

Social Security of Minority in India

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Introduction:

The Ministry of Minority Affairs, Government of India has notified that Muslims, Sikhs, Buddhists, Christians, Zoroastrians and Jains are minority communities in India. According to census 2011 of India, total 20.20% people belongs to minority. The religion wise population of minority in India is, Muslim 17.22 crore (14.23%), Christian 2.78 crore (2.30%), Sikhs 2.08 crore (1.72%), Buddhist 0.84 crore (0.70%), Jains 0.45 crore (0.37%), and other religion 0.79 crore (0.66%). It shows that, Muslims are the largest and most important minority community in India. Social security of minority is a basic question, which is related to human rights. Minority community cannot be deprived from the basic human needs. But the reality is that the majority community tried to take all the benefits of the Government and they oppressed and suppressed the minority people. Hence the conditions of minority community in India and other countries are very critical. It is the duty of Government to provide social security to the minority people. Otherwise, it becomes very difficult for minority to sustain their life.

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly Resolution-217-A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected.[1] Social security is asserted in Article 22 of the Universal Declaration of Human Rights. The Right to Social Security is the title of this Article.

According to Article 22, "Every one, as a member of society, has the right, to social security and is entitled to realization, through national effort

and international co-operation and in accordance with the organization and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality." [2]

The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102), is the flagship of all ILO social security Conventions, as it is the only international instrument, based on basic social security principles, that establishes worldwide-agreed minimum standards for all nine branches of social security. [3]

In this paper, I tried to bring reality what is social security in India for minorities and whether it is implemented properly or not.

Concept of Social Security:

While several of the provisions to which the concept refers have a long history (especially in poor relief), the notion of 'social security' itself is a fairly recent one. In a speech to mark the independence of Venezuela, Simon Bolivar of (1819) pronounced: "The most perfect system of government is that which produces the greatest amount of happiness, the greatest amount of social security and the greatest amount of political stability." [4]

Early welfare programs in Europe included the English Poor Law of 1601, which gave parishes the responsibility for providing poverty relief assistance to the poor. [5]. This system was substantially modified by the 19th-century Poor Law Amendment Act., which introduced the system of workhouses.

In the 20th century two concepts of social security emerged in Europe, the insurance concept and the redistribution concept. It was predominantly in the late 19th and early 20th centuries that an organized system of state welfare provision was introduced in many countries. The insurance concept was introduced by Otto Von Bismarck, Chancellor of the Germany, introduced this type of social protection for the working classes in 1883. In Great

Britain the liberal government of Henry Campbell-Bannerman and David Lloyd George introduced the National Insurance system in 1911, a system later expanded by Clement Attlee.[6] During the World War II, the British reformer Lord Beveridge developed the redistribution concept of social security. The United States did not have an organized welfare system until the Great Depression, when emergency relief measures were introduced under President Franklin Roosevelt. Even then, Roosevelt's New Deal focused predominantly on a program of providing work and stimulating the economy through public spending on projects, rather than on cash payment.

Social security protection is clearly defined in ILO Conventions. Broadly defined as a system of contribution based health, pension and unemployment protection, along with tax-financed social benefits, social security has become a universal challenge in a globalizing world.

According to I.L.O, "Social security is the protection which society provides for its members through a series of public measure, against the economic, social distress that otherwise would be caused by the stoppage or substantial prediction of earning resulting from sickness, maternity, employment, injury, unemployment, invalidity, old age and death." [7]

Social security is any government system that provides monetary assistance to people with an inadequate or no income.[8] In the United States, this is usually called welfare or a social safety net, especially when talking about Canada and European countries. Terminology in this area is somewhat different in United States from in the rest of the English-speaking world. The general term for an action program in support of the well-being of poor people in the United States is welfare program, and the general term for all such programs is simply welfare. In American society, the term welfare arguably has negative connotations. In the United States, the term Social Security refers to the US Social Insurance program for all retired and disabled people.[9] Elsewhere the term is used in a much broader sense, referring to the economic security society offers when people are faced with certain risks.

