

Tribal Rights and Social Justice in Contemporary India: A Sociological Perspective

Kotresha P

Associate Professor, Department of Sociology, Smt.RudrambaM.P.Prakash Government First Grade College, Huvinahadagali-583219, KARNATAKA

Abstract

Tribal communities constitute an integral part of India's social and cultural diversity, yet they continue to face significant socio-economic, political and cultural marginalization. Despite constitutional safeguards, protective legislation and development programmes, tribal populations experience persistent challenges related to land alienation, displacement, poverty, livelihood insecurity, inadequate access to education and healthcare, environmental degradation and cultural erosion. This article examines **tribal rights and social justice in contemporary India from a sociological perspective**, with particular emphasis on social inequality, resource control, cultural identity, political participation and development. It analyses constitutional and legal safeguards, including the Fifth and Sixth Schedules, the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA), and the Forest Rights Act, 2006. The study argues that tribal marginalization extends beyond economic deprivation and is closely associated with unequal access to natural resources, institutional exclusion, displacement and limited participation in decision-making. It emphasizes the need to shift from a welfare-oriented approach towards a **rights-based, participatory and culturally sensitive model of development**. Effective implementation of protective legislation, recognition of customary rights, strengthening of Gram Sabha institutions, sustainable livelihoods, quality education and healthcare, and preservation of tribal cultural heritage are essential for achieving social justice. The article concludes that empowering tribal communities as active participants in governance and development is fundamental to equality, dignity, cultural autonomy and inclusive social transformation in contemporary India.

Keywords: Tribal Rights; Indigenous Communities; Land Rights; Forest Rights; Tribal Self-Governance; Education; Healthcare; Environmental Justice; Sociological Interpretation;

Introduction

India is characterized by remarkable social, cultural and ethnic diversity, within which tribal communities occupy a distinctive and historically significant position. Officially recognized as Scheduled Tribes, these communities have developed diverse social institutions, cultural traditions, languages, belief systems and livelihood practices closely connected with their ancestral territories, forests and natural resources. Tribal societies are not homogeneous; they differ considerably in their ecological settings, economic organization, customary practices and levels of interaction with wider society. Historically, however, many tribal communities have experienced marginalization through land alienation, exploitation, poverty, inadequate access to education and healthcare, and limited participation in political and economic decision-making. The colonial period significantly altered traditional

relationships between tribal communities and forests through new administrative, legal and commercial arrangements. After independence, the Indian Constitution recognized the need for special protection and affirmative measures for Scheduled Tribes through provisions relating to equality, social justice, political representation, Scheduled Areas and educational and economic advancement. Nevertheless, the persistence of socio-economic inequalities demonstrates that constitutional recognition alone cannot ensure substantive social justice. Tribal rights must therefore be understood not merely as welfare measures but as fundamental rights relating to dignity, identity, livelihood, land, culture, participation and self-governance.

The question of tribal rights has become particularly significant in the context of contemporary development. Tribal-inhabited regions are frequently rich in forests, minerals, water resources and biodiversity and have consequently become important locations for mining, industrialization, infrastructure, dams, transportation and other development projects. While such projects may contribute to national economic growth, they can also produce displacement, loss of agricultural and forest-based livelihoods, environmental degradation and disruption of traditional social institutions. For many tribal communities, land and forests are not simply economic resources but are deeply connected with cultural identity, community life, religious practices, traditional knowledge and collective memory. The recognition of forest and community rights, particularly through the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and the emphasis on local participation under the Panchayats (Extension to Scheduled Areas) Act, 1996, represent important attempts to address historical injustices. However, the effectiveness of these legal provisions depends largely upon their implementation at the grassroots level. The continuing gap between constitutional and legislative provisions and their actual realization raises important sociological questions concerning power, inequality, resource distribution, social exclusion and the relationship between the State, markets and indigenous communities. Consequently, the debate surrounding tribal development needs to move beyond the conventional framework of welfare and modernization towards a rights-based approach that recognizes tribal communities as active participants in determining their own social and economic futures.

