

Marginalization and Marginalized Groups in India: A comprehensive study up to 2021

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Abstract: This article aims to provide a comprehensive overview of the matter of marginalization and marginalized groups in India. Marginalization refers to the social and economic exclusion of certain groups from the mainstream society, often leading to inequality and discrimination [1]. The study examines the historical context, causes, and consequences of marginalization, focusing on numerous marginalised groups, including Religious Minorities, Scheduled Castes, and Scheduled Tribes, Women, Children and the Lesbian, Gay, Bisexual and Transgender (LGBTQ+) community. It also explores the developments in India's social and legal landscape regarding marginalized groups and highlights the existing laws and policies aimed at their empowerment [3]. By critically analysing the literature available till 2021, this study sheds light on the challenges and prospects of achieving social inclusion and equality for marginalized groups in India.

Key Words: LGBTQ+ community, Marginalized Groups, Women.

1. INTRODUCTION:

Marginalization is a pervasive issue in India, stemming from deep-rooted social hierarchies and structural inequalities. It encompasses the systematic exclusion and denial of basic rights and opportunities faced by certain groups, leading to their marginal status in society. The impact of marginalization is far-reaching, affecting various aspects of life, including education, employment, health, and political representation [2]. Understanding the causes and consequences of marginalization is crucial to address the challenges faced by marginalized groups and strive towards a more inclusive society.

Social inequality and exclusion continue to be significant challenges in contemporary societies, hindering the pursuit of justice, equity, and sustainable development. Among the groups most affected by these issues are Scheduled Castes, Scheduled Tribes, religious minorities, women, children, and the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) community. The aim of this research study is to provide a comprehensive understanding of the unique challenges faced by these marginalized groups, shedding light on their experiences, rights, and aspirations [4].

- **Scheduled Castes and Scheduled Tribes:** Scheduled Castes and Scheduled Tribes, recognized as historically disadvantaged communities in India, have long suffered from social, economic, and political exclusion. Despite legal safeguards and affirmative actions, discrimination, caste-based violence, limited access to education, healthcare, and economic opportunities persist, perpetuating their marginalization. This research study will examine the multidimensional aspects of their experiences, focusing on socioeconomic indicators, identity formation, and strategies for empowerment [13] [14].
- **Religious Minorities:** Religious minorities, including Muslims, Christians, Sikhs, Buddhists, and others, face various forms of discrimination and marginalization based on their religious beliefs. This research study will explore the challenges they encounter, such as religious intolerance, hate crimes, exclusion from mainstream opportunities, and barriers to the exercise of religious freedom [15]. It aims to highlight the importance of religious pluralism, interfaith harmony, and inclusive policies for building cohesive societies.
- **Women:** Despite significant progress in gender equality, women continue to face various forms of discrimination, violence, and systemic barriers. This research study will delve into the gender-specific challenges faced by women, such as gender-based violence, limited access to education, economic

opportunities, and decision-making power [16]. It aims to explore strategies for advancing women's rights, empowerment, and creating inclusive societies that promote gender equality.

- **Children:** Children represent a vulnerable group whose rights and well-being deserve special attention. This research study will focus on the rights and challenges faced by children, such as child labor, child marriage, inadequate access to education and healthcare, and vulnerability to exploitation. It aims to advocate for child-centred policies, comprehensive social protection, and inclusive education systems to ensure the holistic development and protection of children's rights [5].
- **LGBTQ+ Community:** The Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) community has long been marginalized, facing stigmatization, discrimination, and denial of basic rights. This research study will investigate the unique challenges faced by LGBTQ+ individuals, including societal prejudice, legal barriers, mental health disparities, and limited access to healthcare and social support systems. It aims to contribute to the discourse on LGBTQ+ rights, promote social acceptance, and inform policies that foster inclusivity and equality.

By examining these diverse groups' experiences, this research study seeks to generate evidence-based insights into the barriers they face and explore effective strategies to address social inequality, exclusion, and discrimination [6]. It aims to contribute to the formulation of policies and interventions that promote social justice, empower marginalized communities, and build inclusive societies that leave no one behind.

2. LITERATURE REVIEW:

The literature survey reveals that the issue of marginalization in India has been extensively studied by scholars, activists, and policymakers. Researchers have examined the historical origins of marginalization, tracing it back to the caste system and other discriminatory practices prevalent in Indian society. The caste system has created a hierarchical structure where certain castes, particularly the scheduled castes and scheduled tribes, have been historically marginalized and deprived of their rights. Additionally, studies have highlighted the marginalization faced by religious minorities, such as Muslims, Christians, and Sikhs, and the challenges faced by women and the LGBTQ+ community.