In simple terms, the signatories agree that the society in which a person lives should help them to develop and to make the most of all the advantages (culture, work, Social welfare) which are offered to them in the country.[10]

Social security may also refer to the action programs of an organization intended to promote the welfare of the population through assistance measures guaranteeing access to sufficient resources for food and shelter and to promote health and well-being for the population at large and potentially vulnerable segments such as children, the elderly, the sick and the unemployed. Services providing social security are often called social services. Survival beyond a prescribed age, to be covered by old age pensions.[11] People who cannot reach a guaranteed social minimum for other reasons may be eligible for *social assistance* or *welfare*.

Modern authors often consider the ILO approach too narrow.[12] In their view, social security is not limited to the provision of cash transfers, but also aims at security of work, health, and social participation; and new social risks (single parenthood, the reconciliation of work and family life) should be included in the list as well.

Social security may refer to:

1. Social insurance where people receive benefits or services in recognition of contributions to an insurance program. These services typically include provision for retirement pensions, disability, insurance survivor benefits and unemployment insurance.
2. Services provided by government or designated agencies responsible for social security provision. In different countries, that may include medical care, financial support during unemployment, sickness, or retirement, health and safety at work, aspects of social work and even industrial relations.
3. Basic security irrespective of participation in specific insurance programs where eligibility may otherwise be an issue. For instance, assistance given to newly arrived refugees for basic necessities such as food, clothing, housing, education, money, and medical care.

A report published by the ILO in 2014 estimated that only 27% of the world's population has access to comprehensive social security.[13] It means rest of the world's population does not have access to comprehensive social security. But the condition of minority community regarding access to comprehensive social security is pitiable. Being a minority in the country, they have to face many problems due to discrimination by the majority. Hence there is a need of social security programme for human dignity, social justice, and development of minority community.

Provisions of Social security in India:

Now, we want know what are the constitutional provisions for Minority community in India? Dr. Babasaheb Ambedkar, the great humanitarian and the chief architect of India has laid the foundation of social security in India through the Indian Constitution. As per the article 41 of Indian Constitution, "*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.*"[14] Thus, India has laid foundation of social security. Further the Government of India has realized that, 'there will not be peace without social justice and no justice without social security.'

Special programme for Minority in India:

After the independence, though there is some provision for Minority in Indian Constitution, there was no special programme for their development. This was the demand of the Ministry of Minority Affairs since a long time. But it was not fulfilled till 2006. The Ministry of Minority Affairs, Government of India came into existence in 2006. It was carved out of Ministry of Social Justice and Empowerment and created on 29 January 2006. It is the apex body for the central government's regulatory and developmental programmes for the minority religious communities in India, which includes Muslims, Sikhs, Christians, Buddhist, Zoroastrians (Parsis) and Jains notified as minority communities in The Gazette of India [15] under Section 2(c) of the National Commission for Minorities Act, 1992.

The ministry of minority is also involved with the linguistic minorities and of the office of the

Commissioner for Linguistic Minorities, representation of the Anglo-Indian community, protection and preservation of non-Muslim shrines in Pakistan and Muslim shrines in India in terms of the Pant-Mirza Agreement of 1955, in consultation with the Ministry of External.[16] The Minister in charge is also Chairperson of the Central Wakf Council of India, which manages the running of the State Wakf Boards. Ministry Of Minority Affairs (Moma) provides scholarship to minority community students of India every year. Moma Scholarship is a scholarship scheme of the Ministry of Minority Affairs initiated with the aim of supporting minority communities' student who is not financially strong and wants to pursue higher studies in India.[17] The scholarship is awarded to the students by India Government through State Government/UTs.

There is also provision to Indian Linguistic Minorities, in Indian Constitution. According to Indian Constitutional Article 350B: 1) There shall be a Special Officer for linguistic minorities to be appointed by the President. 2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the Governments of the States concern.[18]

Prime Minister's 15 Point Programme for the Welfare of Minorities:

Government of India formulated the "Prime Minister's New 15 Point Programme for the welfare of Minorities." An important aim of the Programme is to ensure that an appropriate percentage of the priority sector lending is targeted for the minority communities and that the benefits of various government sponsored scheme reach the under-privileged, which includes the disadvantaged sections of the minority communities. The Programme is being implemented by the Central Ministers/Department concerned through State Government /Union Territories and envisages location of certain proportion of development projects in minority concentration districts.[19]

