promote with special care, the **educational and economic interest of weaker sections** of the people and in particular of Scheduled Castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation”.

Article 366 (24) defines Scheduled Castes and **Article 341** identifies the process through which such groups will be identified. Similar provisions have been made for Scheduled Tribes in **Article 366(25)** and **Article 342** respectively.

The Constitution provides **various safeguards** to implement objectives enshrined in the preamble to the Constitution. These safeguards include social, economic, educational, cultural, political and service.

Social safeguards are contained in **Article 17, 23, 24** and **25(2)(b)** of the constitution. As per **Article 17, untouchability is abolished** and its practice in any form is forbidden. The enforcement of any disability arising out of “untouchability has been made an offence punishable in accordance with the law.” Two important legislations have been enacted to give effect to contents of this article. The **Protection of Civil Rights Act, 1955** has been enacted with the objective of providing punishment for preaching and practice of untouchability, in the enforcement of any disability arising therefrom and for matters connected therewith. **Article 25(2)(b)** provides that Hindu **religious Institutions** of a public character **shall be open** to all classes and sections of Hindus. The term “Hindu” includes persons professing Sikh, Jain, and Buddhist religions. This provision strikes against the opinion held by some sects of Hindus that members belonging to Scheduled Castes / Scheduled Tribes have no right to enter the temples. **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989** seeks to prevent the commission of offences against the members of Scheduled Castes and Scheduled Tribes.

Article 23 prohibits traffic in human beings and ‘begar’ and forced labour in any form and contravention of this provision has been made an offence punishable in accordance with law. In pursuance of this Article, **Bonded Labour System (Abolition) Act, 1976** has been enacted and a special programme for identification of bonded labourers, their liberation and rehabilitation has been in existence to operationalise its provisions. While this Act does not specifically mention Scheduled Castes and Scheduled Tribes, it is of special significance for them because majority of the bonded labour belongs to Scheduled Castes and Scheduled Tribes.

Article 24 provides that **no child below the age of 14 years shall be employed** to work in any factory or mine or engaged in any hazardous employment. There are Central and State Laws to prevent child labour practices and providing relief to those engaged as child labour. The Central law is **The Child Labour (Prohibition and Regulation) Act, 1986**. A large number of child labourers engaged in hazardous employment belong to Scheduled Castes and Scheduled Tribes.

ECONOMIC SAFEGUARDS

The provisions of **Articles 23, 24** [referred to above] **and 46** form part of economic safeguards for Scheduled Castes and the Scheduled Tribes. **Article 46** provides that State shall promote with special care the **educational and economic interests of weaker sections** of the people and, in particular, Scheduled Castes/Scheduled Tribes and shall protect them from social injustice and all forms of exploitation. It is in pursuance of this Article that special programmes for extending educational opportunities to Scheduled Castes and Scheduled Tribes have been taken up. Institutional arrangements for their development, including earmarking of specific percentage of funds from the budget for various development activities in the form of a Special Component Plan for Scheduled Castes and Tribal Sub-plan for Scheduled Tribes have also been in operation for a long time.

EDUCATIONAL AND CULTURAL SAFEGUARDS

Article 15(4) empowers the State to make **special provisions for advancement** of any socially and economically backward classes or citizens and for Scheduled Castes/Scheduled Tribes. This provision has enabled the State to reserve seats for Scheduled Castes/Scheduled Tribes in educational institutions including technical, engineering and medical colleges.

Article 29(1) provides that “Any section of the citizens residing in the territory of India or any part thereof, having a distinct language, script or culture of its own shall have the right to conserve the same”.

Article 350(a) provides for adequate facilities for instructions in the mother tongue at the primary stage of education for children belonging to linguistic minority groups.

The above Articles have relevance for Scheduled Tribes as some of them have a distinct language/dialect.

POLITICAL SAFEGUARDS

Article 164(1) provides that in the specific States there shall be a **Minister in charge** of tribal welfare who may, in addition be in charge of **welfare of Scheduled Castes, Backward Classes** or any other work.