India has a comprehensive a body of law designed to uplift and defend marginalised populations. The Indian Constitution ensures equality before the law and fundamental rights. Act to Prevent Atrocities Against Scheduled Castes and Scheduled Tribes, strengthens the legal protections against discrimination and violence faced by these communities. The Sachar Committee report, officially known as the "Prime Minister's High-Level Committee Report on Social, Economic and Educational Status of the Muslim Community of India," was published in 2006. The committee was formed to assess the social, economic, and educational status of the Muslim community in India, which is one of the marginalized groups in the country. The Sachar Committee report played a significant role in drawing attention to the marginalized status of the Muslim community in India and highlighting the need for targeted interventions to address their socio-economic and educational challenges. In order to support the inclusive growth of disadvantaged groups in the nation, it called for affirmative action legislation, investments in education, better access to work opportunities, and improved public facilities. The Rights of Persons with Disabilities Act protects their rights and makes sure that people with disabilities are included. The National Commission for Minorities Act and the Protection of Civil Rights Act are instrumental in safeguarding the rights of religious and linguistic minorities. Saksena, D. (2014), the social, economic, and political marginalization experienced by scheduled castes, scheduled tribes, religious minorities, women, and other vulnerable groups [4]. The study delves into the historical context, underlying causes, and consequences of marginalization, emphasizing the need for comprehensive measures to address these issues. Through a critical analysis, the author highlights the urgency of creating an inclusive society that ensures equal opportunities and rights for all marginalized groups. NALSA (2019) The Act deals with concerns such as discrimination, healthcare access, social programmes, and legal recognition for India's transgender minority. The Act criminalizes offenses against transgender persons, including physical and sexual abuse, hate speech, and discrimination. It provides for penalties and imprisonment for individuals found guilty of such offences. The Act establishes a National Council for Transgender Persons at the national level and State Councils for Transgender Persons at the state level. These bodies are responsible for monitoring the implementation of the Act, addressing grievances, and advising the government on transgender-related matters. Makwana et al., (2023), Over 30.3% of the world's poorest children reside in India, where large segments of the population face marginalization. The unorganized labor force, women in impoverished rural areas, Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs), children, bonded laborers, persons with disabilities, and the elderly are among the major marginalized groups. Marginalized children, particularly girls, experience systemic discrimination and exclusion, leading to high dropout rates, child labor, and human trafficking vulnerability. While there are poverty reduction and social security projects in rural regions, direct assistance is lacking,

highlighting the need for social protection measures. Although progress has been made, there is still much to be done to empower marginalized groups and achieve social inclusion. The government's efforts in universal education and the role of NGOs in promoting education among marginalized children are steps in the right direction, but enlightened policies and equitable practices are crucial to address the challenges faced by these vulnerable communities [1].

3. DEVELOPMENTS:

The Indian Constitution contains several provisions that aim to protect and uplift marginalized groups in the country. Here are some key laws and constitutional provisions relevant to marginalized groups in India [17]. Article 15 of Indian Constitution (IC), this constitutional provision prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. It ensures that individuals from marginalized groups have equal access to public places and resources [20]. Article 17 of the Indian Constitution abolishes the practice of untouchability. It declares untouchability as an offense and prohibits its practice in any form. The state is mandated by Article 46 of the Constitution to advance the economic and educational interests of SCs, STs, and other marginalised groups in society. It emphasises the value of social justice for disadvantaged communities and inclusive growth. The Constitution established the National Commission for Scheduled Castes (NCSC) and National Commission for Scheduled Tribes (NCST) as statutory organisations to protect the rights and interests of SCs and STs, respectively. They strive to end the prejudice and social injustice that these communities must contend with Reservation Policy: The Indian Constitution includes provisions for reservation of seats in educational institutions and public employment for SCs, STs, and other backward classes (OBCs). These reservations are aimed at providing equal opportunities for marginalized communities and promoting their socio-economic advancement [8] [9]. Protection of Civil Rights Act, 1955: This Act is designed to prevent the social discrimination and disabilities faced by SCs and STs. It prohibits the practice of untouchability and enforces penalties for offenses related to such discrimination. Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989: This Act provides for the prevention of atrocities against Scheduled Castes (SCs) and Scheduled Tribes (STs) and for the prosecution of offenses committed against them [19]. It aims to safeguard the rights and dignity of these marginalized communities. The International Labour Organization (ILO), as a specialized agency of the United Nations, has taken significant initiatives to combat child labor worldwide. Since its establishment, the ILO has introduced Conventions and Recommendations to regulate child labor, including setting a minimum age of 16 for all forms of work, establishing higher minimum age's for certain types of employment, mandating medical examinations, and regulating night work. However, it should be noted that the ILO does not have the authority to enforce these agreements, relying on voluntary compliance (ratification) by member countries [10] [12].

Indeed, in addition to the laws and constitutional provisions mentioned earlier, there are several other measures and policies in place to protect the rights and promote the well-being of marginalized groups in India. Some of these include, Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), 2005: This act guarantees a minimum of 100 days of employment per year to rural households, with a focus on providing livelihood opportunities to marginalized sections of society. Protection of Women from Domestic Violence Act, 2005: This act provides legal protection and remedies for women facing domestic violence, including physical, emotional, and economic abuse. It recognizes the vulnerabilities faced by women and offers mechanisms for their protection and support. Forest Rights Act, 2006: This act recognizes and vests forest rights and occupation of forestland in scheduled tribes and other traditional forest-dwelling communities. It seeks to secure their rights over forest resources and protect their livelihoods [11]. Right to Education Act, 2009: This act mandates free and compulsory education for children between the ages of 6 and 14. It aims to eliminate educational disparities and promote equal access to quality education, particularly for children from marginalized groups. Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013: This act prohibits the engagement of individuals in manual scavenging and provides for their rehabilitation. It aims to eliminate the degrading practice of manual scavenging and ensure alternative livelihoods for affected individuals. National Food Security Act, 2013: This act aims to provide food security to vulnerable populations, including marginalized communities, by ensuring subsidized food grains and nutritional support. These additional measures and policies complement the existing laws and constitutional provisions to address the specific needs and challenges faced by marginalized groups in India, aiming to promote their rights, social inclusion, and overall well-being.

4. CONCLUSION:

There is increasing awareness among governments, companies, employees/unions, and parents regarding the issues related to child labor. Special attention is given to the rescue and rehabilitation of girl children. While there have been notable advancements in addressing marginalization and empowering marginalized groups in India, challenges persist. Socioeconomic disparities, deep-rooted prejudices, and inadequate implementation of existing laws continue to hinder the progress towards equality. It is imperative to promote awareness, sensitization, and social inclusion at all

levels of society. Policymakers should strive to address the underlying causes of marginalization and ensure the effective implementation of existing laws. By fostering an inclusive and equitable society, India can truly harness the potential of all its citizens and achieve sustainable development.

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