From a sociological perspective, tribal rights and social justice are therefore closely interconnected with the broader processes of social transformation occurring in contemporary India. Globalization, urbanization, migration, technological change, market expansion and educational transformation are reshaping tribal societies, creating both new opportunities and new forms of vulnerability. Access to education, healthcare, employment, digital technology and political institutions can contribute to social mobility and empowerment, while cultural assimilation, displacement, resource exploitation and weakening of traditional institutions may intensify social exclusion. Tribal women and marginalized groups within tribal communities may experience additional disadvantages arising from the intersection of gender, poverty, geographical isolation and limited institutional access. At the same time, tribal movements, community organizations and local institutions have increasingly emphasized cultural identity, environmental protection, land rights and participatory governance. Thus, social justice for tribal communities cannot be reduced to economic development alone; it requires a broader framework encompassing equality, recognition, dignity, participation, cultural preservation and control over community resources. This article examines tribal rights in contemporary India from a sociological perspective, focusing particularly on land and forest rights, displacement, political participation, education, livelihood, gender, cultural identity and self-governance. It argues that sustainable and

inclusive tribal development requires the meaningful participation of tribal communities in decisions affecting their lives and resources, and that the protection of their rights is essential for building a more equitable, democratic and socially inclusive Indian society.

Understanding Tribal Rights

Tribal rights in contemporary India refer to the social, economic, political, cultural and legal rights that enable tribal communities to live with dignity, equality and security while preserving their distinctive identity and traditional ways of life. Indian tribal communities, constitutionally recognized mainly as Scheduled Tribes, have historically maintained close relationships with land, forests, water resources and local ecosystems. Therefore, their rights cannot be understood merely as individual rights; they also include community rights over natural resources, customary practices, cultural heritage and traditional institutions. The Constitution of India provides several safeguards for tribal communities, including provisions for equality, affirmative action, political representation and special administration of Scheduled Areas. Laws such as the Panchayats (Extension to Scheduled Areas) Act, 1996 and the Forest Rights Act, 2006 further recognize the importance of community participation and traditional rights over forests and resources. From a sociological perspective, tribal rights are closely associated with questions of social inequality, exclusion, displacement, identity and access to resources. Land alienation, development-induced displacement, mining, deforestation, poverty and inadequate access to education and healthcare continue to affect many tribal communities. Consequently, the protection of tribal rights requires more than welfare programmes or economic assistance. It requires recognition of tribal communities as active participants in decisions affecting their lives, territories and resources. Social justice for tribal communities therefore involves equality, dignity, cultural recognition, participation, self-governance and equitable access to development opportunities. A rights-based approach seeks to balance economic development with the protection of tribal identity, traditional knowledge, community institutions and livelihoods. Thus, understanding tribal rights is essential for developing an inclusive Indian society in which development does not result in cultural marginalization or the dispossession of tribal communities.

Constitutional Safeguards for Tribal Communities

The Constitution of India provides a comprehensive framework for protecting the rights and promoting the welfare of Scheduled Tribes (STs). These safeguards aim to ensure equality, social justice, political representation, cultural protection and socio-economic development.

1. Equality and Protection from Discrimination:

- **Articles 14, 15 and 16** : guarantee equality before law and prohibit discrimination while permitting special provisions for socially and educationally disadvantaged groups. These provisions provide the constitutional basis for affirmative action for tribal communities.
- **Article 46 – Educational and Economic Interests:** Article 46 directs the State to promote the educational and economic interests of Scheduled Tribes and protect them from **social injustice and all forms of exploitation**. It forms an important foundation of tribal welfare policies.

2. Political Representation:

- **Articles 330 and 332** provide reservation of seats for Scheduled Tribes in the Lok Sabha and State Legislative Assemblies. **Articles 243D and 243T** provide reservation for STs in Panchayats and Municipalities, thereby encouraging political participation at the grassroots level.

- **Fifth Schedule:** The Fifth Schedule provides special administrative and governance arrangements for Scheduled Areas and Scheduled Tribes in several states. It empowers the Governor to make special regulations for protecting tribal interests.
- **Sixth Schedule:** The Sixth Schedule provides autonomous district and regional councils in specified tribal areas of Assam, Meghalaya, Tripura and Mizoram. It seeks to protect tribal customs, traditions and local self-governance.
- **Article 338A:** Article 338A establishes the National Commission for Scheduled Tribes (NCST), which monitors constitutional safeguards, investigates complaints and advises governments on matters affecting tribal communities.
- **Protection of Tribal Identity and Culture:** Constitutional provisions relating to language, culture, customary practices and administration of tribal areas help preserve the distinctive identity of tribal communities while promoting their integration within the democratic framework of India.
- **Fundamental Principle:** Together, these provisions reflect the constitutional commitment to equality, dignity, representation, protection from exploitation and inclusive development. However, their effectiveness ultimately depends upon proper implementation and meaningful participation of tribal communities in governance and development.

