

## **Atrocities on Dalits in Contemporary India Even After 75 Years of Indian Independence**

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The caste system was divided into four varnas. At the top are the brahmins, next are the Kshatriyas, underneath them are vaishyas, and finally at the end of the list are Shudras. A fifth category falls outside the varna system and consists of those known as “untouchables” or Dalits; they are often assigned tasks too ritually polluting to merit inclusion within the traditional varna system. The tasks they perform and their status in the caste system are not socially recognized. Dalits are also known as “untouchables” as they are seen as polluting for the higher caste people. If a member of the higher caste is touched by a Dalit or even their shadow is crossed by a Dalit, they consider themselves polluted and go through a rigorous religious process to be cleansed. After more than 75 years of Indian Independence, the condition of Dalit can be seen or read through the different newspaper or media-source.

**Ahmedabad tops in atrocities against dalit-** Caste-based discrimination is a reality even in urban areas of the state, reveals data provided by Gujarat police on violence against Dalits in 2022. According to the details obtained under Right to Information (RTI) Act, Ahmedabad city reported 189 cases - the highest - of atrocities against the Scheduled Caste (SC) people in 2022. The state recorded a total of 1,425 such cases. This suggests that on average, around four cases of atrocities against Dalits were reported in Gujarat per day in 2022. The data included the cases reported at the Commissionerate and SP offices across Gujarat. Of the 189 cases reported in Ahmedabad city in 2022, six were of murder, 10 of grievous hurt, 28 of rape and 145 of other offences; Ahmedabad city also reported the highest number of cases of murders and rapes involving Dalit victims. In Ahmedabad district, 70 cases of offences against the SC people were reported, which included two murders, and seven cases each of grievous hurt and rape during the same period. Kutch followed Ahmedabad city with 78 cases reported by Kutch-Gandhidham SP office and 69 by the Kutch-Bhuj division. In North Gujarat, Banaskantha reported 70 cases of Dalit atrocity in 2022, the highest in the region.

The reason behind the cities reporting high number of cases is that people are aware of their legal rights. The cases of atrocities are also high in the villages, but the poor villagers from SC community are not aware of their rights. They do not even get help from the police and therefore the registered complaints are few.

Source: <https://timesofindia.indiatimes.com/city/ahmedabad/ahmedabad-tops-in-atrocities-against-dalits/articleshow/99897976.cms?from=mdr>

### **NCRB Report Shows Rise in Atrocities Towards Dalits and Adivasis**

A new edition of ‘Crime in India’, the annual report of the National Crime Records Bureau (NCRB), was released on August 29, for crime-related statistics in 2021. NCRB reports have been a valuable compilation of statistics over the years on offences ranging from crimes against women to economic and financial crimes.

The National Coalition for Strengthening SCs and STs (PoA) Act (NCSPA) has analysed the NCRB 2021 Report. NCSPA is a platform of more than 500 dalits and Adivasis civil society organisations, communities, leaders, and activists.

NCSPA believes that despite explicit constitutional provisions and guidelines, the suffering of dalits and Adivasi communities across India remains the worst. This community is not only the

victim of this scourge caste system but also faces institutional discrimination and social exclusion. It is evident because a dalit minor girl got gang-raped and murdered when she went to defecate and never returned. A small dalit boy lost his life, merely because he touched the pot of the school principal, to quench his thirst.

The organisation believes that these are the cases that got the attention of mainstream media. However, the number is huge and even the 2021 Crime data shows a similar trend of an upsurge in violence; with a large proportion of crimes against dalits and Adivasi women and children.

The report revealed that atrocities or crimes against Scheduled Castes (SCs) have increased by 1.2% in 2021 with Uttar Pradesh reporting the highest number of cases of atrocities against SCs accounting for 25.82% followed by Rajasthan with 14.7% and Madhya Pradesh with 14.1% during 2021. Further, the report reveals that atrocities against Scheduled Tribes (ST) have increased by 6.4% in 2021 with Madhya Pradesh reporting the highest number of cases accounting for 29.8% followed by Rajasthan with 24% and Odisha with 7.6% in 2021.

