



Human Rights Violation of Dalit Community in India: An Outline

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Abstract:

Currently, our society is moving very fast in the direction of science and technology. Along with the development of science and technology, violation and crime are increasing in our society. And as a result of these backward class people are victims of this crime especially people of Dalit community. Dalits community are castes associated with lower class activities, who suffer from the curse of untouchability, suffer from extreme socio-educational and economic backwardness and who require special consideration for protection. This class of people is known by different names. For example - Dalits, Depressed Classes, Harijans, Sudras, Exploited and Oppressed Classes, Lower Classes etc. People of these classes are not fully aware of their rights. The main objectives of the study, describe the human rights violation of Dalit community, state the constitutional provision for the protection of Dalit community and some suggestions for empowerment of Dalit community people. The present study is completely qualitative research based on the primary and secondary data gathered from different resources such as government reports, books, magazines, journals, websites, research articles etc. to bridge up conclusions. This research work focusses on the analysis of human rights violation of Dalit community in India.

Keywords: Human Rights, Violation, Dalit Community, Constitutional Safeguards, India.

1. INTRODUCTION

Our India is a country of huge population. People of different religions live together here. The Indian Constitution has guaranteed several rights to these people to live a healthy and normal life. For example, right to education, right to free thought and expression, social justice, providing social and economic security etc. But every day we see in the newspaper that in one way or the other, the human rights of some community are being violated. In particular, the rights of Dalits, tribals, women, children, minorities and other vulnerable people are being violated. According to the 2011 census, 16.6 percent of India's total population belongs to the Dalit community. The question is, who should I call this Dalit class? Dalits are castes associated with lower class activities, who suffer from the curse of untouchability, suffer from extreme socio-educational and economic backwardness and who require special consideration for protection. This class of people is known by different names. For example - Dalits, Depressed Classes, Harijans, Sudras, Exploited and Oppressed Classes, Lower Classes etc. People of these classes are not fully aware of their rights.

If we look at human rights organizations and newspapers in India, we see stories of the plight of this class of people. Illegal torture, detention, torture, beating, rape, killing, burning down their houses in ethnic violence, kidnapping, torture for dowry, ill-treatment, denying entry to temples, filing false cases, cheating, working without providing them with suitable labor. making, child labour, keeping them speechless etc. To protect the interests of this class of people, the Constitution has made effective laws through various articles. One of the notable articles is Article No. 46. It states that the State shall take special care of the weaker sections of the people, and in particular, it shall promote the educational and economic interests of Scheduled Castes and Tribes and protect them from social injustice and all forms of exploitation.

Now the question is whether our constitution has made strict laws to protect human rights. After that, why is this kind of crime? Why are human rights being violated? So, is the constitutional law only on paper? If yes, was it necessary? And if not, then why its implementation is not reflected in reality? How much are we responsible for it? This is our question. This research work tries to give an outline of violation of rights of Dalit class and how it can be protected.

2. SIGNIFICANCE OF STUDY

In today's society, the problems of backward people are increasing. Although the Indian constitution has made special laws for this class of people, it is not reflected in reality. A section of the society continues to exploit this weaker section of people for their own interests. Dalit people in particular are deprived of their rights and exploited. Even though the Indian government provides social and economic protection to them, it is not accepted, people of this class of society continue to show thumbs up to the law and commit immoral acts at will. The deadly disease of 'untouchability' still remains in this society. Physical and mental torture on them is increasing. Most people in this category are not aware of their rights. So the rights of this category of

people are being violated. They are unable to establish themselves in almost every field of education, society, economy and politics; They are deprived of the facilities of these fields. Therefore, discussing the problems of backward people and their solutions is considered as a very relevant issue.

3. OBJECTIVES OF THE STUDY

This research paper has been written to achieve the following objectives;

- 1) To state the real picture of human rights violation of Dalit people.
- 2) To analysis of the constitutional safeguards to protect the rights of backward people.
- 3) To describe the ways to solve the problems of Dalit people.

4. RESEARCH METHODOLOGY

The present study is completely qualitative research based on the officials' documents and secondary data gathered from different resources such as government reports, books, magazines, journals, websites, research articles etc. to bridge up conclusions. Also, this study is analytical in nature. Various documents are analyzed based on qualitative data.