Tribal Land Rights

Tribal land rights constitute one of the most significant dimensions of social justice in contemporary India. For tribal communities, land is not merely an economic asset or a means of agricultural production; it is closely connected with their social identity, cultural traditions, ancestral heritage, livelihood and community life. Historically, however, tribal communities have experienced land alienation through indebtedness, exploitation by intermediaries, irregular land transfers, displacement and the acquisition of land for mining, industries, dams, infrastructure and other development projects. The loss of land often results not only in economic insecurity but also in the weakening of traditional social institutions and cultural relationships with ancestral territories.

The Indian Constitution provides special safeguards for the protection and advancement of Scheduled Tribes, particularly through the Fifth and Sixth Schedules and provisions relating to social and economic justice. Various state laws have also attempted to restrict the transfer of tribal land to non-tribals. The Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) further recognizes the importance of Gram Sabhas and community participation in the governance of Scheduled Areas. Similarly, the **Forest Rights Act, 2006** recognizes certain individual and community forest rights of forest-dwelling Scheduled Tribes and other traditional forest dwellers. These legal measures represent an important shift from a welfare-oriented approach towards a rights-based understanding of tribal development.

Nevertheless, the implementation of land protections remains a major challenge. Development-induced displacement, mining activities, infrastructure projects and inadequate rehabilitation can continue to affect tribal livelihoods. Monetary compensation alone cannot fully compensate for the loss of ancestral land, forests, sacred places and community networks. Therefore, tribal land rights require effective legal protection, transparent land acquisition procedures, recognition of community rights, meaningful Gram Sabhaparticipation and fair rehabilitation. From a sociological perspective, protecting tribal land is essential not only for economic security but also for preserving identity, dignity, cultural continuity and social autonomy. Thus, effective protection of tribal land rights is fundamental to achieving genuine social justice and inclusive development in contemporary India.

Forest Rights and the Forest Rights Act

Forest rights are closely connected with the livelihood, identity, culture and social security of tribal and other traditional forest-dwelling communities in India. For generations, these communities have depended on forests for cultivation, habitation, food, fuel, grazing, minor forest produce and other socio-cultural needs. However, during the colonial period and even after independence, many of these traditional rights were not formally recognized, creating insecurity over land and livelihood. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, commonly known as the Forest Rights Act (FRA), was enacted to address this historical injustice and legally recognize forest rights.

The Act recognizes both individual and community forest rights. These include rights to occupy forest land for habitation or self-cultivation, access to and ownership of minor forest produce, grazing and traditional seasonal resource use, community rights, habitat rights for particularly vulnerable tribal groups, and the right of communities to protect, regenerate, conserve and manage community forest resources. It also recognizes traditional knowledge and customary rights associated with biodiversity. Thus, the Act views forests not merely as government-controlled natural resources but also as spaces of livelihood, culture and community life.

An important feature of the Forest Rights Act is the role assigned to the Gram Sabha. The Gram Sabha initiates the process of determining individual and community forest rights by receiving, verifying and consolidating claims and forwarding its decision to the appropriate authorities. This gives local communities a significant role in determining their rights and participating in decisions concerning forest resources.

The Act also establishes an important relationship between tribal rights and environmental conservation. Forest-right holders and Gram Sabhas have responsibilities to protect wildlife, forests, biodiversity, water sources and ecologically sensitive areas. Consequently, the legislation seeks to combine livelihood security with sustainable management of natural resources.

From a sociological perspective, the Forest Rights Act represents a movement from a welfare-oriented approach towards a rights-based approach to tribal development. It recognizes that social justice cannot be achieved merely through government schemes; it also requires secure land and livelihood rights, community participation, cultural recognition and protection from unlawful displacement. However, implementation has faced challenges, including inadequate awareness, rejection of legitimate claims, insufficient recognition of community rights and difficulties in ensuring effective participation at the village level.

