

SOCIAL DISCRIMINATION AND VIOLATION OF SCHEDULED CASTES HUMAN RIGHTS IN INDIA

Dr.Nagaraju Vadapalli

Post-doctoral Fellow, Department of Political Science, Kakatiya University, Warangal, Telangana, INDIA

Delegation to the 1st International Congress on Human Rights & Duties

(Regd: 20ICHRD2015)

Abstracts:

Indian constitutional provisions guaranteed human values for its all subjects, but Scheduled Castes never permitted to enjoy such provisions by dominant caste society. In India, whenever Scheduled Castes tried to get such values have been attacked by so-called upper castes in the name of socio-religious sanctions.

Keywords: *Social, Discrimination, Human, Rights, castes*

The Dalits are Caste traditional India's principal category of social ordering and control is the most exhaustive and of noxious of all known exclusionary systems. The Hindu social order, particularly its main pillars, the caste system, and untouchability presents a unique case. As a system of social, economic and religious governance, it is founded not on the principle of the liberty (or freedom), equality and fraternity, the values which formed the basis of universal human rights, but on the principle of inequality in every sphere of life. The social order is based on three interrelated elements, namely, predetermination of social, religious and economic rights of each caste based on birth; the unequal and hierarchical (graded) division of these rights among castes; and provision of strong social, religious and economic ostracism supported by social and religious ideology to maintain the order.¹ Among the Backward Castes, Scheduled Castes are socially, economically, politically, religiously, and culturally oppressed. In the past many Scheduled Castes embraced Christianity during the British rule in India, these converts were given free food, clothes and education by the missionaries. Many of them got good educations and jobs.² Some made an attempt, in the 19th century, to disassociate themselves from the traditional callings of the community. They began to

imitate the dress and rituals of the Upper Castes³ in order to avoid ill-treatment, Scheduled Castes have often preferred to change their religion.

With the legacy of Dr.B.R.Ambedkar, the Indian constitution guaranteed to all citizens the fundamental rights and equal protection before the law. It provides a number of safeguards to Scheduled Castes to ensure their all-round development and protection against all kinds of discriminations in India. But most of the provisions of the constitution have remained only on paper because their implementation has been faulty, half-hearted and inadequate and inequality, discrimination, exclusion and stigmatization can jointly contribute to the utter marginalization in India. No doubt, Scheduled Castes were never given in human rights or treated with dignity; hence those cannot be restored to them as such.⁴

The conflict or social conflict is a process in which a dispute takes place between two or more persons or groups or even communities on certain issues. Phenomenological, conflict is a state of mind in which an individual starts behaving in an abnormal way on certain issues. Conflict is not simply as a domain in itself but also a manifestation of the inherent properties of culturally based behavior in its continuing interaction with



the environment.⁵ Atrocities are to be given viewed as social and physical violence committed collectively or individually by those groups, castes and communities or their members who try to have more access to the existing resources and monopolize their status-superiority over others. The targets of such atrocities are those who have traditionally been degraded and deprived and who try to find a place other than that prescribed to them in the social structure. Such efforts are likely to disturb the status-quo and intercept the unlimited chances of the privileged one. Hence, violence and atrocities happening against them.⁶

The Scheduled Castes are subjected to various types of atrocities due to the caste Hindu's resentment against a number of government policies in general and the provision of reservations in education and jobs in particular adopted in their favor though the immediate causes involved in the commission of atrocities might be something else. Equally important in

this regard are a number of inherent social contradictions between caste Hindus and the Scheduled castes. However, very little is said about the growing resentments and protests shown by people of the schedule castes towards atrocities perpetrated on and various types of discriminations practiced against them. Such course of action is adopted by them more in self-defense or to gain self-respect and protect their dignity than in pursuing their social and economic development through the constitutional measures and other means. However, Scheduled castes are satisfied with the present level of their socio-economic development. They are in reality more interested in achieving their freedom from traditional bondage and liberation from the economic dependence on the upper castes and classes. These obviously attract the convulsing acts of the upper castes which are resented by the Scheduled castes. Thus, the desire and action of the Scheduled castes,

