

# Quarterly MINO-VIEW

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Voice of Minorities & Oppressed People in South Asian Societies

**New Report: Justice Denied -  
Death of workers engaged  
in manual scavenging  
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## Editorial

Manual scavenging is a stinking legacy of suffocation and stigma. Every year hundreds of manual scavenger die choked by poisonous gases. More than half a million manual scavenger across India are cleaning, carrying and disposing human excreta with bare hands and bearing the stench of sewerage For the first time in 2013 government of India acknowledged the cleaning of dry toilets as manual scavenging and made it an illegal offense punishable by up to 2 years of imprisonment. However so far no convictions have been made under the law. The pervasiveness of manual scavenging as caste based occupation shows how caste penetrates deep into economic activities, perpetuate discrimination, exclusion, ostracization and victimization. Latest report released by NGO Rashtriya Garima Abhiyan in its finding, found that mostly manual scavenger are hired by municipalities and households through contractors. Although manual scavenging is prohibited under the MS Act 2013 but this practice is still prevailing in India. This illegal and inhuman practice takes the life of many every year. If ever any FIR is filed it bears the remarks, death occurred due to negligence and not even a single employer or contractor is arrested. The reason behind the cases in which FIR had not been filed were the compromises being made by families, pressurization, intimidation and the threat they receive of losing the jobs. According to Supreme court's judgement of March 27th, man's entrance into a manhole or septic tank is a crime and in case of death a compensation of 10 lakh will be awarded to the family of the deceased. Research shows that only 35% were awarded compensation. Rehabilitation scheme (SRMS) was not implemented. Not a single family whose members were involved in cleaning or other health hazard were rehabilitated in alternative jobs nor their children got pre-matric scholarship. Manual scavenging is a complete violation of basic human rights and dignity. As manual scavenging is considered as a caste based occupation, therefore Dalits of India are continuously pushed to practice it. The belief or the conception of purity, pollution and untouchability which is rooted in the mindset of upper caste leads to this discrimination of manual scavenging.

Editor

# Rights defenders: Handcuffing journalist not justifiable

**Plainclothes policemen arrested Dhaka Tribune's Khulna correspondent Hedait Hossain Molla.**



Eminent rights defenders have condemned the handcuffing of a journalist in Khulna, who was arrested by police on an allegation that he had provided “untrue” information regarding the 11th general election.

They said such treatment to a media professional is inhuman, cruel and disgraceful that is not permitted by the law.

Plainclothes policemen arrested Dhaka Tribune's Khulna correspondent Hedait Hossain Molla in a case filed under the Digital Security Act and led him to a police van in handcuffs.

The arrestee is also a correspondent for the Bangla Tribune, and the city editor of Khulna-based Daily Probaho.

National Human Rights Commission (NHRC) Chairman Kazi Reazul Hoque told the Dhaka Tribune that police should not use handcuffs if there is no chance of the arrestee escaping.

“Every single citizen does have dignity. Even if the journalist is arrested for publication of any

misleading news, he (journalist) should be treated with dignity. Handcuffing someone like this is disgraceful,” he said.

According to Section 50 of the Code of Criminal Procedure, 1898 - “The person arrested shall not be subjected to more restraint than is necessary to prevent his escape.”

Citing article 35 (5) of the Bangladesh constitution that deals with protection in respect of trial and punishment, eminent Supreme Court lawyer Dr Shahdeen Malik finds the police behavior (handcuffing the arrestee) as “inhuman and cruel.”

The article says: “No person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment.”

“The journalist is not a notorious or violent criminal. The way the journalist was arrested from the Khulna Press Club not acceptable; he was treated in a cruel and inhuman manner,” he added.

*Source: Dhaka Tribune*



**Plainclothes policemen arrested Dhaka Tribune's Khulna correspondent Hedait Hossain Molla in a case filed under the Digital Security Act and led him to a police van in handcuffs.**

# New Report: Justice Denied - Death of workers engaged in manual scavenging (Rashtriya Garima Abhiyan)

A new report has been released by NGO Rashtriya Garima Abhiyan looking at the caste inequities underpinning manual scavenging in India and the many Dalits dying while cleaning septic tanks and sewers with no proper equipment. The findings, outlined below, point to an urgent need for action to end this practice.

## Findings of the report:

In complete violation of basic human rights and dignity, Dalits of India continue to be pushed to practice caste based occupations such as manual scavenging. This type of discrimination emanates from the notion of purity and pollution and untouchability, deeply rooted into the mindset of upholders of caste in the country. The prevalence of caste based occupations such as manual scavenging, is a prime example of how caste, as a social construct, continues to pervade economic activities and perpetuates discrimination, exclusion, ostracization and victimization. Dalits engaged in manual scavenging such as **Valmiki, Mehtar, Dom, Bhangi, Har, Hadi, Ghasi, Olgana, Mukhiyar, Thoti, Hela and Halalkhor** are compelled to perform the task of cleaning human excreta with bare hands or to clean sewer lines and septic tanks. This study is an attempt to understand and document the continued deaths of persons engaged in manual scavenging in sewers and septic tanks across India. Section 2 (1) p of The Prohibition of Employment of Manual Scavengers and Their Rehabilitation Act 2013 defines Septic tank as “a water-tight settling tank or chamber, normally located underground which is used to receive and hold human excreta, allowing it to decompose through bacterial activities”. Section 2 (1) q of MS Act 2013 defines sewer as “an underground conduit for carrying off human excreta, beside other waste matter and drainage waste”.

Persons mostly from the Valmiki caste are hired by municipalities and households through contractors to clean septic tanks or sewers. Though, it has been acknowledged as Manual Scavenging and prohibited under the MS Act 2013, this practice continues to prevail in revenue villages, Urban Agglomerations, Outgrowths, Census towns and Statutory towns. This illegal and inhuman practice consumes the lives of many every



year. The primary focus of this study was to understand the progress on implementation of the MS Act 2013, socio economic condition of the families after the death of the deceased and to analyze legal course of actions in the incidents in which FIR was registered. The survey was carried out in 11 states of India in which the families of the deceased from the respective states were interviewed.

