

Social Justice and Status of Minorities in India with Special Reference to Muslim

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Abstract

The title of research paper "Social Justice and Status of Minorities in India with Special Reference to Muslim" in which we have to explore about the meaning and concept of social justice, and the status of various minorities in accordance with the Constitution of India. What are the privileges given to all minorities and especially for Muslim minority who are taking various advantages provided through the government of India after the report of Sachar committee? A detailed study has been highlighted in paper. The idea of social justice is based on the conviction that every person and every group within a society has a right to civil liberties, equality of opportunity, fairness, and participation in the social, moral, institutional, economic, and educational freedoms and obligations cherished by the community. It is the procedure by which society achieves a more equitable division of labor in the political, economic, and social spheres.

Keywords: Social Justice, Status, Constitution, Minorities, Muslim, Privileges.

Introduction:

The term "social justice" is extremely broad and inclusive, encompassing everything related to the rule of general interest, from safeguarding the interests of all marginalized groups in society, including minorities, from poverty to the eradication of poverty and illiteracy. It also has to do with eliminating enormous social ills like poverty, disease, unemployment, and malnutrition. All of this also has to do with getting rid of vested interests that get in the way of achieving the common good. The concept of social justice requires governments in underdeveloped nations to make significant efforts to ameliorate the situation of the underprivileged and weaker members of society. Because it asks that the working class not be exploited, it expands to include the economic sphere of a people's lives. According to one definition, social justice "is a concept that calls for the abolition of all forms of privileges and discriminations based on birth, race, caste, religion, creed, or sex."

Conceptions of justice that are applied to an entire society are referred to as social justice. It alludes to the notion of a just society, in which everyone is treated equally and receives a fair portion of the society's rewards. In a broad sense, social justice

represents how human rights are embodied in people's daily lives at all societal levels. It can also be described as "working to bring about a world where all members of a society, regardless of background, have fundamental human rights and equal access to their community's wealth and resources." Thus, the idea of social justice is a revolutionary idea that gives life purpose and value while dynamiting the rule of law. With the help of the rule of law and legislation, Indian society aims to address the issue of socioeconomic inequality and attain economic justice without engaging in violent conflict. The concept of a welfare state assumes constant pursuit of the social justice ideology. The "significance and importance of the concept of social justice in the Indian context today" might best be summed up as follows. The phrase "social justice" is a catch-all phrase that refers to both social and economic fairness.

Concept of Social Justice:

According to the idea of social justice, there should be no social environment-based discrimination among citizens and everyone should have access to equal opportunities for personal growth and development. As a result, the fundamental idea of social justice is that no one should ever be

exploited. Social justice philosophy is essential to maintaining human grace. It depends on how much emphasis is placed on justice in a proper social setting. The basic goal of social justice is to advance human wellbeing through the establishment and growth of an equal society. The goal of social justice is to gradually increase equality among all who reside in a community. People of various sections, colors, regions, religions, castes, genders, and communities reside there. Social rigor holds that equity for all is crucial.

The elimination of inequality based on wealth and privilege is the true definition of social justice. No one should receive any preferential treatment, and there shouldn't be any prejudice based on a person's wealth, religion, caste, gender, or place of birth. Social justice encompasses everything from the defense of minority rights to the eradication of poverty and illiteracy. It also has a connection to serious socioeconomic ills including malnutrition, poverty, and unemployment. As it seems in emerging countries, emphasis is also being placed on the weaker and more disadvantaged segments of society.

The pursuit of social justice is oriented toward all forms of social advancement. It serves as a marker for public wellbeing. The protection and prosperity of the public interest are its goals. Therefore, everyone should have the opportunity to advance, and each citizen should be satisfied with the likely course of events, in a just social order. Key concepts from a contemporary perspective include liberty, equity, social justice, and protection of human dignity. Liberty is a secondary component, with equity being of primary importance.

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Thus, the idea of social justice is a revolutionary idea that gives life purpose and value while dynamiting the rule of law. With the help of the rule of law and legislation, Indian society aims to address the issue of socioeconomic inequality and attain economic justice without engaging in violent conflict. The concept of a welfare state assumes constant pursuit of the social justice ideology. The "significance and importance of the concept of social justice in the Indian context today" might best be summed up as follows. The phrase "social justice" is a catch-all phrase that refers to both social and economic fairness.