Article 330 provides for **reservation of seats** for Scheduled Castes/Scheduled Tribes in **Lok Sabha**.

Article 332 provides for **reservation of seats** for Scheduled Castes/Scheduled Tribes in State **Vidhan Sabhas**.

Under Article 243(D), reservation of seats in Village Panchayats, Zila Parishads has been made for Scheduled Castes / Scheduled Tribes in proportion to their population at respective level in direct election. It has also been provided that the reserved seats for Scheduled Castes/Scheduled Tribes shall be allotted by rotation to different constituencies in Panchayat at each level.

Under **Article 243-T, reservation** of seats for Scheduled Castes / Scheduled Tribes in proportion to their population has been made **in municipal bodies** at each level. Out of these reserved seats for Scheduled Castes/Scheduled Tribes, at least 1/3rd has been reserved for SC/ST women.

Articles 371, 371(b), 371(c), 371(f), 371(g) and 371(h) deal with special provisions in respect of North Eastern States.

SERVICE SAFEGUARDS

Article 16, which provides **equality of opportunity** for all citizens in matters relating to employment or appointment to any office under the State and prohibits any discrimination on grounds of religion, race, caste, sex, descent, place of birth, residence or any or all of them, has made a very special provision which permits Parliament to make any **provision for reservation of appointments** or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State. It is through this provision that reservations in appointments and promotions for Scheduled Castes and Scheduled Tribe and for OBCs in the matter of recruitment have been made.

Under **Article 16(4)(a)**, this benefit of **reservation in the matter of promotion** has been extended to Scheduled Castes and Scheduled Tribes to overrule the judgment of the Supreme Court.

Article 16(4)(b) has further made provisions to **permit backlog vacancies** as a separate category in any year for determining the ceiling of 50% reservation on total number of vacancies that year.

Article 335 provides that the reservation provisions shall be made taking into consideration efficiency of administration. Through a specific amendment to the Constitution, the State has been **empowered to make any relaxation for qualifying mark** in any examination or lowering the standards of evaluation for enforcing reservation in matters of promotion to any class or classes of service or posts in connection with the affairs of the Union or of the State.

In addition to the protections referred to above, which deal with both Scheduled Castes and Scheduled Tribes, special safeguards have also been made for Scheduled Tribes.

Article 244 provides for legislation for special problems for Scheduled areas and lays down provisions of the 5th Schedule in respect of administration and control of such

areas. Provisions have also been made for administration of tribal areas in the 6th Schedule.

5th Schedule to the Constitution, under **Article 244(1)** authorizes the Governor to direct that a particular law or notification passed by Parliament or Legislative Assembly shall not apply to the scheduled area or any part thereof or shall apply subject to certain exceptions and modifications. Governor is also authorized to make regulation for peace and good government in the scheduled areas of the State.

Article 275(1) provides that specific allocations may be made from the Consolidated Funds of India to give as grant-in aid for each such area for meeting the cost of schemes of development and for promoting the welfare of Scheduled Tribes in the State. Similar provision exists for such special grants for the 6th scheduled area.

Article 338 of the Constitution provides for a National Commission for Scheduled Castes and Scheduled Tribes and specifies the functions it would discharge and the report it is required to present to the President.

A. FOR ENFORCING EQUALITY AND REMOVING DISABILITY

1. Untouchability Offences Act, 1955

Through **Article 17** of the Constitution, untouchability was abolished and its practice in any form had been abolished. Untouchability means the practices evolved as social restrictions in sharing food, access to public places, offering prayers and performing religious services, entry in temple and other public places and denial of access to drinking water sources, etc. Within 5 years of adoption of Constitution of India, the Untouchability (Offences) Act, 1955 was enacted by the Parliament. The Act contained a significant provision that where any of the forbidden practices “is committed in relation to a member of a Scheduled Caste” the Court shall presume, unless the contrary is proved, that such act was committed on the ground of “Untouchability”. This implied that the burden of the proof lies on the accused and not on the prosecution.

