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FUNDAMENTAL RIGHTS' AWARENESS AMONG DAILY LABOURS' OF SCHEDULED CASTE (SC) OR SCHEDULED TRIBE (ST) COMMUNITY OF BIRBHUM DISTRICT IN WEST BENGAL

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ABSTRACT

Constitution of India gives some Fundamental Rights to all citizen of India in part-iii in article no 12 to 35. Among them in article no 14 give us right to equality before law, article 15 give right to no discrimination on grounds of religion, race, caste, sex or place of birth, article 16 give right to equality of opportunity in matters of public employment, article 17 protect us against untouchability, article 19 give us right to speech, article 21(A) give us right to elementary education for all, article 24 protect us against child labour. So awareness of Fundamental Rights is very much important for all the citizen of India mainly daily labour who belongs to SC or ST community because they are suffer more for their caste, race, colour and place of birth. So if they aware on their Fundamental Rights only then they are raise their voice when their rights are not protected. This paper tries to find out the awareness of Fundamental Rights of daily labour of SC or ST community in Birbhum district of west Bengal State. For this study researcher did survey in Birbhum district and used questionnaire and interview schedule as tool for data collection.

Keywords: Fundamental Rights, Awareness, Daily Labour, SC, ST

1. INTRODUCTION:

Constitution of India gives some Fundamental Rights to all citizen of India in part-iii in article no 12 to 35. The concept of Fundamental Rights was taken from Constitution of America. Fundamental Rights are those rights which are essential for intellectual, moral and spiritual development of Indian citizens. They are called Fundamental Rights because these rights are fundamental or essential for existence and all-round development of individuals. Irrespective of race, birthplace, religion, caste and gender Fundamental Rights apply universally to all citizens. Our Constitution of India recognised six Fundamental Rights.

1.1 Right to Equality (Article 14-18): It includes equality before law, the prohibition of discrimination on grounds of religion, race, caste, sex or place of birth, in matters of public employment equality in opportunity, the abolition of untouchability and the abolition of titles.

Article 14- Equality before law.

Article 15- There are prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

Article 16- In matters of public employment there are equal opportunity.

Article 17- Abolition of Untouchability.

Article 18- Abolition of titles. (Basu, Fundamental Rights and Fundamental Duties, 2015)

1.2 Right to Freedom (Article 19-22): It includes freedom of speech and expression, assembly, association or union or cooperatives, movement, residence, and right to practice any profession or occupation.

Article 19- Freedom of speech and expression.

Article 20- In respect of conviction in offences is prohibited.

Article 21- Protection of life and personal liberty.

Article 21(A) - Right to Education.

Article 22- In certain there are cases protection against arrest and detention. (Basu, Fundamental Rights and Fundamental Duties, 2015)

1.3 Right against Exploitation (Article 23-24): It prohibits all forms of forced labour, child labour and trafficking of human beings. Children below age of 14 years are not allowed to work.

Article 23- Traffic in human beings and forced labour is prohibited.

Article 24- Children employment prohibition in factories under the age of 14 years. (Basu, Fundamental Rights and Fundamental Duties, 2015)

1.4 Right to Freedom of Religion (Article 25-28): It includes freedom of conscience and free profession, practice, and propagation of religion, freedom to manage religious affairs. In certain educational institutes freedom from certain taxes and freedom from religious instructions.

Article 25- Freedom of conscience and free profession, practice and propagation of religion.

Article 26- Freedom to manage religious affairs.

Article 27- There are freedom to all payment of taxes for promotion of any particular religion.

Article 28- In certain educational institution there are freedom to attendance at religious instruction or religious worship. (Basu, Fundamental Rights and Fundamental Duties, 2015)

1.5 Cultural and Educational Rights (Article 29-30): It preserves the right of any section of citizens to conserve their culture, language or script, and right of minorities to establish and administer educational institutions of their choice.

Article 29- Protection of interest of minorities.

Article 30- It is Constitutional right of minorities to establish and administer educational institution. (Basu, Fundamental Rights and Fundamental Duties, 2015)

1.6 Right to Constitutional remedies (Article 32-35): It present for enforcement of fundamental rights.

Article 32- Remedies for social control of rights bestowed by this part.

Article 33- Modify the rights conferred by this part in their application to Forces is the power of Parliament.

Article 34- Restriction on rights conferred by this part while martial law is in force in any areas.