reaction to that of caste Hindus and others and then counter reaction of the Scheduled castes placed in the sequence of chain-responses are such that ultimately take the form of the human rights violations against Scheduled Castes.⁷ Since the days of the society formation people were confronted by different types of values in the form of intellectual values, religious values, moral values, economic values, and aesthetic values⁸ but in Indian Scheduled Castes have to lead their lives without many values of them in caste dominant society. The atrocities have increased during all the years because among the caste Hindus here grown increasingly jealous, intolerant and vindicate even to the little progress made by the Scheduled castes. In this context, this paper discloses about experiences of the Scheduled Castes in Indian caste dominant society towards socio-cultural, economic and political values.

The Republic of India(1950) ratified the International covenants on civil and political rights and on economic, social and cultural rights with certain declarations. A careful reading of these instruments would reveal the concern of the United Nations for Human Rights(1948)⁹as follows.



Subject	Indian Constitution	Universal Declaration of Human Rights
Equality before law	Art 14	Art 7
Prohibition of discrimination on grounds only of religion, race, caste, sex, place or birth or any of them	Art 15	Art 2 (Para 1)
Equality of opportunity in matters of public employment	Art 16 (1)	Art 7 (sentence 2) Art 21 (2), Art 19
Freedom of speech, assembly association etc.	Art 19 (1)	Art 20 (1), Art 23 (4)
Protection in respect of conviction for offences	Art 20 (1)	Art 20 (2), Art 12 (1)
Protection of life and personal liberty	Art 21	Art 11 (2)
Prohibition of traffic in human beings and forced labour	Art 23 (1)	Art 3, Art 9
Freedom of conscience and free profession, practice and propagation of religion	Art 25 (1)	Art 4
Protection of interests of minorities	Art 29 (1)	Art 18
Rights of minorities to establish and administer educational institutions	Art 30 (1)	Art 22
Right to constitutional remedies (right to right)	Art 32 (1)	Art 26 (3)
		Art 8

- Beyond these provisions in the Constitution of India some special provisions are made for the Scheduled Castes. Article 17 has abolished to practice of untouchability. Article 330 and 332 gave provided for the reservation of seats to appointments, Article 338 has made provision for the special officer to investigate all matters relating to the safeguards for the Scheduled Castes and Article 46 relates to special care about the educational and economic interest of the Scheduled Castes.¹⁰
- National Commission for Scheduled Castes and Scheduled Tribes: Article 338 of the constitution requires constitution of the National Commission for Scheduled Castes and Scheduled Tribes for better protection of the rights of the members of the Scheduled Castes and Scheduled Tribes.
- Caste Disabilities Removal Act 1950: The Act provides that when in a civil suit the parties belong to different persuasions, the laws of the religions of the parties shall not be permitted to
- operate to deprive such parties of any such parties of any property to much but for the operation of such laws, they would have been entitled.
- Protection of Civil Rights Act 1955: By this Act, enforcement of any disability arising out of untouchability has been made an offence punishable in accordance with the relevant provisions.
- The Bonded Labour System (Abolition) Act, 1976
- Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989: An Act to prevent the Commission of atrocities against members of the Scheduled Castes and the Scheduled Tribes for Constitution of special courts for trial of such offences, and to provide relief and rehabilitation to the victims.
- Protection of Human Rights Act 1993: The Act provides for the Constitution of a National Human Rights Commission, State Human Rights Commission, and Human Rights Courts for better protection of Human Rights.¹¹

The image of Dr.B.R. Ambedkar entered every Scheduled Castes colony and his philosophy spreads over the villages and became as philosophical foundation for Scheduled Castes lives. They have been asserting for their rights through democratic process. As long as there was no threat to their economic and social harmony, the