Evaluation of Social Security programme for the minority:

Though there are some important programmes for the development of minority, these entire programmes are on paper only. There still is a discriminative attitude and superiority complex among the majority in India. Hence there is no proper implementation of social security programme for minority. The actual fact is that minorities are still mistreated and humiliated. Fanatical forces are creating unrest among the minority, particularly Muslim. India also has had very high levels of religion-related social hostilities since in the past decade. Minorities are under the pressure of the majority. They are living in the shadow of a terrorist atmosphere. Hindu vigilante groups are against Muslim and Dalit. In such situation, social security programmes couldn't achieve their goals.

Pew Research Center Survey, 2015 explains some facts about religion in India.[20] While there are legal protections for religious groups and minorities, Indians still generally experience "high" levels of Government restrictions on religion according to an annual Pew Research Centre Study. There are Legal restrictions on religious conversion in at least six States that have at times been used to arrest and intimidate Muslims and Christians who proselytize, according to the U.S. Commission on International Religious Freedom. Additionally, Buddhists, Jains and Sikhs are legally considered Hindus and are unable to access social services or employment and educational preferences available to other religious minority groups. Meanwhile, Christians and Muslims who identify as low-caste Dalits – some of whom are descendants of Hindu Dalit who converted to escape caste discrimination – are restricted from accessing educational and employment benefits traditionally reserved for Hindu Dalit. Despite these restrictions, India's Supreme Court upheld protections for minorities in some religious freedom cases.

India also has experienced "very high" levels of religion-related social hostilities in the past decade, according to this Pew Research Center Study. In fact, since Pew Research Center Study began tracking this issue in 2007, the country has consistently scored "very high" on the study's Social Hostilities Index. Much of the hostility is directed

against low-caste Dalit, according to the U.S. State Department. Religious minorities, including Buddhists, Christians, Jains, Muslims and Sikhs, also are harassed. In recent years there has been a surge in mob attacks by Hindu vigilante group against Dalit and Muslim consumers and traders in the beef, dairy and leather industries. Additionally, Dalit women are disproportionately victims of sexual violence due to their caste, while Muslim women and girls also have been targeted due to their religion.

Communal tensions – between Indians of various religious faiths and castes – have long plagued Indian society. *Most Indians are at least somewhat concerned about these tensions, but even larger shares are worried about other national issues, according to a 2017 Pew Research Center Study.* [21] Almost four-in-ten Indians (37%) said "communal relations" are a very big problem in their country, while an additional 31% named this as a moderately big problem. But greater shares of Indian adults named crime, terrorism, corruption, lack of employment opportunities, rising prices and other issues as major national problems.

Conclusion:

The concept of social security is very important, which related with human rights of the minority. Social Security is asserted in the Article 22 of the Universal Declaration of Human Rights. Social security protection is clearly defined in International Labour Organization (ILO)

Conventions.

There are provisions of social security in Indian Constitution. Government of India has established ministry of minority affairs since 2006 after the fifty years of independence. The government of India launched Prime Minister's 15 Point Programme for welfare of Minorities with the objectives to enhancing opportunities for education, to ensuring an equitable share for minorities in economic activities and employment, to improving the conditions of living of minorities and to prevention and control of communal disharmony and violence.

There is no doubt about these programmes, which are very important in the view of social security for minority. But the question is that whether it is being implementing properly? The attitude of the majority is very discriminative and

bias about the minority. Religion- related social hostilities is high level in India. The fanatical forces become very strong, they creates hostilities against the minority. We find always tension among Hindu and Muslim, which created by some Hindu vigilante groups. They create any issue themselves against the minority. It is the actual situation of “incredible India”. That is why there is religious and cultural terrorism in India. Government machinery also couldn't do anything. In such conditions, it is impossible to get justice to the minority. Hence the need of time is for the Government to impose ban on such Hindu vigilante groups or any others who creates hostilities against minority or other people. We need to create a prudent social atmosphere in the society irrespective of religion, caste or any ground of discrimination. Only after that will the social security programmes would be a success in real sense. Otherwise these social security programmes will become monumental failures.

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