5. ANALYSIS

5.1 Objective-1: Real Picture of Human Rights Violation of Dalit People

Although the Indian Constitution abolished untouchability, the oppressed status of Dalit remained a reality. Klaus Klostermeyer (2010), states that in rural India, "Dalits still live in isolated quarters, do menial jobs, and are not allowed to use village wells and other common facilities. Dalits are often limited in terms of political participation, socially stigmatized. They often have no access to religious places." They were barred. They were considered impure. They were not even allowed to fetch water from public wells. We have been seeing allegations of their arrest on trumped-up charges. Human Rights Watch has observed that these people who are fighting for the rights of Dalits are arrested politically. And those arrested can be detained for up to six months without charge.

According to data collected by the National Crime Records Bureau of India, 25,455 crimes were committed against Dalits in 2000, 2 Dalits were assaulted every hour, 3 Dalit women were raped every day, 2 Dalits were murdered and 2 Dalit houses were set on fire every day. A study published by Amnesty International in 2001 documented sexual abuse of Dalit women, often perpetrated by landlords, upper-caste villagers and policemen. Studies have shown that police officers record about 5% of crimes and dismiss at least 30% of rape reports as false. The study also found that the police often demanded bribes, threatened witnesses and concealed evidence. People who would testify against the rapists were also killed. There have been reports of Dalits being forced to eat human faeces and drink urine by upper caste members and the police. In 2003, upper caste Muslims in Bihar opposed the burial of lower caste Muslims in the same cemetery.

In September 2015, a 45-year-old Dalit woman in Madhya Pradesh was stripped naked and forced to drink urine. In some parts of India, there have been allegations of Dalit grooms riding horses for wedding ceremonies being beaten up and ostracized by upper castes. In August 2015, in response to brave Dalits marching in a village in Tamil Nadu, upper castes burnt houses and vehicles belonging to Dalit families and slaughtered their cattle. In August 2015, it was claimed that a panchayet had ordered the rape of two Dalit sisters because their brother had eloped with a married woman from the same village.

A Dalit activist was killed in 2020 for social media posts criticizing Brahmins. In 2019, a Dalit was killed for eating in front of upper caste men. In July 2020, a nine-year-old Dalit boy was beaten up by his teacher for drinking water from a pot at school. He died during treatment at a hospital in Ahmadabad, Gujarat on 13 August. According to India Today (September 2022), a Dalit family was fined Rs 60,000 after its son touched a pole attached to the statue of Siddiranna, a prominent South Indian village deity in Karnataka.

On May 3, 2023, ethno-religious violence broke out in the northeastern Indian state of Manipur between the majority Kuki tribal community living in the Imphal Valley and the surrounding hills. Just a few months after this clash, a Scheduled Tribe woman was stripped naked and raped in public.

In various rural areas of West Bengal's Purulia, Bankura districts, we often see in the newspapers the cases of backward women being beaten to death by witchcraft and forced out of their homes by witchcraft. One such incident (January 2020) took place in Baghmundi area of Purulia district. In this incident, an old woman was beaten up and her house ransacked along with her daughter and daughter-in-law for being a witch. An incident in West Bengal's Malda district in July this year, where two women belonging to a backward class were raped and arrested after filing a false case against them, also came to light. Many such crimes are happening in our society. Some of these crimes are coming before us and most of them are being suppressed due to various reasons.

In view of the above discussion, it can be said that these Dalits are exploited and oppressed due to lack of real education, prejudice, illiteracy, social conservatism, lack of social acceptance, untouchability, social and economic inequality etc.

5.2 Objective-2: Constitutional safeguards to protect the rights of backward people

Indian law has enacted the following laws in order to protect the welfare of the backward communities of the society against both state and private oppressors;