## Findings:

- The present study identified a total 140 incidents and 302 deaths from 1992 to 2018. Out of 140 incidents a total of 51 incidents were covered by the study in which 97 deaths were reported.
- According to NCSK's data, Tamil Nadu reported highest number of deaths (194) followed by Gujarat (122), Karnataka (68) and Uttar Pradesh (51). In our report, Gujarat reported 62 deaths followed by Maharashtra and Uttar Pradesh reporting 29 deaths each and Madhya Pradesh and Tamil Nadu reporting 24 deaths each.
- Out of the total case interview, in 35% of the incidents the FIR was filed whereas in 59% of the incidents FIR were not filed and in 6% of incidents respondents do not know if FIR had been filed. In the total number of cases where the FIR had been filed (18 cases), the research team was able to furnish copies of the FIR for 13 cases during the investigation.

## Legal Proceedings:

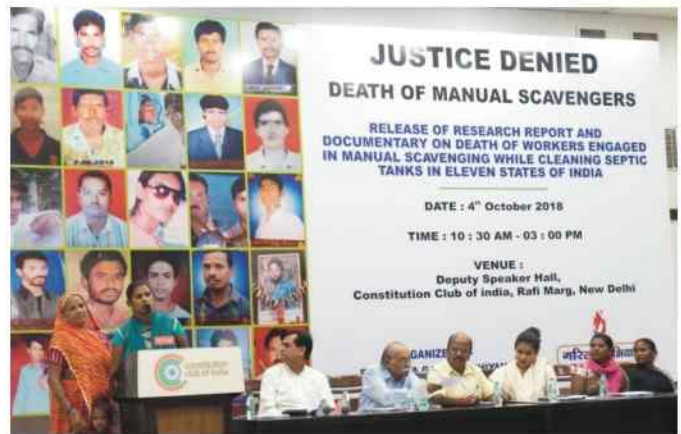
1. In the FIRs, section 304 and 304 A of IPC was charged 77% cases (10 cases out of 13 cases where FIR was filed and furnished), which is related to **death caused due to negligence** and for the remaining 3 cases out of 13 cases where the FIR was

filed and furnished, sections 174 of IPC (Non-attendance in obedience to an order from public servant) and 284 (Negligent conduct with respect to a poisonous substance) and 7 and 9 of the MS Act 2013 had been charged. But, not in a single case except in that of Bengaluru, the arrest of the employers or the contractors was made. In cases where the FIR had not been filed, the reasons cited by the family were that of compromises being made, pressure and intimidation faced and at times, they have been threatened that they would lose their current jobs.

2. In the 51 cases interviewed, **prosecution did not happen** in any of the cases.
  - ❑ **Compensation:** On 27<sup>th</sup> March 2014, Supreme Court of India, in a landmark judgment, declared that a person being made/forced to enter into a manhole or septic tank would be considered as a crime even in an emergency situation and in case of death of the person, a compensation of Rs. 10 lakh would be awarded to the family of the deceased. The judgment also directed states to undergo a survey to identify incidents of deaths from 1993. **This research reports that out of a total of 51 incidents, only in 31% of the cases compensation was awarded to the families of the deceased whereas in the remaining 69% of the incidents compensation was not awarded.** It is important to note that in many of the cases where relief amount has been given to the families of the deceased by the employers/contractors, it was underlined with the intention to dispose the cases. Total 48 families out of 95 families in 16 incidents were awarded compensation.
    - ❑ Ministry of Social Justice and Empowerment also reported 172 deaths in the year 2016 and 323 deaths in the year 2017.
    - ❑ During the time this study (January to July 2018) was being undertaken, 46 deaths were reported from states of Bihar, Uttar Pradesh, Tamil Nadu, Odisha, Jharkhand and Tamil Nadu. Every 4 day one death cases is reported in last six months.
    - ❑ Of the 51 incidents across 11 states that the team investigated, **a total number of 70 workers survived minor to fatal injuries.**

#### Rehabilitation:

1. The survey was also aimed at ascertaining implementation of the Self-employment scheme for Rehabilitation of Manual Scavengers (SRMS) and Pre-Matric Scholarship for the children whose parents are involved in occupation involving cleaning and health hazard.



2. **Not a single family whose members have died while cleaning the septic tank or the sewer received their due rights mentioned in the SRMS scheme. Not a single family was rehabilitated in alternative job, on the contrary; the deceased families have had to start engaging in manual scavenging as there was no alternate job available for their sustenance.**
3. The same goes for the pre-Matric scholarship also. **Not a single child of the families who are involved in this hazardous and demeaning practice have received the scholarship for their children.** As the pre Matric scholarship is demand driven, not a single state has raised their demand for the scholarship in the year 2014-15 to 2018. Same goes for the year 2015-16, 2016-17 and 2017-18 except for Gujarat in the year 2015-16 and Maharashtra in the year 2016-17.
  - ❑ The highest death rate of 37% was recorded in the age group of 15-25 followed by 35% and 23% in the age group of 25-35 and 35-45 respectively.
  - ❑ 67% of the total deceased were married. Valmiki, Arunthutiyar, Dom, Mehtar, Rukhi, Kumbhar, Matang, Meghwal, Chambar, Rai Sikh and Hela are the communities engaged in cleaning and sanitation related work in the different states covered by the research.
  - ❑ 94% of the families of the deceased belong to the Scheduled Caste category, 4% to the Other Backward Classes and 2% to the Scheduled Tribe.
  - ❑ Out of the 94% Scheduled Castes families of the deceased, 65% of the families' interviewed belong to the Valmiki caste, a group pushed to engage in sanitation and cleaning related work mostly in the northern parts of the country.
  - ❑ 49% of the deceased were found to have studied below the 10th standard whereas another 45% were uneducated.

Source: Rashtriya Garima Abhiyan

# Outrage Over Jack Dorsey Holding Smash Brahmanical Patriarchy Poster Shows Casteist Souls Can't Face Reality

The hegemony of one caste over all kinds of social spheres is the reality of India and one cannot deny it. And so is the fact that caste violence is directly proportional to gender violence.