Soon after that Act came into force there was a general feeling of dissatisfaction with its impact as the legislation failed to serve the purpose for which it was enacted. The punishments awarded under the Act were also not adequate. Government of India, therefore, appointed a Committee in April 1965 under the Chairmanship of Shri Ilaya Perumal to study, inter-alia, problems of Untouchability vis-a-vis the working of the Untouchability (Offences) Act 1955 and to suggest changes therein. The Committee's report was submitted in 1969².

2. Protection of Civil Rights Act, 1955

Based on the recommendations of the Committee, this Act was comprehensively amended in 1976 and its name was changed to “The Protection of Civil Rights Act, 1955”. The amended Act came into force from 19th November 1976. Under this Act, the preaching and practice of ‘Untouchability’ or the enforcement of any disability arising therefrom

²Naval, op. cit., p. 22 also Sixth Report, op. cit., p. 206

and for matters connected therewith, was made cognizable and non-compoundable offence and the terms of imprisonment were enhanced. The State Governments have been empowered to impose collective fines on the inhabitants of any area found committing and abetting the commission of untouchability offences. This Act, along with the Rules framed thereunder, lays down elaborate procedure for ensuring protection of the victims of such practices by providing for special courts, special prosecution, fixing period for investigation, etc.

B. FOR CREATING DETERRENCE AGAINST PHYSICAL VIOLENCE

Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989

The enforcement of Protection of Civil Rights Act, 1955 also brought to the fore limitations both of the law as well as its implementation in eliminating the practice of untouchability in view of its entrenched position in the psyche and behaviour of the caste Hindus and their resistance to change. Society as a whole never accepted the Protection of Civil Rights Act³. Meanwhile various atrocities against scheduled castes and scheduled tribes continued to be committed in different parts of the country. It was realized that even the amended Protection of Civil Rights Act, 1955 and normal provisions of IPC did not provide deterrence in preventing violence on scheduled castes and scheduled tribes especially offences committed on caste grounds⁴. Accordingly, Parliament passed another law called “**Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**”. The Rules under the Act were framed in 1995 to prevent commission of atrocities against members of the Schedules Castes and Tribes, to provide for special courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected there with or incidental thereto.

In the ‘Statement of Objects and Reasons’ appended to the Bill when it was moved in the Parliament, it was observed that despite various measures to improve the socio-economic conditions of Scheduled Castes and Scheduled Tribes, they still remained vulnerable. They are denied a number of civil rights and are subjected to various offences, indignities, humiliation and harassment. They have been, in several brutal instances, deprived of their life and property. Serious atrocities are committed against them for various historical, social and economic reasons⁵. The Act, for the first time, lays down the contours of ‘atrocities’ so as to cover all multiple ways through which members of scheduled castes and scheduled tribes have been for centuries humiliated, brutally oppressed, degraded, denied their economic and social rights and relegated to perform the most menial jobs.

The objectives of the Act very clearly emphasise the intention of the Government to deliver justice to these communities through affirmative action to enable them to live

³Chaudhary, TK, the then IGP for PCR Cell, Maharashtra quoted in Human Rights Watch, Broken People, p. 183

⁴Statement of Objects and Reasons for Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989; Also see Naval, op. cit., p. 24

⁵Naval, op. cit., p. 24

in society with dignity and self-esteem and without fear or violence or suppression from the dominant castes. The Act provides for strong punishment and compensation to victims and also lays down preventive measures.

C. FOR ELIMINATION OF DEGRADING & HUMILIATING CUSTOMARY PRACTICES

1. Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993

The most degrading of all occupations and forms of labour thrust upon untouchables by the caste based social order is that of manual scavenging. Members of communities who are engaged in manual scavenging are made to clear faeces from public and private latrines, using broom, tin plate and a basket and carry them to dumping grounds or disposal sites. Those working in private establishments and households are paid very low wages⁶. In cities, scavengers are lowered into filthy gutters in order to unclog them and are fully immersed in human waste without any protective gear. A number of them die as a result of carbon monoxide poisoning⁷.