Violence against dalit and Adivasi women has also risen. Cases of Rape against SC women, (including minors) account for 7.64% and ST women account for 15% out of the total cases reported. The report has also tabled detailed numbers for cases of rape against dalit Women cases of minor rape, attempt to rape, assault on women to outrage her modesty, and Kidnapping of women and minors which cumulatively stood at 16.8% in SC women and 26.8% in ST women.

The report showed that a total of 70,818 cases of atrocities against SCs were pending investigation at the end of the year 2021, including the previous year's cases. Similarly,

12,159 Cases of atrocities against STs were pending investigation and a total of 2,63,512 cases of atrocities against SCs and 42,512 cases of atrocities against STs came for trial in court. Conviction percentage under the SCs and STs (PoA) Act in conjunction with the Indian Penal Code (IPC) remained at 36.0% for SCs and 28.1% for STs. At the end of the year, 96.0% of cases of atrocities against SCs were pending trial whereas, for STs, the percentage stood at 95.4%.

The NCPSA believes that even after the amendments came into force in the year 2016, which generated hope for the dalit and Adivasi victims in accessing speedy justice, the implementation of the amended SCs and STs (PoA) Amended Act 2015 remains a challenge.

The organisation has called upon the Government of India to robustly, enforce and implement the new provisions of the amended Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 (2015), and take swift and robust action against the dominant caste perpetrators violating the human rights of dalits and Adivasis, conduct an open and transparent investigation under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and prosecute those Government and police officials who are found to have aided and abetted criminals. The organisation has also demanded that the GOI robustly implement the Exclusive Special Courts mandated in the amended act for speedy trials.

Source: <https://www.newsclick.in/NCRB-Report-Shows-Rise-Atrocities-Towards-Dalits-Adivasis>

**189,000 cases of attacks on Dalits registered since 2018: Govt to Parliament:**

As many as 1,89,945 cases of crimes against the Dalit community were registered in the last four years according to a National Crime Records Bureau (NCRB) report, the government informed Parliament on Mar21,2023.

Union minister of state for home affairs Ajay Kumar Mishra was responding to a query raised by Bahujan Samaj Party (BSP) leader Girish Chandra who had asked for statistics on the number of incidents of attacks on Dalits since 2018 and urged the government to mention if there was any mechanism to monitor such incidents.

In reply, MoS Mishra noted that the NCRB which compiles and publishes statistical data on crimes in its publication “Crime in India” had made a report which was published in 2021 and the data was in reference to the same. He also mentioned that though the matters of police and public order was entirely under the state government’s rule, the MHA had been issuing advisories to States/UTs from time to time for effective implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, and Rules.

Source: <https://www.hindustantimes.com/india-news/189000-cases-of-attacks-on-dalits-registered-since-2018-govt-to-parliament-101679399098080.html>

### **Dalit man forced to drink urine, garlanded with shoe in Rajasthan; Caste atrocities on rise in ‘The Desert State’:**

Attacks on Dalits in Rajasthan continue to rise as a new incident of a Dalit man being beaten, made to drink urine and garlanded with shoes came to the fore.

Bharat Kumar, a 38-year-old Dalit man did some electrical work in the Dhaba and gave the bill of Rs. 21000. However, as per the complaints, he was being given only Rs. 5000 and was asked to come later. In the afternoon when he went to claim his money, he was made to wait for long and was again asked to come around 9 pm. when he went back around 9.10 pm, he was again asked to wait and as he threatened to file a complaint, they started beating him.

“At that, the accused nabbed him along with others and thrashed him. While hitting Kumar, they put a garland of shoes around his neck. One of them made videos and later uploaded them on social media platforms. They assaulted him for nearly five hours. However, this incident adds to the consecutive attacks on Dalits in the desert state in the last few months. In the first week on November, a report came up of a 46-year-old Dalit man who had been brutally beaten to death for drawing water from a tube well in Jodhpur. The victim Kishanlal Bheel belonged to Bhomiyaji ki Ghati in Soorsagar.