By: Divya Kandukuri



A marked feature of Hindu society is its legal sanction for an extreme expression of social stratification in which women and the lower castes have been subjected to humiliating conditions of existence. Caste hierarchy and gender hierarchy are the organising principles of the Brahmanical social order.” - Uma Chakravathy wrote in *Conceptualising Brahmanical Patriarchy in Early India: Gender, Caste, Class and State*

“Smash Brahmanical Patriarchy” - this simple statement has recently made Twitter trolls and Brahmin *savarnas* go berserk on the micro-blogging site after its CEO Jack Dorsey appeared to endorse it in a photo-op during his recent visit to India. The man was trolled endlessly for a photograph in which he posed holding in his hands a placard with the aforementioned statement printed on it with many savarnas accusing him of spreading hate against a particular community. Many of his critics said that he could have smashed patriarchy in general and not Brahmanic patriarchy in particular. However, there are certain differences between the way both these terms are defined.

## Why is it 'Brahmanical' Patriarchy and not just Patriarchy?

In India, a country traditionally categorized and ruled on the basis of the Brahmanical social order, that is, caste system, gender violence cannot be looked at in isolation, nor can caste hierarchies be made invisible. Caste system is thriving/being safeguarded by

maintaining the 'purity' of blood through women's reproduction. It is also the very reason why Brahmin women's movement is restricted. Brahmanical patriarchy ensures that she does not get 'polluted' as she is the gateway /entrance of caste system.

The hegemony of one caste over all kinds of social spheres - from media, legislature, bureaucracy, judiciary to academia and civil societies - is the reality of India and one cannot deny it. And so is the fact that caste violence is directly proportional to gender violence i.e., the institutions of caste and gender are intertwined. Caste system can also be called as *Brahmanism*, denoting the supremacy of a Brahmin man, his role in caste system's functioning and sustenance.

Endogamy is the essence of Brahminism, meaning, marriage within same castes, where the decision of whom to marry is made by a Brahmin man. This is patriarchy with the intersection of caste prejudice. The same control and oppression can be seen in other significant aspects of caste system like - sexuality, division of labour along men and women but also along upper castes and lower castes, secondary status on women compared to men but the hierarchy of this secondary standards can be seen on caste lines too, in structured layers. All controlled by a Brahmin man - hence, Brahmanical patriarchy! And, when we question the oppression, we challenge the structures, the roots of it and the conceptual framework of it.

And now, some eye-openers for all of us: These days it seems the meaning of things, especially on social media, has been reversed.

## What is hate speech today?

Posts of marginalised women challenging the

oppressive social order is today defined as hate speech. Challenging the casteist trolls is hate speech. Speaking up against the injustice and violence that is induced on us is hate speech. Demanding social justice is also hate speech.



### What is not hate speech today?

Giving us rape threats, abusing us on our social media posts, celebrating the videos of lynching of Muslim and Dalit men on social media posts is not hate speech. Enjoying watching Dalit and Adivasi women getting stripped and paraded naked and beaten up and sharing them across for voyeuristic pleasure is not hate speech.

This whole outrage on Twitter for Jack Dorsey holding a simple poster which demands social justice is the sheer reflection of casteism that prevails in the veins and arteries of this country. For all of those who argue that caste doesn't exist in India anymore, this is the proof. Please reflect on this. We would be wrong if we think only Hindutva brigade is trolling Jack in the name of hate speech: so many progressive Brahmin liberals have also been deeply hurt as their fragile casteist souls failed to face the reality.

"I wish that these trolls were as incensed by the murder of 13-year-old Raja Lakshmi in Tamil Nadu, who was decapitated in front of her mother by her killer. When Savarna men face the same scale and frequency of gender based violence that Dalit Bahujan and Adivasi women and non-binary people face then we can talk," said Thenmozhi Soundararajan, a Dalit right activist and artist who designed this poster series.

Coming to the Twitter's legal head Vijaya Gadde's appalling tweet, which says, "I'm very sorry for this. It's not selective of our views. We took a private photo with a gift just given to us - we should have been more

**A marked feature of Hindu society is its legal sanction for an extreme expression of social stratification in which women and the lower castes have been subjected to humiliating conditions of existence. Caste hierarchy and gender hierarchy are the organising principles of the Brahmanical social order." - Uma Chakravathy wrote in *Conceptualising Brahmanical Patriarchy in Early India: Gender, Caste, Class and State***

thoughtful. Twitter strives to be an impartial platform for all. We failed to do that here & we must do better to serve our customers in India."

I am not surprised by it. Twitter has always been a very unsafe space for all of us, who demand social justice. Look at what happened to

@Dardediscourse's handle. She has been a leading voice talking against oppressive structures and got blocked by Twitter for more than 7-8 times as she's apparently 'disrupting their community standards'. I have never seen Twitter blocking men who gave us rape threats and said they will pull our intestines out.

The irony about this whole #JackInIndia series, is that, at every panel or meet that the company organised, only elite upper caste voices who think they represent all women and all communities, have been invited to be a part of discussions on making Twitter a

safe space. Safe space for whom? And from whom? Even in the photo that is going viral now, you will see many Brahmin *savarna* women and only one Dalit woman who has been invited as a token.

"It doesn't make sense for having me just as one token, but I made some strong points regarding improving the platform, but the poster was not discussed," says Sanghapali Aruna from Project Mukti who made a subversive move by taking the poster to the meet and handing it over to Jack.

Indian feminist movement and society is the example of why we need intersectionality here. One cannot end gender oppression without ending caste oppression. One cannot smash patriarchy without the annihilation of caste. Till then, let's Smash Brahmanical Patriarchy!

*Divya Kandukuri is a Freelance Journalist whose work focuses on the intersections of Caste, Gender and Mental Health.*



# Human Rights Defender Henri Tiphagne Selected to Win Civil Liberties Award



**Tiphagne, the founder of the human rights organisation People's Watch said, The award is a boost for continuing the fight for dissent, democracy and human rights not only in the courts of law, but also on the streets.**

The founder and executive director of Madurai-based human rights organisation People's Watch, Henri Tiphagne, has been selected under the individuals category for the Nani A. Palkhiwala Award for Civil Liberties this year.

Tiphagne told The Hindu that the award cannot be seen as a recognition of his individual efforts, but for the collective work in defending human rights he had been part of with like-minded activists and victims of human rights abuse over the years.