Thus, the Forest Rights Act is an important instrument of social justice in contemporary India. Its effective implementation can strengthen tribal autonomy, livelihood security, democratic participation and environmental conservation while addressing the historical injustices experienced by forest-dependent communities.

Tribal Self-Governance and the PESA Act

Tribal self-governance is an important dimension of social justice in contemporary India. Historically, tribal communities have maintained their own systems of social organization, customary laws, community decision-making and management of natural resources. However, the expansion of centralized administrative institutions often weakened these traditional systems and reduced the participation of tribal communities in decisions affecting their land, forests, livelihoods and cultural life.

Recognizing the importance of local autonomy, the Constitution provides special arrangements for tribal areas, particularly through the Fifth and Sixth Schedules. An important step towards strengthening democratic self-governance in Scheduled Areas was the enactment of the Panchayats (Extension to Scheduled Areas) Act, 1996, popularly known as the PESA Act.

PESA extends the principles of Panchayati Raj to Scheduled Areas while attempting to protect tribal customs, traditions and community institutions. The Act gives particular importance to the Gram Sabha, recognizing it as a central institution of local democracy. The Gram Sabha is expected to play an important role in approving development plans, identifying beneficiaries of welfare programmes and protecting community resources and traditional practices. PESA also provides a framework for greater community participation in matters concerning land, minor forest produce, village markets, money-lending and local development. In this sense, the Act represents a shift from a purely administrative approach towards a more participatory model of tribal governance.

From a sociological perspective, the significance of PESA lies in its recognition that tribal communities should not merely be recipients of government welfare programmes but active participants in determining their own social and economic future. Effective self-governance can strengthen community identity, accountability and democratic participation while reducing the marginalization of tribal populations. However, the implementation of PESA has faced challenges, including variations in state-level legislation, limited devolution of powers, administrative resistance and inadequate awareness among local communities. Therefore, strengthening Gram Sabhas and ensuring genuine community participation remain essential for realizing the constitutional promise of tribal self-governance and social justice.

Tribal Education and Social Mobility

Education has significant potential to improve social mobility among tribal communities. However, tribal students frequently encounter geographical, economic, linguistic and institutional barriers.

Important challenges include:

- Poverty
- Remote habitation
- Lack of transportation
- Language barriers
- School infrastructure deficiencies
- Dropout rates
- Limited access to higher education
- Digital inequality

At the same time, education should not be viewed solely as a mechanism for assimilation into mainstream society. An inclusive educational system should incorporate tribal languages, histories, knowledge systems and cultural traditions wherever appropriate. Education can become a tool of empowerment when it simultaneously provides modern skills and strengthens cultural confidence.

Healthcare and Social Inequality

Healthcare is an important dimension of social justice for tribal communities in contemporary India. Despite various government programmes and constitutional provisions aimed at improving the welfare of Scheduled Tribes, many tribal communities continue to face inequalities in accessing adequate

healthcare services. Geographical isolation, poverty, inadequate transport facilities, shortage of medical personnel, insufficient health infrastructure and low levels of awareness often prevent tribal populations from receiving timely medical treatment. Women, children and elderly persons are particularly vulnerable to nutritional deficiencies, maternal and child health problems and other preventable diseases. The dependence of many tribal communities on forests and traditional livelihoods also makes their health closely connected with environmental conditions and access to natural resources. Traditional knowledge of medicinal plants and indigenous healing practices continues to play an important role in several tribal societies, but these practices should be complemented by accessible and quality modern healthcare rather than being neglected. Language and cultural differences can also create barriers between tribal communities and formal healthcare institutions. Therefore, healthcare inequality among tribal communities is not merely a medical problem but a broader sociological issue associated with poverty, geographical marginalization, social exclusion and unequal access to public resources. Strengthening primary healthcare centres, improving transportation and health infrastructure, ensuring adequate medical staff, promoting nutritional security and providing culturally sensitive healthcare services are essential for reducing these inequalities. A socially just healthcare system must recognize tribal communities as active participants in healthcare planning and implementation and should combine modern medical facilities with respect for indigenous knowledge and cultural practices. Ensuring equitable healthcare access is therefore essential for improving the quality of life, dignity and social inclusion of tribal communities in contemporary India.