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Social Justice and Constitution of India:

The Indian constitution's trademark is the idea of social fairness, which fairness Mehar Chandra Mahajan called "sublime." This unique aspect of social justice in the Indian constitution is expressed in the moving prologue as well as being a fundamental component of the document's "basic structure." The Indian Constitution solemnly promises all of its citizens: social, economic, and political justice; freedom of expression; equality of status and opportunity; and promotion of fraternity among all, assuring the dignity of the individual and the unity of the country. By include some pertinent sections, the Constitution has made an effort to balance the seemingly opposing demands for socioeconomic fairness and for individual freedom and fundamental rights.

Since the Constitution of India's foundation on January 26, 1950, it has been a commitment made to all of its residents to ensure social, economic, and political fairness. Setting forth minimal requirements for substantive and procedural justice has helped to concretize the concept of justice. The equality principle serves as the foundation for the concept of justice that the constitution upholds. Looking at the historical section reveals that social balance was not the goal of the foreign authority. In fact, the foreign rule found it simple to fulfill their ambitions by preserving difference and a lack of coherence in this nation's society. The Constituent Assembly debated this issue, and the Constitution's authors took great care to include protections for the weaker sections of society, especially those who belonged to the Scheduled Castes and Scheduled Tribes and other weaker sections of the society like women, children, the elderly, the disabled, workers, and the poor.

"We the People of India, having solemnly resolved to constitute India into a Sovereign Socialist Secular Democratic Republic and to secure to all its citizens:

"JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunities; and to promote among them all;

FRATERNITY assuring the dignity of the individual and the unity of the nation;"

This preamble's strong and endearing words make it quite evident that India needs a new social structure. The State and its three branches—the legislature, executive branch, and judiciary—are well-authorized by the Constitution to create and uphold a social order where all citizens can access various forms of justice without facing discrimination on the basis of caste, creed, or community. . Article 38 of the constitution says, "The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may, a social order in which justice, social, economic and political, shall inform all the institutions of the national life", and Article 46 also says, "The State shall promote with special care, the educational and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

The State "shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them," states Article 15(1) of the Constitution. Officially speaking, the State does not distinguish between males based on any of these factors, but the legislative and administrative apparatus have failed to uphold this rule.

Constitutional Provision social Justice:

The following examples show how the Indian Constitution protects minorities and makes numerous measures for their wellbeing in order to promote social justice in India:

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 and its practice in any form is prohibited.

Article 24 - Prohibition of employment of children in factories.

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

Article 39 - Equal justice and true legal aid.

Article 41- Right to work to education and public assistance in certain cases.

Article 42 - Provision for just and human conditions of work.

Article 44- Uniform civil code for the citizens.

Article 45- Provision for early childhood care and education to children below the age of six years.

Article 46 - Promotion of educational economic interests of scheduled caste, scheduled tribes and other weakness section.

Article 47 - Duty of the state to raise the level of nutrition and the standard of living and to improve public health.

Minority:

A sociological group that does not represent a politically significant voting majority of the entire population in a given society is considered a minority. A sociological minority can be any group that is subnormal in comparison to a dominant group in terms of social status, education, employment, money, and political influence. It need not be a numerical minority. Some authors prefer the terms "subordinate group" and "dominant group" instead of "minority" and "majority" to avoid ambiguity. The term "minority" in socioeconomics often refers to an ethnic group that is socially subordinate (understood in terms of language, ethnicity, religion, and/or culture). People with impairments, "economic minorities" (working poor or jobless), "age minorities," and "sexual minorities" are examples of other minority groups.

The smaller portion of a group, less than half of the individuals in a big group, as defined by the

Oxford Advanced Learner's Dictionary. a tiny group that is distinct within a nation or community because to factors like race, religion, language, etc.

The phrase "minority" or its plural form is used throughout the Indian Constitution's Articles 29 through 30 and 350A through 350B, but nowhere is it defined. Only linguistic minorities are covered by the latter two articles, 350A and 350B. Although Article 29 uses the word "minorities" in its marginal heading, it refers to any groups of citizens who have their own language, writing system, or culture. This could be a group living within a majority community or an entire community that is typically viewed as a minority. Religious and linguistic minorities are mentioned particularly in Article 30.

The statistical criterion has up till now been used by the Supreme Court and numerous High Courts. Thus, any community that makes up less than 50% of the state is referred to as a minority. The term "minority" also refers to a group that makes up less than half of the population and differs from others, particularly the majority portion, in terms of color, religion, customs and culture, language, etc. In accordance with its constitution, India acknowledges linguistic and religious minorities as two distinct categories.