The selection was made by a panel of judges comprising retired Supreme Court judges Sujata Manohar and S. N. Variava and Sudha N. Murthy, the chairperson of the Infosys Foundation. The award carries a cash prize of Rs 2.5 lakh and a citation.

Saying that he was incredibly humbled to have been chosen at a time when India is tangled in several fights to preserve democracy and the right to dissent, he said, The award is also a boost for continuing the fight for dissent, democracy and human rights not only in the courts of law, but also on the streets.

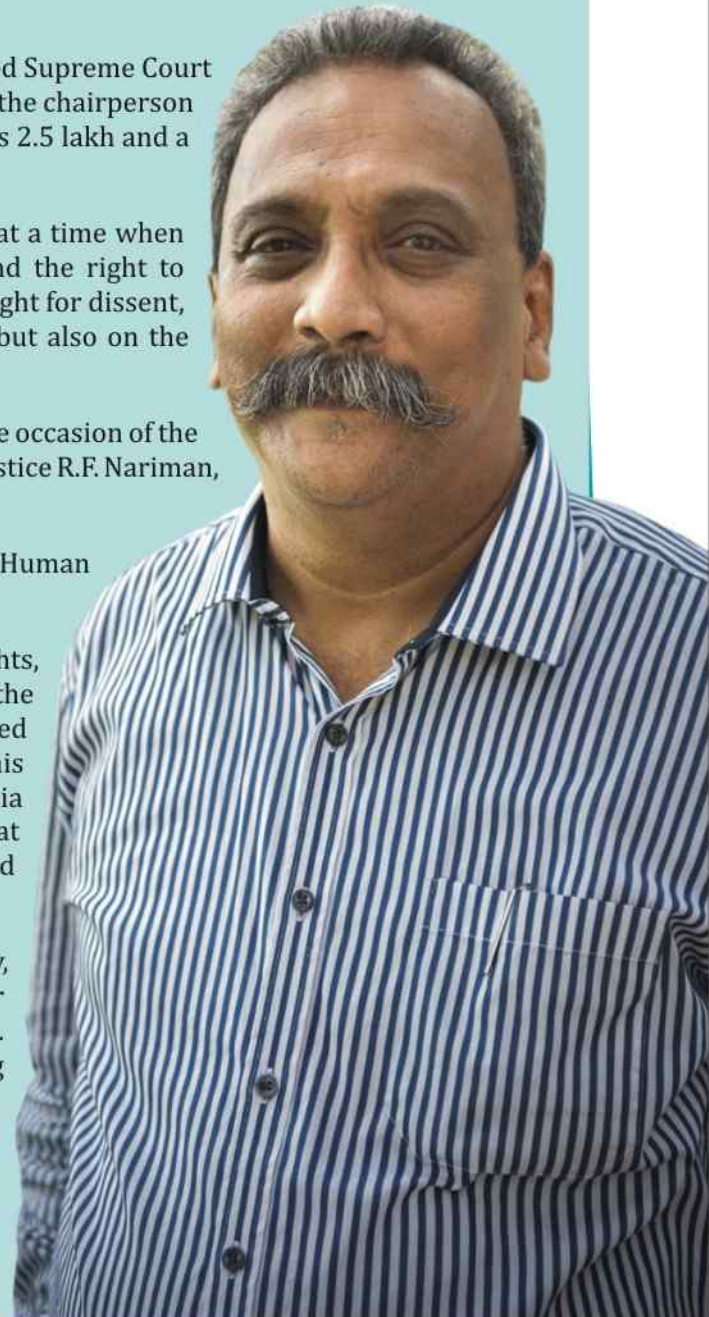
According to a press release, the award will be presented on the occasion of the 16th Nani A. Palkhiwala Memorial Lecture to be delivered by Justice R.F. Nariman, Judge, Supreme Court of India, on December 15 in Mumbai.

Tiphagne has previously received the Amnesty International's Human Rights Award in the year 2016.

In a 2014 interview with International Service for Human Rights, Tiphagne spoke about how he was initially inspired to join the fight against human rights violations - by his mother who worked to combat leprosy in India for almost 60 years and by his engagement with the student movement known as the All India Catholic University Federation. He eventually started working at the grassroots level, engaging in relief operations in a flood affected area in Tamil Nadu.

In spite of our vibrant constitution and our vigilant judiciary, which most often is willing to stand on our side, we find that our right to assemble, to protest, to show dissent is being violated. Social protest in this country is gradually becoming criminalised. For instance, even the mobilisation of affected communities in a continuous non-violent assembly may be rendered a criminal activity by the State and there are instances where cases of sedition are filed against the organisers.

*Source: The wire*





## UN CEDAW committee voices concern over difficulties faced by Dalit women in Nepal

**UN experts on gender discrimination voiced concerns over the difficulties elected Dalit women face in Nepal, the need for proportional inclusion of Dalit women in the Judiciary, and extreme poverty faced by many Dalit women as a result of discrimination and stigmatization. The comments were made by the CEDAW committee members at the review of the 6th periodic report of Nepal, on 23 October 2018.**

The Feminist Dalit Organization of Nepal (FEDO Nepal) and IDSN presented a joint civil society report, denouncing a number of instances of discrimination against Dalit women, such as the very low representation level in government, the lack of specific legislation on multiple forms of discrimination, like gender and caste, stereotyping, and cultural prejudices against Dalit women.

Civil society was represented by over 60 organizations for the review. FEDO Nepal was represented by Durga Sob, Kala Swarnaka, Renu Sijapati, Shanti Paswan and Upashana Pradhan who formed part of the IDSN delegation at the review.

During the briefing with civil society organizations, Durga Sob, founding president of FEDO Nepal, delivered a statement to the committee members, denouncing the low level of Dalit women in government and parliament.

She stressed that "on higher level posts of Deputy /vice chair, only 16 Dalit women have seats among 753 women or only 2%" of the total amount of women. She also stated that "those women in higher posts continue to undergo discrimination and humiliation from so-called upper caste, therefore finding it difficult to address the need of their fellow Dalits in general and Dalit women in particular".