Article 35- Legislation to relinquish impact to the provisions of this half. (Basu, Fundamental Rights and Fundamental Duties, 2015)

2. SIGNIFICANCE OF THE STUDY:

Constitutions of India give some Fundamental Rights in part iii in between article no 12 to 35. If we know about our Fundamental Rights like equality before law (article 14), no discrimination on grounds of religion, race, caste, sex or place of birth (article 15), right to equality of opportunity in matters of public employment (article 16), abolition of untouchability (article 17), right to speech (article 19), article 21(A) give us right to elementary education for all, article 24 protect us against child labour, only then we raise our voice when we not get our rights. We all know SC-ST community people faces more problems for their caste, race, colour and education. So, at least samples who taken for survey are aware on their fundamental rights during this study. If they aware about their fundamental rights only then they raise their voice.

3. OBJECTIVES OF THE STUDY:

3.1 To find out the Fundamental Rights' awareness among daily labour of SC Community of Birbhum district.

3.2 To find out the Fundamental Rights' awareness among daily labour of ST Community of Birbhum district.

3.3 To compare the Fundamental Rights' awareness among daily labour of SC and ST Community of Birbhum district.

3.4 To compare the Fundamental Rights' awareness among daily labour of male and female SC Community of Birbhum district.

3.5 To compare the Fundamental Rights' awareness among daily labour of male and female ST Community of Birbhum district.

4. METHODOLOGY OF THE STUDY:

4.1 Method: Descriptive survey method used by researcher for current study.

4.2 Population: Daily labours of SC or ST Community of Birbhum district were population of the study.

4.3 Sample and sampling technique: 50 daily labours of SC people and 50 daily labours of ST people (total 100 people) from Birbhum district were selected as sample for the research and convenience sampling technique was used for data collection.

4.4 Tool: In order to carry out the present study researcher does not found any appropriate research tool to check the awareness of Fundamental Rights of daily labour of SC or ST Community. That's why researcher decided to develop a questionnaire and an interview schedule by himself for data collection.

4.5 Validity and Reliability of the Tool- Researcher established content validity of the questionnaire through checked it by different subject experts.

Researcher used test-retest reliability method. Researcher takes 20 daily labours for preliminary data collection then after 15 days researcher collect data from same response group. The coefficient of correlation (r) 0.84 was found.

So reliability and validity of this tool established.

5. DATA ANALYSIS, RESULTS, INTERPRETATION AND DISCUSSION:

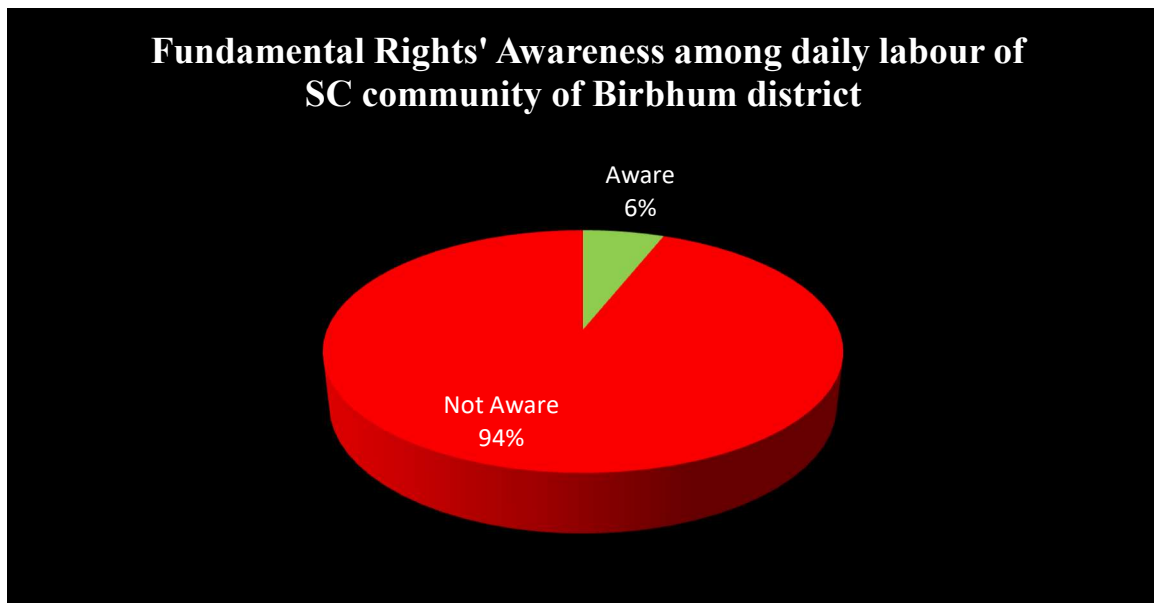
After data are collected through the questionnaire and interview schedule the analysis of those data are giving below according to objectives.

Here researcher focused only those Fundamental Rights which are directly linked with daily labour of SC or ST community life. Those articles are- article 14 (equality before law), article 15 (prohibition of discrimination on grounds of religion, race, caste, sex or place of birth), article 16 (equality of opportunity in matters of public employment), article 17 (abolition of untouchability), article 19 (freedom to speech), article 21A (right to education), article 24 (abolition of child labour under the age of 14).