Upper Castes put up with the little changes that were visible in the village. Whenever the Scheduled Castes assert their rights, the Upper Castes attacked them.¹²

1. Social Rights Violation

a) Karemchedu

Karemchedu is a village of socially, politically dominated by the Upper Castes in Prakasam district of Andhra Pradesh. In Karemchedu, Scheduled Caste man Venkateswarlu was beaten by Upper Castes who questioned minimum wages and attacked on Scheduled Castes woman who tried to fetch water from village tank and tried to beat her but she escaped with the help of Scheduled Caste man. For that, they attacked Scheduled Castes in the eve of general elections in 1985. Karemchedu incident tells about Scheduled Castes have no Economic Rights and Social Rights.¹³

b) Chundur

Chundur is a village of socially egoist minded Upper Castes against Scheduled Castes in Guntur district of Andhra Pradesh. In 1991, Scheduled Castes' student, Ravi entered cinema theatre and took seat upper row to Upper Caste boys. Upper Castes felt guilty and attacked Scheduled Caste boy and Upper Castes expelled from the village but Scheduled Castes people opposed such incident and it leads to attack on¹⁴and killed 13 Scheduled Castes.¹⁵Chundur incident showed the social ego of Upper Castes against the Scheduled Castes.

c) Suroth

Suroth is a village of social prejudices of Upper Castes against Scheduled Castes in Karauli district of Rajasthan. In Suroth, the scheduled caste youth Dayal visited hotel with his friends for tea but hotel proprietors belong to Upper Caste and served them tea without milk. It was questioned by Dayal and also complained against village Sarpanch for

not solving the problems. With these two incidents Upper Castes decided to attack the Dayal with their social power. They complained against Dayal in the pretext of theft of bicycle and organized caste panchayat and fined for Rs.3,000/- and sent to Jail. Suroth incident discloses about the question of Scheduled Castes self-dignity and self-respect against Upper Castes.¹⁶

d) Natham

Natham is a village of left oriented place which converted into casteist Manu minded village in Dharmapuri district of Tamilnadu. In Natham, Adi-Dravidian boy and Vanniar (OBC) girl love each other got marriage. But this is not digested to girls' father and he filed case against Scheduled Caste boy. By the dire witness of Divya her father got failure in the court and he felt ashamed and committed suicide. By this incident, Vanniar caste people attacked the Scheduled Castes three colonies and burnt houses for five hours and police personnel enjoyed that incident with castiest mind. Natham incident reveals that Scheduled Castes have no marriage rights against Upper Castes and Other Backward Castes.¹⁷

2. Economic Rights Violation

a) Belchi

Belchi is a village of Kurmi landlord's dominated place against Scheduled Castes in Bihar. In Belchi, in 1978, 11 Scheduled Castes were burnt alive by the Kurmi landlords for minimum wages. In 1985, again it had witnessed for massacre of Scheduled Castes by Upper Castes in the cause of fluking of leaves in disputed land. In this incident, 6 Scheduled Castes were killed and 5 were along with the 2 women seriously injured in order to get economic rights. Belchi incident speaks about the economic domination of Upper Caste landlords against Scheduled Castes who asked for the minimum wages and about extraction of forced labour.¹⁸



b) Golana

Golana is a Darbar Rajput Landlords dominated village since imperial British in Gujarath. In Golana, early stage, Scheduled Castes were worked with Darbar Rajput Upper Castes for agricultural works. In course of time, Scheduled Castes, Vankars achieved some skills and settled in textile companies. It resulted in deficiency of labourers in agriculture works of Upper Castes. Then it leads to aggression of Upper Castes and 5 Scheduled Castes were attacked to death. Golana incident reveals about the no rights for Scheduled Castes against economic tyranny of Upper Castes.¹⁹