The practice of manual scavenging has been prohibited by law under the **Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993**. The Act bars any person to engage in or employ or promote to be engaged in or employed any other person for manually carrying human excreta or construction of a dry latrine. The Act also empowers the State Governments to make one or more schemes for regulating conversion of dry latrines into water sealed latrines and rehabilitation of persons who were engaged in or employed for manual scavenging. The Act mandates a time bound phased programme for conversion of dry latrines into water sealed latrines, provision of technical or financial assistance for alternate low cost sanitation, construction and maintenance of community latrines, registration of manual scavengers and their rehabilitation. The Act makes violation of the law an offence punishable with imprisonment for a term which may extend to one year or with fine or with both⁸.

In pursuance of the Act, Ministry of Urban Development operates a scheme for conversion of dry latrines into water sealed latrines, in which some element of subsidy is provided by the Central Government. Ministry of Rural Development administers Rural Sanitation Programme for construction of sanitary latrines in rural areas for conversion of dry latrines into wet latrines and construction of village complex for women. Ministry of Social Justice & Empowerment has a centrally sponsored scheme, called the National Scheme for liberation and rehabilitation of scavengers. This Ministry, through another scheme, provides pre-matric scholarship to children of those engaged in unclean occupations⁹, which is intended to benefit children of scavengers primarily. Government of India has also set up a National Commission for

⁶Human Rights Watch, Broken People, op. cit., p. 141

⁷Human Rights Watch, op. cit., p. 141

⁸Section 14 of the Act - See National Commission for Safai Karamcharis - A Hand Book - 2000, p. 2

⁹National Commission for Safai Karamcharis - A Hand Book, op. cit., pp 6-8

Safai Karamcharis under an Act of Parliament to monitor progress of the programme on elimination of manual scavenging and the rehabilitation of liberated scavengers.

2. Devdasi System Abolition Acts

Devdasi means a female servant of God. This ancient system entails the ceremonial or ritual dedication or marriage of a girl, traditionally from Scheduled Caste community, who is yet to attain the age of puberty, to a deity or to a temple. Devdasis originally had only religious functions, but the practice subsequently degenerated into sexual abuse of these women by high priests and royal patrons and, later, by landed gentry and other powerful persons. Once dedicated, the Devdasi girl cannot marry and is forced to become a prostitute for caste Hindus and eventually auctioned to a brothel¹⁰. The practice is prevalent largely in Karnataka, Andhra Pradesh, Maharashtra and Orissa. There is no national legislation outlawing the practice of Devdasi system. However, Andhra Pradesh has enacted a law called “Andhra Pradesh Devdasi (Prohibition of Dedication) Act, 1988 which provides for rehabilitation of such women, Karnataka Government has also enacted the Karnataka Devdasi (Prohibition of Dedication) Act, 1992.

D. FOR PREVENTING CONTROL OVER FRUITS OF LABOUR

Bonded Labour System (Abolition) Act, 1976

Bonded Labour system refers to work in slave like conditions in order to repay a debt. The poor people largely belonging to Scheduled Castes and Scheduled Tribes incur debt for survival and meeting certain urgent and basic necessities of life for which they are charged exorbitant interest. Due to their illiteracy, lack of bargaining power and extremely low wages, creditors manage to create a situation where the debt is never liquidated and consequently the debtor has to render labour in lieu thereof. The Bonded Labour System (Abolition) Act, 1976 abolished all agreements and obligations, including customary sanctions which permit bonded labour system in various forms. The Act also released all such labourers from these obligations, cancelled their outstanding debts and prohibited creation of any new bondage agreement. The Act also mandatorily provided for economic rehabilitation of freed bonded labour by the State. Keeping a bonded labour is a violation of law and is punishable with sentence of 3 years imprisonment and a fine of Rs. 2,000/-. Ministry of Labour operates a centrally sponsored scheme for rehabilitation of released bonded labourers.