According to his brother Ashok, the attackers also used castism slurs against Bheel and didn’t allow him to be taken to hospital. It was only after the intervention of the police; he was sent to hospital where he succumbed to injuries. A protest against the attackers broke out soon and police arrested three people and charged them under Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act and Section 302 (murder) of the Indian Penal Code.

In September, another incident from Jaisalmer hit the news as a 36-year-old Dalit man was beaten for drinking water from a pot reserved for the upper castes. According to the police complaint, “Chutra Ram Meghwal, 36, has said that he was sitting near a shop in his village and drank water from a pot kept outside the shop. Thereafter, four-five people confronted him and asked Meghwal why he drank water and beat him up. He claims that they also abused him with casteist slurs.”

The growing incidents of attacks on Dalits in Rajasthan sometimes led to their conversion to Buddhism. In October, 12 members of a Dalit family from Baran district of Rajasthan embraced Buddhism and attributed their decisions to the inactiveness of the police in a case where two members of the family had been beaten brutally by the upper castes.

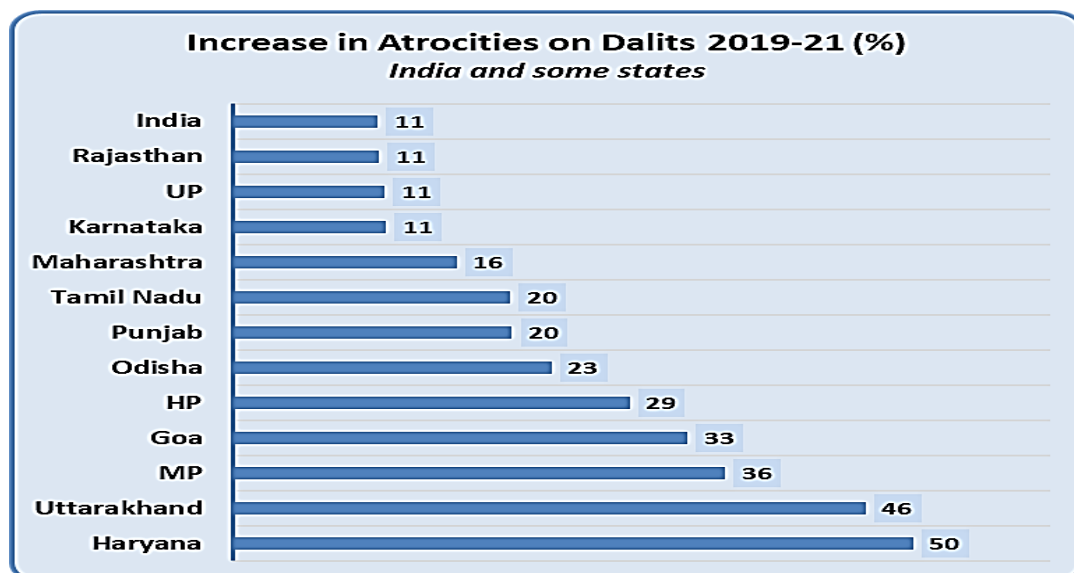
**Source:**<https://www.outlookindia.com/national/dalit-man-forced-to-drink-urine-garlanded-with-shoe-in-rajasthan-caste-atrocities-on-rise-in-the-desert-state-news-240130>

### India Enters ‘Amrit Kaal’ with Growing Atrocities Against Dalits

On the eve of the 75th Anniversary of Independence in August, a nine-year-old Dalit boy died from injuries suffered weeks earlier. The boy, a student of class 3 in Jalore district of Rajasthan, was severely beaten by his teacher for allegedly touching a water pot. In September, a 15-year-old boy in UP’s Auriya district similarly died after his teacher beat him up for making a mistake in his test. A few days later, two Dalit sisters from a village in Lakhimpur Kheri of UP were raped and murdered, their bodies left hanging from a tree. This series of atrocities hit the media headlines, shocking the country and beyond. Culprits were arrested, compensation announced and outrage registered duly by one and all.