c) Audatpur

Audatpur is a village of economically dominated by Upper Castes in Medak district of Andhra Pradesh. In Audatpur, the Scheduled Castes left village for better economic life to nearest city. It was resulted in deficiency of labourers for Agricultural works of Upper Castes landlords. So they imposed sanctions on the entre of Scheduled Castes into the streets of Upper Castes. Scheduled Caste workers who working for landlords entered main village attacked by landlords. There by, Scheduled Castes filed complaint against landlords. For that, landlords looted, and arson the colony. Audatpur incident speaks about no Scheduled Castes have right to work for their livelihood.²⁰

d) Laximpet

Laximpet is a village of socially dominated and Manu Minded Other Backward Castes against other weaker sections. In Laximpet, Scheduled Castes got some land along with the Other Backward Castes in the process of re-habitation.²¹But it was not digested by the Other Backward Castes and they tried to take over of that land. But Scheduled Castes opposed such activities. In this cause Other Backward Castes attacked and killed 5 Scheduled Castes. Laximpet incident tells

about no Scheduled Castes have right to possess of any kind of land against Upper Castes and Other Backward Castes.²²

e) Kairlanji

Kairlanji is village of Upper Castes has economically domination and weak Neo-Buddhists from Scheduled Castes in Vidarbha region of Maharastra. In Kairlanji, the Scheduled Caste man from Bhotomange family bought land. It was remained uncultivated for a longtime and used as passage by the villagers.²³The dispute was raised when Roshandaslal want to cultivate his land where Upper Castes want to laid road through his land. For some time, it was trailed in court. For that, Upper Castes had attacked the Roshandaslal family and murdered four members and two women were paraded in naked, and brutally murdered. Kairlanjiincident discloses about the Scheduled Castes have no economic and legal rights.²⁴

3. Political Rights Violation

a) Main, Barsimha, Chunibiga and Jahirbiga

Main, Barsimha, Chunibiga and Jahirbiga are the villages of East Bihar where Private Army, Savarna Liberation Front of Upper Castes against Moist Communist Centre which had been working for Poor Rights. MCC had been filled with the Scheduled Castes in cadre. So SLF want to take revenge against the Scheduled Castes by mass raping the women. According to SLF Commander in Chief, Ranabheer Singh, the rape of the Scheduled Castes women shows great effect on women and her family, throughout their life than the murder of Scheduled Castes men. Main, Barsimha, Chunibiga and Jahirbigaincidents discloses no Scheduled Castes have Rights in the Political/Ideological sphere.²⁵



b) Paramakudi

Paramkudi is a village of Upper Castes dominated and left awareness and Dalit concept among the Scheduled Castes in Ramanthapur district of Tamilnadu. In Paramkudi, Immanuel Sekaran was involved himself in revolutionary activities against caste oppression and organized Pallar youth in Ramanthapuram district. In course of time, Depressed Castes of Tamilnadu forced state for celebration of Immanuel Memorial. But it was not digested to Upper Castes, Thevars and they want to spoil the memorial of Immanuel Sekaran and removed the banners which were prepared by the Scheduled Castes. There by, Upper Castes spread over the rumors about arrest of SC/ST employees and John Pandian, MLA from PuthiyaTamilagam. The Scheduled Castes organized protest at five point junction with demand of release of arrested. But police personnel rounded the site and opened fire without any provocation from the protesters. It was resulted in killing of 3 and injuring of 30 Scheduled Castes. Paramakudi incident messaged that the no Scheduled Castes have Political/ Ideological Rights.²⁶

c) Vempeta

Vempeta is a village of factions which mixed with Left revolutionaries and Caste egos in Andhra Pradesh. In Vempeta, the Scheduled Castes youth organized RytuCooliSangam and it distributed government land for Scheduled Castes and Scheduled Tribes and Other Backward Castes but it was not digested to the Upper Castes and they tried to stop the distribution. Meanwhile, Naxalite group warned Upper Caste man BommaShivaiah and killed him. Then Upper Castes under the leadership of BuddaVengalareddy attacked Scheduled Castes colony and killed who supported RytuCooliSangam by accusing to death of BommaShivaiah. Vempeta incident speaks about no Scheduled Castes have Political/ Ideological Rights against Upper Castes.²⁷