Durga Sob also told the story of Buddhimaya Vishwakarma, a Dalit woman who was beaten by members of upper-castes while fetching water in her village. Even though Buddhimaya obtained judicial redress for the violation suffered, she still continued to suffer humiliation in her village, leading to a severe state of emotional harm and considerable financial losses in order to maintain her family.

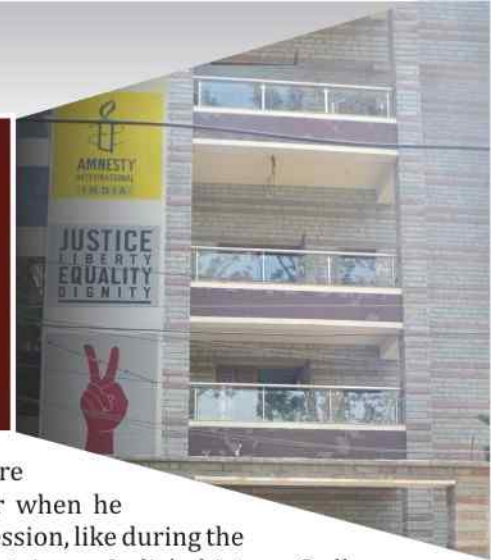
During the dialogue with the government, the Committee experts inquired of the Government on the enactment of a comprehensive legal definition of gender and its intersectional forms, which affects Dalit women. The Committee also voiced concern on the difficulties elected Dalit women face in order to represent their interests, mostly due to lack of capacity to perform the relevant duties or to discrimination and stereotypes regarding their place. The experts also underlined the need for proportional inclusion of Dalit women in the Judiciary. Moreover, the experts inquired the government on the measures taken to remove Dalit and rural women, and other vulnerable groups, from extreme poverty, in which 25% of the population remains.

The CEDAW Committee comprises a group of 18 experts on women's rights that monitor the implementation of the CEDAW convention. At the end of the current 71st session, the experts will meet in private and issue its concluding observations, on the basis of the reports received from civil society, government and other stakeholders, in order to formulate recommendations to the Nepalese government for the implementation of the CEDAW domestically. Once the concluding observations are released - IDSN will post an article on these also.

*Source: IDSN*



# Government treating human rights organisations like criminal enterprises: Amnesty



Amnesty International India said the Union government is treating human rights organisations like criminal enterprises in the wake of searches by the Enforcement Directorate at its premises.

The ED conducted searches at two locations of the rights watchdog in connection with a foreign exchange contravention case.

"Government authorities are increasingly treating human rights organisations like criminal enterprises," Amnesty International India executive director Aakar Patel said in a statement.

The searches were in connection with alleged violation of foreign direct investment norms that is linked to an earlier case of revocation of FCRA license of the NGO by the Union Home Ministry in 2010.

"As an organisation committed to the rule of law, our operations in India have always conformed to our national regulations. The principles of transparency and accountability are at the heart of our work," Patel said.

The focus of ED's questioning was the relationship between two entities - Amnesty International India Pvt Ltd and Amnesty International India Foundation, it said.

Most of the documents asked for during the search were available in the public domain or were already filed with the relevant authorities, the watchdog said.

Details of Amnesty India's current structure, which was the focus of much of the questioning, have been available on its website since 2014, the statement said.

However, ahead of the raids, the Indian authorities leaked a cache of their internal documents marked "secret" that appear to cast Amnesty India's operations as a dark web of intrigue, the statement said.

"Our work in India, as elsewhere, is to uphold and fight for universal human rights. These are the same values that are enshrined in the Indian Constitution and flow from a long and rich Indian tradition of pluralism, tolerance and dissent," Patel said.

"We could not agree more with the Prime Minister when he says that periods of repression, like during the Emergency, have left a stain on India's history. Sadly, those dark days are now casting a shadow over India again.

"Instead of protecting human rights, as it vowed to do, the government is now targeting the people who fight for them," Patel said.

Over 40 lakh Indians have supported Amnesty India's work over the last six years and around one lakh Indians have made a financial contribution, he said.

Amnesty India said its bank accounts have been frozen by the Enforcement Directorate, effectively stopping its work and it is the latest target of the governments assault on civil society in the country.

The accounts of Greenpeace India were frozen earlier this month, it added.

Around 1.30 pm on October 25, a group of officers from ED entered the premises and locked the gates behind them, the statement said, adding that they ordered Amnesty India staff to remain in office, shut their laptops, and not use their mobile phones.

Earlier, in a series of tweets, Amnesty India said its structure is compliant with Indian laws and ED raid showed a disturbing pattern of government silencing organisations that question power and also wants to instill fear among civil society organisations.

"...We reiterate, our structure is compliant with Indian laws," Amnesty India said in a tweet.

"ED raid on Amnesty India shows a disturbing pattern of the government silencing organisations that question power and it is clear that the government wants to instill fear among Civil Society Organisations," it said.

The watchdog also said the 10-hour long raid conducted at its office ended midnight and the staff had fully cooperated with officials.

*Source: Times of India*

# Politicians don't treat Dalits as humans but only as vote banks: Suraj Yengde

He said since Independence, caste has been central to the formation of India's republic, adding that the first five cabinets of the central governments had no Adivasi leader in it.

A class 10 Dalit student in Agra was attacked by two motorcycle-borne men on December 19. They poured petrol on her and set her ablaze. Doctors at a local hospital referred her to Delhi's Safdarjung Hospital. A day later, she succumbed to her injuries.

Speaking on issues faced by Dalits during a session at the India Today Conclave South on December 21, Suraj Yengde, an Ambedkarite PhD fellow at Harvard University, recalled the incident from Agra.

He said this is not an isolated case and similar atrocities have been regularly committed on Dalits across the country.

"In India, caste has become a mechanism to endorse one's superiority. When someone challenges this superiority, the person receives a violent death," Yengde said.

He said that since Independence, caste has been central to the formation of India's republic.

"The first five cabinets of the central governments had no Adivasi leader in it. This is the casteism that we have inherited," he said.

The session- The Rage Within: Where is Ambedkar's Ethos?-also included BJP leader Krishna Sagar Rao and former Union minister MM Pallam Raju speaking.