5.1 Analysis of objective 1 (Fundamental Rights' Awareness among daily labour of SC Community of Birbhum district):

(5.1.1) Only 6% daily labour of SC community people aware about their Fundamental Rights and other 94% daily labour of SC community people are not aware about their Fundamental Rights which given by our Constitution.

Pie Chart- I



(5.1.2) Among 3 peoples no one aware of all these seven fundamental rights.

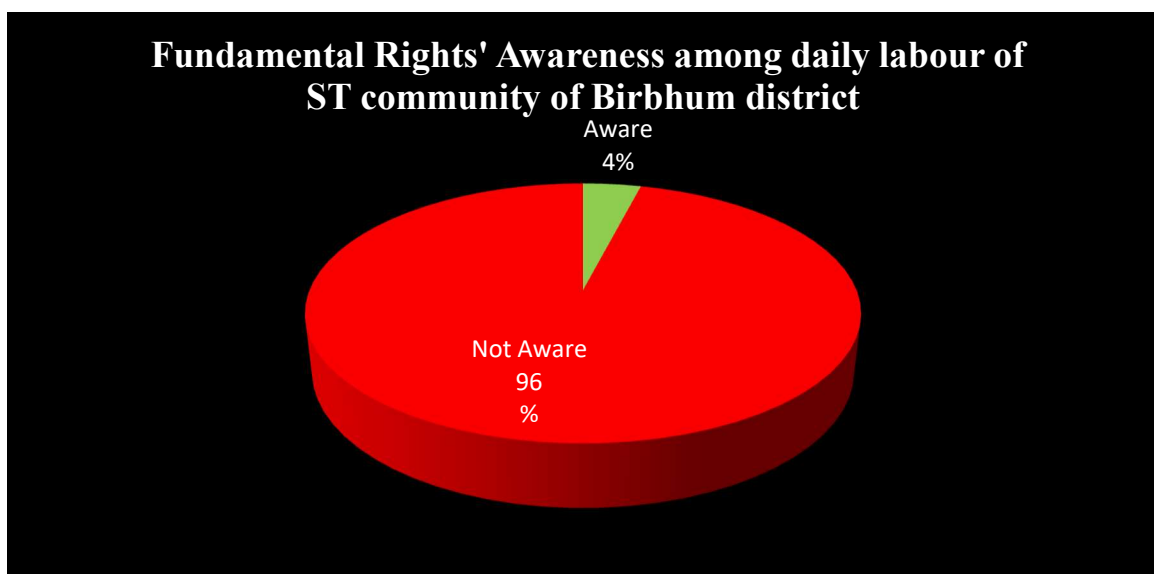
(5.1.3) 1.5% people aware two fundamental rights.

(5.1.4) 1.5% people aware three fundamental rights.

5.2 Analysis of objective 2 (Fundamental Rights' Awareness among daily labour of ST Community of Birbhum district):

(5.2.1) Only 4% daily labour of ST community people aware about their Fundamental Rights and other 96% daily labour of ST community people are not aware about their Fundamental Rights which given by our Constitution.

Pie Chart- II



(5.2.2) Both the daily labour aware about only 2 fundamental rights. One is educational and another is right to speech.

5.3 Analysis of objective 3 (Compare the Fundamental Rights' Awareness among daily labour of SC and ST community of Birbhum district):

So here we clearly show that 6% daily labour of SC community and 4% daily labour of ST community known about their fundamental rights.

5.4 Analysis of objective 4 (Compare the Fundamental Rights' Awareness among daily labour of male and female SC community of Birbhum district):

Among 3 daily labours of SC community people who aware about their fundamental rights 2 was male and 1 was female. So there is significance difference between male and female SC daily labour on awareness of fundamental rights.

5.5 Analysis of objective 5 (Compare the Fundamental Rights' Awareness among daily labour of male and female ST community of Birbhum district):

Among 2 daily labour of ST community people who aware about their fundamental rights 1 was male and other was female. So, there is no significance difference between male and female ST daily labour on awareness of fundamental rights.

6. CONCLUSION:

It is clear that only 6% daily labour of SC community people and 4% daily labour of ST community people of Birbhum district are aware about their fundamental rights which give by Indian Constitution. Awareness of Fundamental Rights of SC & ST communities' daily labour was very low. Female daily labour of ST community people's awareness was much more pathetic. If daily labour of SC and ST community people does not aware about their fundamental rights then how they raise their voice when they are not get their rights. It is duty of Government to launch some special programme (gives poster, advertisement on it, camp on it) for improving awareness of fundamental rights among not only daily labour of SC or ST community people but other community people also.

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