But such incidents are a fraction of the violence and oppression that Dalits continue to suffer in India, which is claimed to be entering the *Amrit Kaal* – starting from the 75th Anniversary of Independence and going up to the centenary in 2047. Since 1991, from when the data is available, over 7 lakh atrocities have been officially recorded by the police. That is about five every hour. And these are just the officially registered cases. A large number of cases routinely go unregistered because of the connections of higher caste culprits and survivors being in fear of the perpetrators.

### Some States Showing Increasing Violence



In the last three years, from 2019 to 2021, the country saw an 11% increase in atrocities against Dalits. Recorded cases rose from 45,961 in 2019 to 50,900 in 2021, according to the latest available data from the National Crime Records Bureau (NCRB).

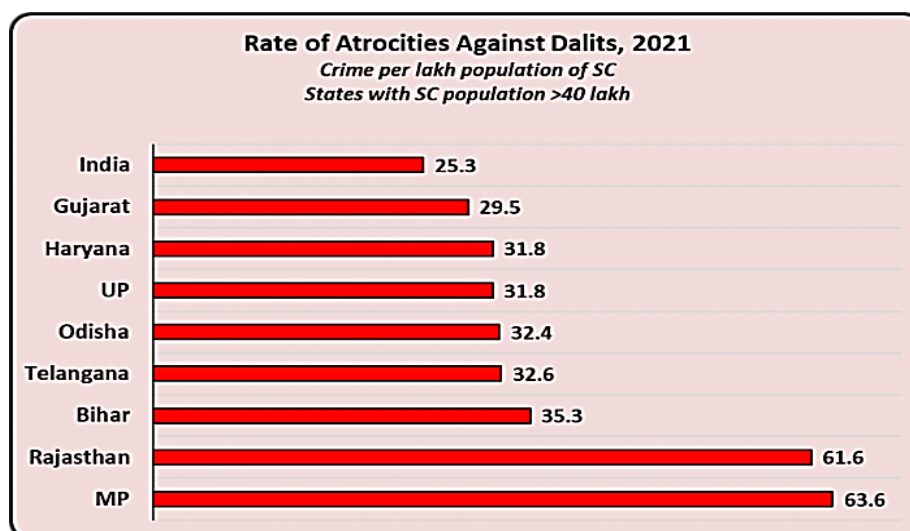
The increase is driven by enormous spikes in this violence (and their registration) in a clutch of states. The chart below shows the data for states with a higher percentage increase in anti-dalit atrocities than the national average.

As can be seen, the entire northern Indian belt – barring Bihar – has shown a spike in atrocities that is higher than the national average. In Bihar (not shown in the chart), as also in neighbouring Chhattisgarh and Jharkhand, the number of registered atrocities declined.

While the upper caste-oriented ideology of the Sangh Parivar, including the BJP, can be presumed to contribute to this worrisome situation, it needs to be stressed that caste oppression is systemic and weaved in the fabric of Indian society. It may get aggravated because of government negligence or even connivance, but the state machinery itself is significantly influenced by upper caste biases. On the other hand, Dalit communities are primarily poor, landless, labouring sections, which have been stigmatised and marginalised for centuries, without the wherewithal to resist oppression. Even political empowerment – like having elected representatives – has not done much to restrain the stranglehold of caste oppression.

### Violence in Relation to Dalit Population

A different dimension of the issue is revealed if one looks at the crime rate, that is, the number of crimes per 1 lakh population of Scheduled Castes (Dalits) in a particular state. This measure is meaningful because the Dalit population varies widely across states; hence comparing the number of atrocities is often misleading. States with a higher Dalit population may have a higher number of cases, which makes its comparison with a state with a small Dalit population untenable.



The chart below shows the crime rate for atrocities against Dalits in states with over 40 lakh Dalit population and higher than the country-wide average crime rate of about 25 cases of atrocities per lakh of Dalit population. As can be seen, Madhya Pradesh and Rajasthan are again the two states with the highest crime rates, almost two and a half times the national average. Other states in this list include Bihar, Telangana, Odisha, Uttar Pradesh and Haryana (all above 30), and Gujarat (just below 30, at 29.5). Notable states with a relatively high Dalit population but not so high rates of crimes against Dalits include West Bengal, Tamil Nadu, Punjab, Maharashtra, and Karnataka.