**"Every five days a Dalit dies cleaning a sewer. We are asking human beings to clean toilets. The entire Dalit humanity has been ignored. No one looks them as humans. Political parties treat them as vote banks."**



When asked whether Dalits are more empowered today than they were at any time in the past, Rao and Raju said the condition of Dalits has "definitely" improved since independence.

"All governments in the past - be it that of the Congress, BJP or Janata Party - have done everything that was possible to ensure that rights of Dalits were protected. Measures have been taken for their empowerment. Policies like affirmative action (reservation) or protection from atrocities etc have been taken," Rao said.

He further said that reporting of Dalit atrocities is not accurate. "It is possible that such cases have been over-reported and it is possible that these cases are under-reported."

Responding to the question on the present condition of Dalits, Yengde said, "Every five days a Dalit dies cleaning a sewer. We are asking human beings to clean toilets. The entire Dalit humanity has been ignored. No one looks them as humans. Political parties treat them as vote banks."

Senior Congress leader and former Union minister Pallam Raju indicated that past government have tried to take corrective measures to reduce atrocities against Dalits. "The reality is that we live in different layers. There are parts where manual scavenging happens and atrocities occur.

*Source: India Today*

# Punjab province announces plan to protect religious minorities

A Pakistani official announced this week a new “Minorities Empowerment Package” and the creation of a task force to ensure the rights of religious minorities in the province of Punjab.

Punjab Minister for Human Rights and Minority Affairs Ijaz Augustine said the package will include new legislation and implement existing laws to assist religious minority communities.

A newly formed task force will be composed of professionals in human rights, law and academics from a variety of religious communities, with the purpose of monitoring the implementation of human rights policies.

Augustine made the announcement at the Alhamra Arts Council with the Christian Care Foundation, coinciding with Human Rights Day on Dec. 10. The ceremony included the distribution of certificates for activists and employees of the human rights department.

The empowerment package will implement religious minority quotas in jobs, education and housing. It also looks to establish a sentence remission system and skill development trainings. The money will be taken from a Minority Development Fund worth more than \$3 million.

“We are also focusing on skills development and have kept aside Rs.25 million (nearly \$180,000) for scholarships. We are also working on development and housing schemes specifically for the minority community,” said Augustine.



The minister said an action plan, drafted by the provincial Task Force on Human Rights, will aim to carry out the goals of the Punjab Human Rights Policy 2018.

“We have also established a web-based Complaint Management System designed by the Punjab Information Technology Board for effective communication and resolution of human rights issues,” he said.

A commission to oversee equality of religious freedom has been called for in the past. The Pakistani Supreme Court ordered the creation of a National Council for Minorities in 2014, but it was subsequently ignored by past governments.

The Pakistani constitution affirms Islam as the state religion, but articles in the document prohibit discrimination and aim to protect religious freedom of minorities.

*Source: CNA*



**A Pakistani official announced this week a new “Minorities Empowerment Package” and the creation of a task force to ensure the rights of religious minorities in the province of Punjab. Punjab Minister for Human Rights and Minority Affairs Ijaz Augustine said the package will include new legislation and implement existing laws to assist religious minority communities.**

# We do not touch them': Shocking caste discrimination in Karnataka district, finds new study



In March 2017, when members of the Madiga community of Haranagiri village in Karnataka demanded that they be allowed to enter barber shops and pay to get a haircut, the owners of all the three barber shops in the village shut down their outlets. The barbers now visit the homes of people belonging to other communities to serve them. They refuse to serve the Madigas.

"We travel nearly 19 km to Ranebennur city to cut our hair," said H Lakshmappa, 44, one of the 515 Madigas living in the village.

Madiga is a term used in Karnataka for more than 50 Dalit sub-castes who have been treated as untouchables for centuries.

Haranagiri village lies in Ranebennur taluk of North Karnataka's Haveri district. It is among 87 villages in the taluk in which a Dalit rights organisation called the Swabhimani Dalit Shakti conducted an extensive study over three years, starting 2016. Every single Madiga family in the 87 villages was interviewed - 4,076 families in all. They were asked about their social, economic and educational status, as well as if they were able to own land, find work and access public services. They were also asked about untouchability.

The findings were startling.

Six decades after untouchability was officially abolished in India, the study found that Madigas are not allowed to fetch water from public taps in 20 of the 87 villages surveyed. They are not allowed into the village temple in 72 villages. The two-glass system prevailed in tea shops in 57 villages - this means that Madigas were not served tea in the steel tumblers that caste Hindus drank from, but in separate glasses or mugs.

In Nandihalli village, a dirty plastic mug hung in a corner of a tea shop. When asked if it was used to serve tea to Dalits, shop owner Ganesh, who belongs to the dominant Lingayat community, denied it. But he did not hide his views about members of the Madiga community. "We do not touch them [Madigas]," he said. "We never allow them into our homes, nor our temples. They worship from outside."

Caste-based discrimination also means the Madigas are forced to perform degrading caste duties in 86 villages surveyed. They have to clear the carcasses of dead cattle, offer their labour for free during occasions like marriages,

walk around the village making announcements when someone dies, and clean the households of the dominant castes without any wages.

H Lakshmappa's forefathers served six houses of the Lingayats and Kurubas, the dominant castes in Haranagiri village. Even today, when cattle die in these homes, he is called to clear the carcass. There is no question of refusing to come. They will force us to come even if we refuse, he said. If I am not present, I have to ensure that my brothers or relatives are there to do that work. As if showing mercy, they give us Rs 100 or Rs 200.

Even 70 years after Independence, the majority of the Madiga population has not received any benefits. survey organisation SDS documented every Madiga family in the taluk to show there has not been any change in their status. they have recorded meticulous details of every family to give to the government with the hope that they will address the issues that continue to be ignored."

It took over two-and-a-half years for the organising committee to complete the interviews, which document the socio-economic condition of these families and the forms of caste discrimination they face. The testimonies run up to 2,580 pages.

A consolidated 360-page report titled A Study on Social Justice System in Ranebennur taluk based on the study was released.

The study found that the government has failed to improve the economic condition of the Madigas. Nearly 66% of Madiga families live below the poverty line, 42% do not own any land, and those who do, own very small parcels. Only 0.58% of Madigas own land measuring five acres and above, and 0.1% own eight acres of land.