- ❖ **Article-14:** Government shall provide equal protection of law to any person within the territory of India.
- ❖ **Article-15:** There shall be no discrimination based on caste, sex, religion, caste or place of birth.
- ❖ **Article-16:** Empowers the State to reserve government employment for members of castes not adequately represented in certain cases.
- ❖ **Article-17:** Formally declares the practice of untouchability as a punishable offence.
- ❖ **Article-41:** Directs the state to secure the right to work, education and public assistance in certain cases like unemployment, old age, sickness and disability. It is one of the guiding principles of state policy based on a socialist principle.
- ❖ **Article-45:** The State shall, within ten years of the promulgation of this Constitution, provide free and compulsory education to all children up to the age of fourteen years.
- ❖ **Article-46:** The State shall, with special care, promote the educational and economic interests of the weaker sections of the people, and in particular, the Scheduled Castes and Scheduled Tribes, and protect them from social injustice and all forms of exploitation.
- ❖ **Article-21(A):** Government provides free and compulsory education to all children between the ages of 6 and 14 years.
- ❖ **The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1949,** was enacted by the Parliament of India to prevent atrocities and hate crimes against Scheduled Castes and Scheduled Tribes. The Act is known as the SC/ST Act.
- ❖ **Article 330 to 342:** There are special provisions for the protection of backward classes like Scheduled Castes, Scheduled Tribes, Anglo-Indians. Articles 330 to 342 provide for the reservation and representation of Scheduled Castes and Tribes in the Lok Sabha.

Now the question is why human rights are being violated even after so many constitutional laws have been enacted? Why is one class of people exploiting another class of people? Why are these laws not being enacted strictly? This is something for us to think about.

5.3 Objective-3: Suggestions to Solve the Problems of Dalit People

To solve the problems of this category of people, i.e., to protect human rights, the following programs should be adopted and implemented;

- There is lack of education among this class of people especially women. Education should be spread among them. They should be made more aware.
- These backward women are being disrespected in our patriarchal society. Our patriarchal society is not able to give dignity to those women. And a society that has no respect for women, no dignity, that society can never move forward. Therefore, many problems of this class of people can be solved by giving the dignity of men and women.
- Deadly diseases like untouchability, superstition, various bad customs, conservative attitude etc. must be removed from the society otherwise these classes of people will never get their rights. Because of these curses in the society, a class of people in the society gets the opportunity to exploit the lower-class people.
- To provide social and economic security to these weaker sections of people. Although our constitution has provided safeguards for their security, their social and economic security has not been guaranteed. The administration should take more strict action in this regard.
- Administrative apathy is a major problem. Although the administration has been active in recent times, it has often been seen that the keeper is the eater. So where do people go? Who will say his problem? How his problem will be solved remains a big question mark. Therefore, strict measures should be taken against those who are committing immoral acts from within the administration and punishments should be arranged so that no one dares to commit immoral acts a second time.
- Media plays an important role in protecting human rights in this society. So the mass media or social media should present the real images of the problems of this weaker section of people to the public. But in the present time, the media has failed to build a corruption-free, exploitation-free society. However, researchers are optimistic that if these news media are a little straight and aware, then they can build a corruption-free, exploitation-free society.
- NGOs and Voluntary Organizations are doing much important work for these weaker sections or backward class people. So, we all have to extend a helping hand to them. Their programs should be given social recognition; they should be encouraged, so that they can play an effective role in protecting the rights of this class of people.
- Elderly education programs should be made more effective to educate the older people of the society. Social awareness should be raised among them.

- Rural women are victims of social and family violence. So, the people of the society should be more alert and aware so that women are not oppressed. Serious crimes like rape are increasing in the society. Therefore, the people accused of this crime should be punished severely.
- Above all we need to make our society mentally healthy. The correct message of good-bad, should-shouldn't etc. should be given among the people of the society. If we can make our society mentally healthy, then there will be no separate class of people called weak class. Everyone will live with dignity.

6. Conclusion:

In view of the above discussion, Human rights violation has become a worldwide phenomenon and is increasing day by day in developing countries like India. Not a single day passes without papers reporting on violation of human rights in India. The vulnerable sections like Dalits, Adivasis, women, children, minorities and other groups are discriminated without any fault of their own. It can be said that our constitution has adopted many important programs for the development of Dalit society. However, still in today's society we see the lower caste i.e., Dalit class people are being exploited by the upper-class people. Especially women are being oppressed. Child marriage, violence against women is increasing day by day. Some upper-class people pick up Dalit women, rape them and finally kill them. All doors of law are closed for them and they are not getting proper justice. They are being deprived of their rights. Burning the houses of Dalit people, taking away their small property, making them work without pay, physical and mental torture, etc. are still being done by the privileged people of the society. Today they are backward in every field like economic, social and political field. Economic problems, social inequality and political tyranny act as one of the obstacles in the way of their empowerment. To solve this problem of Dalit community, the administration should enforce the law more strictly. Besides, social awareness should be increased among them. It is possible to empower them by making them aware of their rights through education, and for this it is necessary to make education effective and use various social measures.