4. Religious Rights Violation

a) Konalam

Konalam is a village of dominated fundamentalist Upper Castes and asserted Scheduled Castes in North Arcot district of Tamilnadu. In September, 1982 one Scheduled Castes women died and they want to move new burial ground for funerals though the streets of Upper Castes. Instead of old burial ground which was occupied by the Upper Castes. With the help of the Tahsildar, the Scheduled Castes succeeded in their efforts towards passage to burial ground. There by, Upper Caste Raddiars, stopped to give work for the Scheduled Castes and managed for their agricultural activities from neighboring villages and one Scheduled caste women and her three children were abducted and raped. The Scheduled Castes are fled for neighboring villages for continued attacks. Konalam incident tells about no Scheduled Castes have Right to perform death rites Rights as caste Hindus.²⁸

b) Papili

Papili is a village of social ego which is under the rule of Manudhrama in Kurnool district of Andhra Pradesh. In Papili, Scheduled Castes tried to manage procession of Vinayaka idol to immerse along with the main streets of Upper Castes and Other Backward Castes. But Other Backward Castes objected the procession. Then Scheduled Castes complained to the police and organized immersion programme. Other Backward Castes attacked to Scheduled Castes houses, shops and looted all belongings in the pretext of those who not voted for Upper Caste candidate in local body elections. Papili incident tells about no Scheduled Castes have Religious and Political Rights against Upper Castes and Other Backward Castes in Indian society.²⁹



5. Conclusion

Traditionally, the different Scheduled Castes were employed in the various types of occupations and with their varying social and economic positions, were assigned different ranks in the overall ritual and social hierarchy of the caste system. One might think of these castes not as part of the organization of a village society contrary that the Scheduled Castes were associated in certain ways with social organization but their touch either with a person or a commodity belonging to a Caste Hindu was avoided as far as possible. Thus, there existed strata of castes on the basis of their farness from the clean castes. What governs the daily life of a Scheduled Caste is discrimination on the basis of caste manifests itself through visible practices such as a separate drinking water wells, segregated housing colonies, separate burial grounds, segregated places of worship, separate seating of children during mid-day meals at school, denial of taking food from scheduled caste cooks in mid-day meals at schools, prohibition of dressing like others do, prohibition of inter-caste dinning and marriages, or mounting a horse during a wedding, amongst scores of other forms. Discrimination also manifests itself through non-visible forms in the shape of caste prejudices that can be heard in the spoken language through idioms and phrases. The failure of the Indian state and its instruments to cope with the problems arising in the process of socio-economic change in a society with adult suffrage and equality of opportunity and status, among other similar objectives provided in our constitution, has led to rising expectations on the one hand, and growing consciousness of the exploitation and indignity in social relations, on the other. Such a combination has inevitably led to strong resentment expressing itself in violence. Unless these infirmities are removed and progress made towards the creation of a truly just society and non-exploitative social order, violence is not only likely to continue but may get aggravated.