Minorities are a fundamental component of India. Muslims, Christians, Buddhists, Sikhs, and Zoroastrians (Parsis) have all been designated as minorities under the National Commission of Minorities Act of 1992.

18.4% of our population, as determined by the 2001 census, is made up of minority communities. Christians make up 2.3% of the population, Sikhs 1.9%, Buddhists 0.8%, Parsis 0.07%, and Muslims 13.4%. Muslims (almost 140 million) make up nearly 72.8% of the 189.5 million people who identify as minorities overall. According to the 2001 census, ethnic communities make up 19.3% of the state's population in Uttar Pradesh. Muslims make up 18.5% of the state's population, Christians 0.1%, Sikhs 0.4%, Buddhists 0.2%.

Constitutional safeguards for Minorities:

Important constitutional Provision for Minorities:

Article 15 - Prohibition of discrimination on ground of religion.

Article 16 - Equality of opportunity in matters of Public employment.

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

Article 26 - Freedom to manage religious affairs.

Article 29 - Right to conserve language, script and culture.

Article 30 - Right to establish and administer educational institutions.

Article 347 - Recognition of language.

Article 350 - Redress of grievances of any authority in the government - in any of the language used in the state Union Territories.

Art - 350 (A) Instruction through mother tongue attempt the primary stage of education instigate all matters relating to linguistics.

Muslim Minority:

In India, Muslims make up the second-biggest religious majority and the country's largest minority. According to the 2001 Census, 13.4% of all people in the nation are Muslims. Muslims (almost 140 million) make up nearly 72.8% of the 189.5 million people who identify as minorities overall. Muslims predominate in the State of Jammu and Kashmir and the Union Territory of Lakshadweep, according to data on minority population distribution. The proportion of Muslims in each of the six states—Assam (30.9%), West Bengal (25.2%), Kerala (24.6%), Uttar Pradesh (18.55%), Bihar (16.5%), and Jharkhand (13.8%)—is higher than the national average of 13.4%. The largest Muslim populations are found in Uttar Pradesh (30.7 million), West Bengal (20.2), Bihar (13.7 million), and Maharashtra (10.70 million), in that order.

The majority of Indian Muslims are severely disadvantaged in terms of social opportunities due to a lack of access to jobs, education, health care, and other public services. They are, on the whole, less fortunate than Dalits and, if they haven't already become India's main underclass, are on the verge of doing so. 43 percent of them are considered to be living in poverty. Compared to Dalits, Muslims are more likely to live in hovels without electricity. Compared to Dalits, who have a piped water supply in 23% of the population,

only 19% do. Male Dalit participation in the labor force is 53%, compared to 48% for Muslim men. It is only 9.6% for Muslim women, which is less than the 23% for Dalit women. Muslims are less likely than Dalits to use the public food distribution system for food (22% vs. 32%; 40% vs. 47%) or to vaccinate their children.

Muslims make up the largest religious minority in India, yet they are not doing as well as other minorities in terms of socioeconomic level and educational attainment. Their position and status in all spheres of life are that they are marginalized and far behind. Muslims in our country are more economically, educationally, and monetarily backward. It is presumable that a high proportion of Muslims are impoverished and involved in menial forms of employment. Muslims' educational situation is incredibly depressing and discouraging. In the past 65 years since gaining its independence, India has advanced and expanded in every sector, but it hasn't been able to spread enough prosperity and advancement to all members of the population. Muslims, who make up the majority of the nation's minority population, have made little advancement or development.

Currently, the social, economic, and educational conditions of the Muslim population are appalling. Even in comparison to other religious groups, the Muslim community is backward. According to all research, data, and surveys, Muslims are the most economically and educationally behind. They have a sizable portion of the population that is extremely poor. We can also state that a significant portion of their population is below the poverty line. They lack access to land in rural locations, and they explore employment prospects less aggressively than others. The majority of Muslims are self-employed, thus they operate their businesses by setting up small businesses, local industries, and low-wage labor to make their butter and bread. The majority of the Muslim population in rural areas are farmworkers and artisans. Muslims are abject failures when it comes to reading and education. Muslims perform exceedingly poorly in the area of education, even when compared to other religious communities. They perform considerably worse than the national average. It is a result of their poor economic standing. The Muslim community is now dealing with a number of issues, including those related to education, unemployment, poverty, and health.