The Minimum Wages Act, 1948

This Act provides for fixing of minimum rates of wages in different employments and appointment of Committees or Subcommittees for this purpose. The act also fixes the norms of hours of work, rest and overtime rates. The machinery for enforcement of the Act has also been provided for.

Equal Remuneration Act, 1976

The Act mandates that there shall be no discrimination in the payment of wages to women workers performing same or similar nature of work as men.

¹⁰Quoted in Human Rights Watch, Broken People, op. cit., 151

Child Labour (Prohibition and Regulation) Act, 1986

The Act prohibits the engagement of children in certain employments and regulates the conditions of work of children in certain others. It outlines severe penalties for those violating its provisions. The Act also provides for a Child Labour Technical Advisory Committee to advise the Central Government on which occupations and industrial processes the employment of child labour should be prohibited.

Various other laws which prohibit the employment of child labour on grounds of safety, etc. include The Children (Pledging of Labour) Act, 1933, The Employment of Children Act, 1938, Factories Act, 1948, Plantation Labour Act, 1951, The Mines Act, 1952, The Merchant Shipping Act, 1958, The Motor Transport Workers Act, 1961, The Bidi Cigar Workers (Conditions of Employment) Act, 1966, The Shops and Commercial Establishment Acts, etc.

Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

The Act, as the title suggests, lays down the conditions of employment of migrant labour to protect them from exploitation by contractors, middlemen and employers. It applies to establishments employing five or more than five migrant workmen and provides for issuance of license to contractors who supply migrant labour. It also fixes the responsibility of Principal Employer with regard to fulfillment of conditions pertaining to payment of wages and welfare measures by the contractor. Violation of the provisions of the Act has been made punishable.

E. FOR CURBING UNEQUAL DISTRIBUTION OF ECONOMIC ASSETS**1. Land Reform Laws**

The Agrarian structure in the country prior to independence was characterised by high degree of concentration of land by a small section of society and the actual cultivators of land were acutely exploited by them. Land Reforms Policy, introduced in the country after independence, introduced a five fold programme to check this concentration of economic power. The policy abolished intermediaries from ownership of land and conferred this right on the tillers of the soil. It also abolished tenancy as a form of cultivation and mandated that the actual tiller of the soil should be its owner. A radical redistribution programme of land among the landless agricultural labour was undertaken by introducing ceiling on land holding and acquisition of surplus land for this purpose. Through the programme of consolidation of land holdings, arrangements were made under which small parcels of land could be exchanged for a compact contiguous plot through mutual adjustment in the village. Land records were also sought to be updated so that rights and interests of cultivators were safeguarded against manipulation. Land reforms laws were enacted and other regulatory arrangements were made giving effect to this policy by all States.

2. Debt Relief Legislations

Indebtedness is a chronic problem of all poor persons but it affects SCs/STs more severely. Indebtedness arises because of their poverty and therefore need to borrow for subsistence and to meet other emergent social expenditure like illness, marriage, etc.

Since no such credit is available from institutional sources, money is borrowed from private money lenders who charge exorbitant rates of interest. Due to their inability to pay back, the borrowers are enmeshed in a vicious cycle of debt-bondage.

Several States have enacted legislation to regulate money lending activity, impose limit on gross rate of interest and nullifying loans given by unlicensed money lenders, discharging debt incurred before a specified date, etc. Special features have been inserted in these legislations for the benefit of SCs and STs. These laws were enacted in the late 70's and early 80's. The provisions of these legislations have considerable relevance for SCs (also STs) as their enforcement can help them disengage from exploitative money transaction on this account relationship and use their meager income for their benefit.