References

- Bagde, U. S. (2013). Laws against Caste Discrimination and their rampant Violations in Indian Senario. *Journal of Law and Conflict Resolution*, 5(2), 33-40.
- Bhat, R.A. (2015). Role of Education in the Empowerment of Women in India. *Journal of Education and Practice*, 6(10), 188-191, ISSN 2222-288X (Online). Retrieved from <https://files.eric.ed.gov/fulltext/EJ1081705.pdf>
- Bagde, U. S. (2020). Human rights perspectives of Indian Dalits. *Journal of Law and Conflict Resolution*, 11(2), 26-32. DOI:10.5897/JLCR2020.0316
- Guha Ray, S. (2001). Human Rights, Democratic Rights and Popular Protest, *Progressive Publications*, Kolkata.
- Guru, G. (2001). "The Language of Dalit-Bahujan Political Discourse", in Ghanashyam (ed.), *Dalit Identity and Politics*, Sage Publications, New Delhi.
- Kanmony, J. C. (2010). Preface to Human Rights Violation, New Delhi: Mittal Publications.
- Mandal, S. K. (2012). "Caste System and the Present Society: Some Observations on Ambedkar's View." *Contemporary Voice of Dalit*, (5), 193-200.
- National Campaign on Dalit Human Rights (NCDHR), (2008). *Alternate Report of India*, New Delhi.
- Ravi, S. S. (2016). A Comprehensive Study of Education, New Delhi: PHI Learning Private Limited.
- Sahoo, S. (2016). Girls' Education in India: Status and Challenges. *International Journal of Research in Economics and Social Sciences (IJRESS)*, 6(7), 130-141, ISSN: 2249-7382 (Online). Retrieved from <http://euroasiapub.org/current.php?title=IJRESS>
- Sen, K.M., & Shivakumar, A.K. (2001). *Women in India, How Free? How Equal?* New Delhi: UNDAF.
- Shah, G. et al. (2006). *Untouchability in Rural India*, Sage Publications, New Delhi.
- Singh, N. (2008). Higher Education for Women in India—Choices and Challenges. *The Forum on Public Policy*. Retrieved from <https://files.eric.ed.gov/fulltext/EJ1099426.pdf>
- The Hindu (2005). "Orissa Villagers Protest Against Inhuman Practice", 1 October, cited in *Dalit Atrocities-2005*, Human Rights Documentation, Indian Social Institute, New Delhi.
- The Hindu (2007). "Dalit Woman Denied Water" 2 July cited in A Bulletin of Dalit resource Centre, VAK, Mumbai, August 2007.
- Thilagraj, R. (2002). *Human Rights and Criminal Justice Administration*, APH Publishing, New Delhi.
- UNESCO (2000). *Girls' and Women's Education in India*. Bangkok (Thailand): United Nations Educational, Scientific and Cultural Organization. Retrieved from <https://files.eric.ed.gov/fulltext/ED469235.pdf>
- Waghmare, B.S. (2001). *Introduction to Human Rights: Problems and Prospects*, Kalinga Publications, Delhi.

Retrieved from website on or before October, 2023.

- <https://en.wikipedia.org/wiki/Dalit>

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- https://en.wikipedia.org/wiki/List_of_Dalits
 - https://en.wikipedia.org/wiki/Caste_system_in_India
 - <https://timesofindia.indiatimes.com/india/nine-states-have-54-of-dalits-see-84-of-crime-against-scs/articleshow/78439021.cms?from=mdr>
 - <https://timesofindia.indiatimes.com/topic/dalits>
 - <https://www.nbcnews.com/news/world/india-dalits-still-feel-bottom-caste-ladder-n1239846>
 - <https://www.ohchr.org/en/stories/2021/04/dalit-born-life-discrimination-and-stigma>
 - <https://www.indiatoday.in/news-analysis/story/dalit-sawarn-caste-system-must-go-1989509-2022-08-18>
 - <https://www.bbc.com/news/world-asia-india-18394914>
 - <https://www.hrw.org/reports/1999/india/India994-02.htm>
 - <https://www.slic.org.in/initiative/dalit-rights-initiative>
 - <https://www.nationalgeographic.com/pages/article/indias-untouchables-face-violence-discrimination>