In Nadiharalalli village, the homes of 61 Madiga families have no piped water connections, no underground drainage and no asphalted road leading to their houses.

The land on which their homes stand was given to them by the government, which had purchased it from the land-owning Lingayat community some 40 years ago. Though the home owners possess the title deeds (pattas), around 20 years ago, the descendants of the original landowners laid claim to the land and moved court. Since then, the residents of this colony have not been allowed to carry out repair work on their homes or even build toilets.

*Source: Scroll.in*

# 'What happened to me can happen to anyone'

**'I cannot conceive of any reason than my unsparing criticism of government policies that the government picked me to send a message to many who dare to take it on.'**



Author and scholar Professor **Anand Teltumbde** is one of the activists charged with sedition in the Bhima-Koregaon violence case.

Professor Teltumbde's home in Goa was raided by the Pune police even though he did not even attend the event at Elgar Parishad on December 31, 2017.

Several academics and public intellectuals are demanding that the case against Professor Teltumbde be quashed.

The police, however, claims to have 'incriminating evidence' against Professor Teltumbde, but he terms the claim as "hilarious".

"I have already listed out all the evidence that they produced in their affidavit before the high court. The court had specifically asked them to say all that they had to say against me and that is what they submitted. If one has to fabricate, there is no end to do that," Professor Teltumbde, *below*, tells [Rediff.com](http://Rediff.com)'s **Syed Fridaus Ashraf** in an e-mail interview.

**One wonders why a scholar of your repute, the author of books like *Republic of Caste*, and a management teacher in Goa, was linked to the Bhima-Koregaon violence case. More surprisingly, you are accused of planning to assassinate the prime minister.**

Fortunately, they have not implicated me in the charge of assassination, etc. It was a surprise to me too when I learnt from the director of my institute on August 28 that the Pune police raided my institute campus and were looking for me.

Later, he called me and informed that before he reached the campus, they had opened our house. When my colleagues questioned them about a warrant, they were rudely dismissed.

It was only on August 31, when Additional Director

General of Police Paramjit Singh, *inter alia*, read out a letter purportedly recovered from one of the accused person's computer, and addressed to 'Com Anand' by someone, that I sensed what kind of charge they were levelling against me.

Obviously, it was a low intellect job and reflected that they thought I was some small-time lecturer in some college. The letter spoke of a meeting in Paris. It was actually an academic conference organised by the American University of Paris.

It claimed that the Maoist party paid money to organisers to invite me there. Even a third class university in India will not have such deals. It picked up names from the Web site, and said that Professor Etienne Balibar, one of the greatest living Marxist scholars, is arranged to interview me (*sic*).

The names of Professors Shailaja Paik and Anupama Rao with prefix 'com' were also mentioned saying they will invite me to their universities as guest lecturers.

The poor scriptwriter did not know that I have been a CEO who travelled abroad half a dozen times every year; as a scholar I attended dozens of international conferences to chair sessions, to deliver key notes; as a scholar of caste-class movements, I have been invited by every notable university in the world, but it has not been possible for me to accept them.

The climax of this episode is the angry reactions of the organiser and the complaint by the provost of the university to the French embassy against these canards by the Indian police, Professor Balibar's furious reaction and complaint to the French embassy.

This is enough to conclusively prove that all the 'letters' were fabricated and fake as experts like the executive director of the Institute of Conflict Management, publicly concluded.

I rather wanted to file a defamation suit against Paramjit

Singh for defaming me and wrote a letter to the Maharashtra government for permission as per the procedure, but there is no response till today.

The other letters are perhaps more hilarious. One written to someone by someone, in which reference comes that I would coordinate the activities of the Ambedkar Periyar Study Circle. This has been refuted by a letter by the founding students when they learnt of it in newspapers.

I was then a professor of business management at Indian Institute of Technology-Kharagpur. If I had such a desire and prowess to organise students, I could try it in my own IIT and not go for the farthest IIT, more than 2,000 km away.

The second letter similarly written by someone to someone in which a reference is made to me (*Anand is coolly taken as me!*) praising that I made a good suggestion in the Anuradha Ghandy Memorial Committee. Now, this trust and committee existed for almost a decade as a registered trust, with its PAN, and bank account.

But the police would project it as Maoist since Anuradha Ghandy was a CC (*central committee*) member of the Maoist party (as though she was born as such) and mislead the court.

The third letter again written by someone to someone had a reference to me (*Anand*) that I coordinated fact finding into Gadchiroli encounters.

As a CPDR (*Committee for the Protection of Democratic Rights*) general secretary I should have done that, but, as a matter of fact, being physically at a distant place, initially at Kharagpur and then Goa, I could not even attend the CPDR meetings, leave alone coordinate its activities or events.

The last one is a scribbling wherein five-six names and some figures are given and one of the lines says 'Anand T 90T Surendra (through Milind)'. It is interpreted by the police as I have been paid Rs 90,000. I am told that such scribbling is not acceptable as evidence.

But beyond legality, it is ridiculous that someone will pay me such an amount. This kind of amount I paid as monthly income tax for years.

These are all the charges at least the police produced in their affidavit to the high court.

I cannot conceive of any reason than my unsparing criticism of government policies that the government picked me to send a message to many who dare to take it on.



But they have clearly misconceived the plot.

After all, how would the police know what IIM (*Indian Institute of Management*) Ahmedabad is, what it takes to become a CEO of a holding company, what it takes to get a rare PhD in cybernetics and being honoured by a university with honorary DLitt, what it means to being invited by IITs, and GIMs.

**There is a petition in your favour on [petition.org](http://petition.org). Is that helping you in any way?**

In a democracy, the system is expected to be sensitive to public opinion. Unfortunately, that has never been the forte of India.

When my story leaked to people, they were outraged. Generally, people would not know such things. But when they learnt the truth, they were outraged. And this outrage is all over the globe.

Signature campaigns are the usual mode of expressing your outrage. The entire social media is replete with reactions.

At least my mission has been to help people understand the environment they lived in. My story is doing that in a more effective way.

The political repercussions of it perhaps may be seen in the 2019 elections when the middle classes, which tends to be enamoured with the Bharatiya Janata Party, may think twice.