F. FOR POSITIONING WATCHDOG ARRANGEMENTS

1. National Commission for SCs and STs

In view of their weak social position, it had been realized at the time of framing the Constitution itself, that safeguards provided for SCs/STs in its provisions and also other laws, regulatory arrangements and policy measures, may not get implemented due to apathy or bias of the implementing agencies or pressures mounted by vested interests in the civil society who stood to lose from them. Accordingly, the need was felt to have a standing body as a watchdog institution to continuously monitor whether the activities of the Government are in consonance with the declared intentions, designed legal & institutional arrangements and policy statements. A permanent institutional arrangement called the **Special Officer for SCs and STs** incorporated under **Article 338** of the Constitution served this purpose. Later, this arrangement was strengthened and in 1990 the Constitution was amended providing for a multi-member National Commission for SCs and STs with enhanced powers. The Commission is required to submit report annually to the Parliament. The first Constitutional Commission became operational on 12th March 1992.

2. National Human Rights Commission

The Human Rights Act, 1993 seeks to provide regulatory framework for protection of rights related to life, liberty, equality, dignity of individuals guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India. **Section 3** of the Act **provides for constitution of National Human Rights Commission and Section 21** provides for constitution of **State Human Rights Commission**. In pursuance of Section 3, a **National Human Rights Commission is already in existence** since 12th October, 1993. It takes up the cases regarding human rights violations addressed to it and through its own initiative. As atrocities on SCs are violation of Human Rights, it intervenes in complaints relating to them also. The Commission is also required to submit a report annually which is laid on the table of both Houses of Parliament.

3. National Commission for Women

Section 3 of National Commission for Women Act, 1990 provides for the constitution of National Commission for Women to investigate and examine all matters relating to safeguards provided for the women under the Constitution and various other laws. The First National Commission was constituted on 31st January, 1992. It takes up

complaints of women referred to it for redressal irrespective of caste. Accordingly, problems of SC women including those of physical violence against them are also dealt with by it. As other statutory Commissions, the Commission has to submit a report annually which is laid on the table of both the Houses of Parliament.

4. National Commission for Safai Karamcharis

This Commission was set up under the National Commission for Safai Karamcharis Act, 1993 on 12th August, 1994 for a period of three years. But its tenure has been extended from time to time. Unlike the other three Commissions, this Commission does not have a permanent status perhaps because it was set up to look after a specific programme of liberation and rehabilitation of scavengers and may be wound up after this programme is completed. This Commission also submits a report every year which is laid on the table of both Houses of Parliament.

International Standards Applicable to India

Various International Human Rights covenants and conventions applicable to India, include:

- (a) Universal Declaration of Human Rights 1948,
- (b) International Covenant on Civil and Political Rights 1966,
- (c) International Covenant on Economic, Social and Cultural Rights 1966,
- (d) International Convention on Elimination of all forms of Racial Discrimination 1965,
- (e) Convention on Elimination of all forms of Discrimination against Women 1979,
- (f) Convention on Rights of the Child 1989,
- (g) ILO Convention No. 29 - Forced Labour Convention 1930,
- (h) ILO Convention No. 111 - Discrimination (Employment and Occupation) Convention 1958,
- (i) ILO Convention No. 107 - Indigenous Peoples Convention 1957.

All the above have been signed and ratified by the Government of India. In addition, the Convention against torture and other cruel, inhuman or degrading treatment or punishment (1984) has also been signed but not yet ratified. There is pressure on Government of India to ratify it since mechanisms have been provided against the practice of torture and Courts and National Human Rights Commission have also issued directions in this matter¹¹. These international instruments lay down norms and standards for treatment of individuals and groups and protection of their rights. As a result of these conventions, Government of India is required to submit periodical reports to the concerned international organizations monitoring their enforcement. The concerned Committees of these organizations make observations or furnish comments on the reports submitted¹².

¹¹Statement of the Chairman, NHRC recently while inaugurating a SAARC Conference on practice of torture.

¹²Sakshi, Dalit Human Rights Monitor-2000, Andhra Pradesh, p. 152