Strikingly, the northern belt of states is again featured in this – showing that they are the states with noticeably higher rates of crimes against Dalits.



### **What are Dominant Political Parties Doing?**

It is strange that the oppression of Dalits continues unabated and across the board despite all the talk of Dalit empowerment by dominant parties like the BJP and Congress, as also state-level strong parties like the Samajwadi Party or the Biju Janata Dal, or even the Bahujan Samaj Party that claims to represent the interests of the Dalit population.

While strengthening laws, and their diligent and unbiased implementation through the police and courts are necessary steps to be taken at the administrative levels, the situation calls for a much more extensive change in the social and economic realms. Only through such measures – like land to the Dalit landless, jobs, education, housing, and medical care – can the material basis for their empowerment be laid. This, of course, needs to be accompanied by a sweeping social campaign to break the practice of discrimination and violence.

The dominant political parties, and their multiple affiliates, especially the RSS-BJP cohort, need to be asked why they have not undertaken such a course until now, despite claiming to be electoral and socio-cultural leaders of a large population segment.

Source:<https://www.newsclick.in/India-Enters-Amrit-Kaal-Growing-Atrocities-Against-Dalits>

### **Failure of the Indian judiciary to protect the rights of the people**

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (“Act”) was passed by the Parliament of India in September 1989 to prevent the commission of offenses against dalits, protect the rights of other backward castes, and to grant relief to the victims of such derogatory caste-based violence.

However, the Indian Judiciary in one of the recent judgments, *Khuman Singh v. State of Madhya Pradesh* has weakened the current status of the above-mentioned act. Section 3(2)(v) of the act lays down the punishment for the offense committed under the Indian Penal Code against any member belonging to the scheduled caste or scheduled tribe. But the Supreme Court while delivering the judgment said the punishment will only be awarded if the victim belonged to the scheduled caste or scheduled tribe. The Supreme Court has gone beyond its mandate of interpreting the law and stated that a new evidentiary burden of proof lies on the prosecution to prove before the court that the offense was committed only because the victim belonged to scheduled caste. Furthermore, the apex court failed to acknowledge the existing caste-based discrimination and the oppression faced by the lower caste. The court provided the accused a loophole in the commission of such offences on the grounds that the caste prejudice was one of the contributing factors; it was not the only factor that caused such offenses. This may lead to a situation where the culprits who commit such offenses might not be prosecuted and will not be awarded the punishment they deserve.

In another case, *Subhash Mahajan v. State of Maharashtra* the Supreme Court had diluted the provisions of the said Act relating to immediate arrest on the commission of offenses under the act by providing court-imposed requirements of conducting a preliminary inquiry and obtaining prior approval before an arrest. This judgment has led to widespread protests throughout the country which also highlighted the flaws of the Indian judicial system. Nevertheless, both the judgments have strengthened the way the members of the higher caste enjoy their privilege. It failed to protect the basic legal and fundamental rights of the lower castes.

### **Conclusion**

The oppression faced by the Dalits has been going on for more than 3000 years. They are segregated in all spheres of social life such as; places of worship, education, housing, land ownership, use of common wells, roads, busses, etc. They are the people who have to do the menial and demeaning

jobs. Even after incorporating in the Indian Constitution, they are considered to be untouchable. In a lot of the upper caste (rich) families the servants are Dalits.

Apart from this Dalits are not allowed to wear shoes; if they wear them, Dalits will have to take off their shoes at times they meet a higher caste person. Thus, we need more strict laws to protect the rights of the dalits and to grant them relief in the conditions where their rights have been violated. Tasked with the power to protect the rights of the people the judiciary should take significant steps in addressing the problems faced by the Dalits, these people should not be deprived of their rights and liberty as an ordinary citizen of India. The growing violence and caste motivated crimes against the dalits should be curbed and both the legislature and judiciary should ensure and safeguard the rights of the dalits.