Globalization and Tribal Society

Globalization has brought significant changes to tribal society in contemporary India by expanding the influence of markets, technology, education, migration, mass media and modern institutions into tribal regions. It has created new opportunities for employment, education, entrepreneurship and communication, enabling tribal communities to connect with wider social and economic networks. Digital technology, improved transportation and access to markets have also helped some tribal producers and artisans promote their traditional products beyond local communities. At the same time, globalization has created serious challenges to traditional livelihoods, cultural identity and community-based social institutions. Increasing commercialization of forests and natural resources, industrialization, mining and large development projects have contributed to land alienation and displacement in several tribal regions. Migration to urban areas for employment can provide economic opportunities but may also weaken traditional kinship relations and expose tribal workers to exploitation and insecure employment. Consumer culture and the growing influence of mainstream media have further transformed traditional values, lifestyles and patterns of social interaction. Nevertheless, tribal communities are not merely passive victims of globalization; they actively adapt, negotiate and reinterpret global influences according to their social and cultural needs. Therefore, globalization should be understood as a process producing both opportunities and inequalities. A socially just approach requires ensuring that tribal communities benefit from economic and technological development while protecting their land, natural resources, cultural heritage, traditional knowledge and collective identity. Thus, the challenge is to promote an inclusive form of globalization that combines economic development with cultural preservation, community participation and social justice.

Tribal Rights and Environmental Justice

Tribal rights and environmental justice are closely interconnected in contemporary India because the livelihood, culture and social identity of many tribal communities are deeply associated with forests, land, rivers and other natural resources. For tribal communities, forests are not merely sources of timber or economic resources; they provide food, medicine, fuel, employment and cultural and spiritual spaces. However, mining, large dams, industrial projects, infrastructure development and commercial exploitation of natural resources have frequently affected tribal habitats and traditional livelihoods. Such processes can lead to displacement, land alienation, loss of forest access and weakening of community institutions. Environmental degradation therefore creates not only ecological problems but also serious questions of social justice and human rights.

The recognition of forest rights through the **Forest Rights Act, 2006** represents an important step towards environmental justice because it recognizes the rights of forest-dwelling Scheduled Tribes and other traditional forest dwellers over certain individual and community forest resources. Similarly, the constitutional provisions relating to Scheduled Areas and the **PESA Act, 1996** emphasize local participation and community decision-making. From a sociological perspective, environmental justice requires that tribal communities should not bear a disproportionate share of the environmental and social costs of development while receiving limited benefits from it. Their traditional ecological knowledge, customary practices and community-based conservation systems should therefore be recognized as valuable components of sustainable environmental management.

A just environmental policy must ensure meaningful participation of tribal communities in decisions concerning land, forests and natural resources. Development projects should involve transparent consultation, protection of community rights, fair rehabilitation and adequate livelihood restoration. Thus, environmental justice for tribal communities is not simply about protecting nature; it is about ensuring equality, dignity, participation, cultural protection and sustainable livelihoods. Recognizing tribal communities as partners in environmental governance can contribute to both social justice and long-term ecological sustainability in India.

Sociological Interpretation

From a sociological perspective, tribal rights and social justice in contemporary India must be understood beyond the conventional framework of poverty, backwardness and welfare. Tribal communities constitute diverse social groups with distinctive cultural traditions, customary institutions, ecological knowledge, languages and historical relationships with land and natural resources. Their marginalization is therefore not merely an economic phenomenon but a multidimensional process involving social exclusion, unequal distribution of resources, political marginalization, cultural displacement and restricted participation in decision-making. The sociological interpretation of tribal rights focuses on how social structures, institutions, power relations and processes of modernization influence the everyday lives and social status of tribal communities. Historically, colonial forest policies, commercial exploitation of natural resources and administrative interventions transformed many traditional tribal economies and weakened community control over forests and land. After independence, although constitutional safeguards and welfare measures sought to promote equality, development policies associated with dams, mining, industries, infrastructure and conservation have sometimes resulted in displacement and disruption of traditional livelihoods. This reveals an important sociological

contradiction between economic development and the rights of communities whose survival is closely connected with their territories and natural resources.