Because what happened to me can happen to anyone of them. I received mails from many such strangers saying that they were supporters of the BJP, but now they were angry.

You have been trying to get this case quashed since August, but the Pune police claims they found incriminating evidence against you while raiding the homes of other accused.

**Can you clarify whether your name really came up in investigations or is the police just making up a**



story?

I have already listed out all the evidence that they produced in their affidavit before the high court.

The court had specifically asked them to say all that they had to say against me and that is what they submitted.

If one has to fabricate, there is no end to do that.

**As an intellectual do you feel this is not what Dr Babasaheb Ambedkar envisioned when he framed the Constitution, that anyone can be charged with such dangerous acts like the Unlawful Activities (Prevention) Act?**

Babasaheb Ambedkar did say in the Rajya Sabha that the demons occupied the temple (*Constitution*) that the Constituent Assembly be built before the gods could be installed.

And hence he had said that he would be the first person to burn it out.

If he had been alive, he would have been charged under sedition and probably UAPA because he was planning (or conspiring) to destabilise the government by creating a strong Opposition party.

**You were invited to the Bhima-Koregaon event by Justice P B Sawant and Justice B G Kolse-Patil. Is that the only 'crime' of yours, even though you did not attend the event?**

I was invited by someone from Justice Sawant's home and thereafter personally by Justice Kolse-Patil for the initial meeting as they did to all the progressive people in Maharashtra.

When I regretted due to academic pressure, he wanted me to be associated with it as a convener which I happily accepted.

I did not know whatever transpired until much later. I knew they formed an organising committee of 250-odd organisations, planned a big event on December 31, 2017, as Elgar Parishad, and coined a slogan to bury the 'new Peshwai', a metaphor for BJP rule.

I then learnt that they propagated that the Bhima-Koregaon battle was won by Mahar soldiers to avenge their casteist oppression by the Peshwas.

I was uncomfortable with it because I thought that instead of building a broader unity of people sans caste, it might create identitarian consciousness in people.

We had to go to Pune to attend a marriage of my friend's son (*who lives in Switzerland*) on December 31. If I was involved in any manner, I would have certainly stayed on

for the conference, but we returned just after meeting our relations -- Anjali Ambedkar and Sujat Ambedkar -- at around 1 pm.

These are the hard facts. As a matter of fact, I did not know what transpired in Elgar the Parishad and even on January 1, 2018, when the Dalits were attacked, until that afternoon as could be seen from the correspondence between (*journalist*) Siddharth Varadrajan and me in relation to the article he published on *The Wire* on January 2.

It provoked Dalits to harshly react against me. Is that the behaviour of one in business to provoke Dalits or the organiser of the Elgar Parishad?

**Has it become a norm that as you speak about Dalits rights, you have become a Maoist for the State?**

Surely, that appears to be the case. In the wake of Khairlanji protests, a similar insinuation was made that all those spontaneous protests were Maoist sponsored.

It is repeating on a bigger scale in the BJP regime.

Tushar Damgude, who filed the FIR in the Bhima-Koregaon case, alleges that Marxist intellectuals want to bring a 'caste war' in India and destabilise the country as the class war could not succeed.

Who is a Marxist intellectual? Like they say liberal in the US means Marxist; anyone speaking of people's rights becomes a Marxist.

Am I a Marxist? Ask Marxists, they would say I am an Ambedkarite.

Ask Ambedkarites, some of them may say I am a Marxist.

If they ask me, I have publicly answered it repeatedly, written in my books, that I am not any 'ist'. I explained rather how it is detrimental in present times to have these identities.

It is not to say that I do not respect Babasaheb Ambedkar or Karl Marx and many such greats who stood on the side of the people.

But even they had to work in the context of their time and space. Those parameters earlier were fairly constant.

Today, with the rapid pace of change, they become largely invalidated after a decade or two. It is in this context that we cannot just follow any past isms simply because the contexts are changed.

It is sheer intellectual lethargy that we keep speaking of such things.

# Brahmans seek police protection at temples day after Dalits enter Hanuman shrine

A day after Dalits staked claim to a Hanuman temple in Muzaffarnagar, members of the Brahman community sought police protection at all temples in Muzaffarnagar. Later in the day, police registered a case against 25 unidentified people in the city.

Anil Kappawan, station house officer of City police station, said, "A case has been registered against 20 to 25 people under sections 352 (Punishment for assault or criminal force otherwise than on grave provocation), 296 (Disturbing religious assembly), 506 (Punishment for criminal intimidation) of the IPC. Further investigation is on in the case."

Dozens of people, including priests, reached Muzaffarnagar police station and demanded that cops be deployed at temples in the district. A heavy police force had been deployed the Hanuman temple to prevent any untoward incident.

Umadutt Sharma, one of the Brahmans seeking police protection, said, "We have approached the district administration and police to seek ample security around temples. If police are unable to provide protection, we will make security arrangements ourselves."

Deputy superintendent of police (city) Harish Bhaduria said, "We will provide security to anyone who needs it."

Scores of Dalits had entered the Hanuman temple and put up posters on it that read "Dalit Hanuman Mandir". Police later whisked away the group, led by Dalit Kranti Dal president Deepak Gambhir. "We are following our



**After this statement Bhim Army chief Chandrashekhar Azad had urged members of the community to take over all Hanuman temples in the country and appoint Dalits as priests there. Bahraich BJP MP Savitri Bai Phule joined the row by claiming that Hanuman was "a Dalit and a slave of 'manuwadi' people".**



chief minister's advice. Now, we will go to other Hanuman temples to worship in coming days," Gambhir said.

Last week, CM Yogi Adityanath, who was campaigning for BJP, had said in Alwar: "Bajrang Bali was a tribal, a forest dweller, a Dalit and was deprived. He worked to connect all Indian communities together, from north

to south and east to west."

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joined the row by claiming that Hanuman was "a Dalit and a slave of 'manuwadi' people".

The group went into the temple with one of them assumed the role of a priest and offering prayers. After that, the protestors also put up a banner of 'Dalit Hanuman Mandir, Hanuman Chowk, Muzaffarnagar' in front of it.

*Source: Times of India*