Despite constitutional protections, Muslims who have been oppressed and vulnerable continue to live in poverty and obscurity. The Gopal Singh committee, established in 1980 by the then-prime minister Indira Gandhi to evaluate the problems of the minority, brought attention to this predicament. The Gopal Singh committee noted in their report that due to isolation and many historical causes, the impoverished Muslims were unable to take advantage of possibilities in the fields of education, employment, and the economy.

Under the leadership of (Ret.) Justice Ranganathan Mishra, the National Commission on Religious and Linguistic Minorities (NCRML) was established in 2004 by the Ministry of Social Justice and Empowerment of the Government of India. On May 10, 2007, the Commission turned in its report, which became available to the public in January 2010. The group proposed reservations for minorities in positions of power in the federal and state governments. It also provided suggestions on education, employment, administration, and the legislative system.

The then Prime Minister announced the creation of the Sachar committee in March 2005, and the group's mandate included a study of the socioeconomic circumstances of Muslims. The Sachar committee study highlighted Muslim exclusion from education, the economy, and society while offering detailed suggestions to improve things. The Sachar committee report is a key document in the development of parliamentary democracy and the history of independent India. For all Indians, not just Muslims, it has great significance. It is well known that Indian Muslims are poor and uneducated, and the Gopal Singh committee had brought these unpleasant realities to light as early as 1983. The Gopal Singh Committee's findings from more than three decades ago are only strengthened by those of the Sachar Committee. Muslims are rapidly being left out of educational, economic, and political opportunities; worse, they live in fearful and unsafe ghettos across the nation; and the community feels discriminated against and alienated. The relative lack of opportunities for Muslims in the realm of education was highlighted very forcefully in the Sachar Committee report. Muslims have lower literacy rates than the majority of other S.R.Cs (socio-religious communities), and their rates are not rising quickly enough to catch up with those of other groups. In reality, SC/ST populations have

increased their literacy rates more recently than Muslims. Muslim children make up a significant portion of the population; their rate is only somewhat lower than that of SC/STs. Muslims have the greatest dropout rates, and these rates appear to increase dramatically after middle school. Despite being among the lowest, recent years have seen an encouraging improvement in school enrollment rates. This is in line with the idea that the neighborhood is increasingly using education as a way to raise its socioeconomic standing.

Conditions of Muslim Minority as Reflected by the Sachar Committee Report:

- 25% Muslim Children in the 6-14 years age group have either never attended school or have dropped out.
- Only one out of every 25 undergraduate and 50 postgraduate students in premier colleges is a Muslims.
- NCAER figures show that only about 4% of all Muslims students are enrolled in madarasas.
- Workforce participation rate among Muslim women is only 25% In rural areas, 29% of Muslim women participate in the workforce as compared to 70% of other women..
- Only about 27% of the Muslim Workers in urban areas are engaged in regular work compared to 40% SC/ST 36% OBC and 49% Hindu Upper Caste Workers.
- Less than 24% of Muslim regular workers are employed in the public sector or in government jobs as compared to 39% regular SC/ST workers, 37% other upper caste and 30% OBC workers.
- The share of Muslims in Public order and Safety Activities at the Central Government level is only about 6%.
- The share of Muslims among defence workers is only 4%.

The Hon'ble President said in his address to the Joint session of Parliament on February 25, 2005, that the government would rewrite the 15-point program for the welfare of minorities with a view to include program-specific interventions in order to promote social justice in the nation. The Prime Minister stated, among other things, that "we will also revise and revamp the 15 point programme for minorities," in his speech on Independence Day in 2005. The new point program will include objectives that must be met in a predetermined amount of time. In order to

ensure the protection and advancement of minorities, the Prime Minister's New 15 Point Programme was introduced in 2006.

Conclusion:

In this paper we can conclude that in a society where each person's rights are respected and upheld, social justice refers to a fair allocation of resources, opportunities, and advantages. The idea of social justice has frequently been used to describe the process of making sure that people carry out their societal responsibilities and receive their just rewards from society in both Western and Asian civilizations. Breaking down obstacles to social mobility, building safety nets, and promoting economic fairness have been prioritized in the present movements for social justice. Social justice establishes rights and obligations within societal institutions, allowing individuals to share in the advantages and costs of collaboration. Taxation, social security, public health, public education, public services, labor legislation, and market regulation are frequently relevant institutions that help ensure equitable opportunity and wealth distribution.

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