6. References

1. SukhadeoThorat(2002), Oppression and Denial: Dalit Discrimination in the 1990s, Economic and Political Weekly, Vol. 37, No. 6, p.573
2. P.K.Misra(2012), Human Rights Acts, Status and Constitutional Provisions, Ritu Publications, Jaipur, p.48
3. GhanShyam Shah.et.al(2006), Untouchability in Rural India, Sage Publications, New Delhi, pp.32-33
4. EmanuelNahar(2007), Restoration of Human Rights and Dignity to Dalits, Mainstream, April, 20-26, p. 13
5. Nandu Ram(1995), Beyond Ambedkar, Essays on Dalit in India, Har-Anand Publications, New Delhi, p.221
6. Ibid, p.268
7. P.R. Rajagopal(1987), Social Change and Violence, the Indian Experience, Uppal Publishing House, New Delhi, p.82
8. Nagaraju Vadapalli, G.Veeranna, Social Justice: A Forbidden Fruit for Indian Dalits, in G. BhadruNaik, V.Rajashekhkar (eds.), Dr. B.R. Ambedkar's Philosophy of Social Justice and its contemporary relevance, SreeBhagavan Publications, Hyderabad, 2009, p.55
9. S.C. Joshi(2006), Human Rights, Concepts, Issues and Laws, Akansh Publishing House, New Delhi, pp. 2-14
10. S.Selvantathan(1989), Status of Scheduled Castes, Ashish Publishing House, New Delhi, p.207
11. Giriraj Shah(2004), Human Rights, looking back and forging ahead, Himalaya Publishing House, Hyderabad pp. 150-153
12. P.R. Rajagopal(1987),pp.7-8
13. D.Bixapathy(2008), Caste Discrimination in Revenue Records-A Study of Erstwhile Warangal Subha 1911-1976, unpublished thesis, Department of History, Kakatiya University, Warangal,p.78
14. Kanchallaiah(1994), The Chundur Carnage - The Struggle of Dalits, in SandeepPendse (ed.), At Cross Roads Dalit Movement Today, VikasAdyana Kendra, Bombay, pp.95-102
15. Commentary, Andhra Pradesh, Upper Caste Violence: Study of Chundur



- Carnage Economic and Political Weekly
September 7, 1991
16. GhanShyam Shah.et.al(2006), op.cit, pp.79-80
 17. NookathotiRavikumar(2012),
KulantaraVivahamChesukunnandukuBh
asmipatalamainaDalita Colony,
BahujanaKeratalu, December, pp.25-26
 18. P.R. Rajagopal(1987), op.cit, p.82
 19. Henry Thiagaraj(2007), Human Rights
from the Dalit Perspective, Gyan
Publishing House, New Delhi, pp.79-82
 20. KanchaIlaiah(2000), The State
Oppressions and Weaker Sections, in
ChanduSubbarao, D.Francis (eds.),
Development of Weaker Sections,
Rawat Publications, Jaipur, pp.205-209.
 21. Chimme John Barnabas(2012),
LaxmipetGhatanaEmTheliyajestundi,
Veekshnam, Vol.10, No.8, August, p.18
 22. Y.Ramachandram,
D.V.RamakrishnaRao(2012), Laxmipet
Massacre - Land- Caste, Veekshnam,
Vol.10, No.8, August, p.12
 23. Anil Tehran, Harjit Singh(2012), Caste
related violence in India-vis-a-vis right
of religion and conversion under Indian
Constitution with judicial
pronouncements, The Indian Journal of
Political Science,Vol.LXXI,No.4,
pp.1129-1130
 24. AnandTeltumbde(2007), Kailanji and its
aftermath: Exploding some myths,
Economic and Political Weekly, March,
24, pp.1019-1020
 25. Maruth Ravi(2012), New Strategy of
Bhoomihars of Bihar – Gang Rape of
Scheduled Castes, U.Sa (comp), Ibid.,
pp.133-134
 26. MuthukaruppanParthasarathi(2011),
Paramakudi Violence: Against Dalits
and Politics, Economic and Political
Weekly, Vol.XLVI, Nos.44 & 45,
November 5th, pp.14-15
 27. KanchaIlaiah(2005),
VempetaloJarigindiManunyayam, U.Sa
(Comp), DalitaRananinnadam,
Edureetha Publications, Hyderabad,
pp.225-226
 28. S.Selvantathan(1989), op.cit, p.193
 29. Pani(2005),
NaluguSimhalaDadiloDalitulu (four
lions attack on Dalits), U.Sa (Comp),
op.cit,pp.287-288