The concept of social justice in relation to tribal communities therefore involves more than providing economic assistance. It requires equitable access to resources, recognition of cultural identity, protection from exploitation and meaningful participation in institutions of governance. Social exclusion theory is particularly useful for understanding the continuing marginalization of tribal communities. Exclusion may occur through unequal access to education, healthcare, employment, political institutions, markets and public services. Geographical isolation can further reinforce these inequalities by limiting opportunities for social mobility. At the same time, tribal communities should not be understood as passive victims of marginalization. Their collective movements, community organizations and demands for land, forest and cultural rights demonstrate agency and resistance. The struggle for tribal rights can consequently be interpreted as a struggle for recognition, dignity and control over resources.

The sociological significance of land and forest rights is especially important because land for tribal communities often represents much more than private property. It can constitute the basis of livelihood, kinship relations, cultural practices, religious traditions and collective identity. Dispossession of land may therefore produce not only economic impoverishment but also social disorganization and cultural alienation. Similarly, displacement caused by development projects can break traditional community networks and create new forms of dependency, migration and insecurity. From this perspective, rehabilitation cannot be evaluated solely in terms of monetary compensation; it must also consider the restoration of social relationships, cultural spaces, livelihood systems and community dignity. The recognition of community forest rights and the strengthening of Gram Sabha-based participation can therefore be interpreted as mechanisms for democratizing resource governance and reducing structural inequality.

Modernization and globalization have also produced complex changes in tribal society. Education, communication technology, urban employment and market integration have created new opportunities for mobility and empowerment, while simultaneously contributing to cultural transformation, migration and changes in traditional institutions. Sociologically, modernization should therefore not be equated with cultural assimilation. A more inclusive approach would allow tribal communities to participate in modern economic and political institutions while preserving their languages, knowledge systems, cultural practices and collective identities. Tribal women, in particular, require attention because gender, poverty, geographical isolation and tribal identity can intersect to produce multiple forms of disadvantage, although women also play significant roles in agriculture, forest-based livelihoods, household economies and community decision-making.

Thus, the sociological interpretation of tribal rights in contemporary India ultimately centres on the relationship between power, resources, identity, participation and social justice. Constitutional safeguards and protective legislation provide an institutional foundation, but their sociological effectiveness depends upon implementation and the extent to which tribal communities themselves participate in decisions affecting their lives. Social justice becomes meaningful when tribal communities are recognized not merely as beneficiaries of welfare programmes but as rights-bearing citizens and active participants in development and governance. The most appropriate approach is therefore a rights-based, participatory and culturally sensitive model of development that combines economic opportunity with social equality, environmental sustainability, cultural recognition and political empowerment. In this sense, protecting tribal rights is not simply a question of improving the socio-economic conditions

of a marginalized population; it is a broader project of transforming unequal social structures and creating a more democratic, inclusive and socially just Indian society.

Conclusion

Tribal rights and social justice constitute an essential dimension of inclusive development and democratic transformation in contemporary India. Although the Constitution and various protective legislations have created a strong institutional framework for safeguarding the rights of Scheduled Tribes, the continuing problems of land alienation, displacement, poverty, livelihood insecurity, inadequate access to education and healthcare, environmental degradation and cultural marginalization demonstrate that legal recognition alone is insufficient. From a sociological perspective, tribal marginalization is a multidimensional process shaped by unequal power relations, resource distribution, social exclusion and limited participation in decision-making.

The analysis demonstrates that tribal development should not be understood merely in terms of economic growth or welfare assistance. Land, forests and natural resources are closely associated with tribal livelihood, cultural identity, community institutions and collective dignity. Therefore, effective implementation of the Fifth and Sixth Schedules, PESA and the Forest Rights Act is crucial for strengthening tribal self-governance, resource rights and democratic participation. Development policies must also ensure meaningful consultation, fair rehabilitation and protection of cultural and environmental rights.

Ultimately, social justice for tribal communities requires a shift from a welfare-oriented model to a rights-based, participatory and culturally sensitive model of development. Tribal communities should be recognized not as passive beneficiaries but as active rights-bearing citizens and partners in governance and development. Strengthening education, healthcare, sustainable livelihoods, political participation and cultural preservation can promote greater social mobility and empowerment. Thus, protecting tribal rights is not only a responsibility of the State but also an essential condition for building an equitable, democratic and socially inclusive Indian society in which development is accompanied by equality, dignity, participation and cultural justice.

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