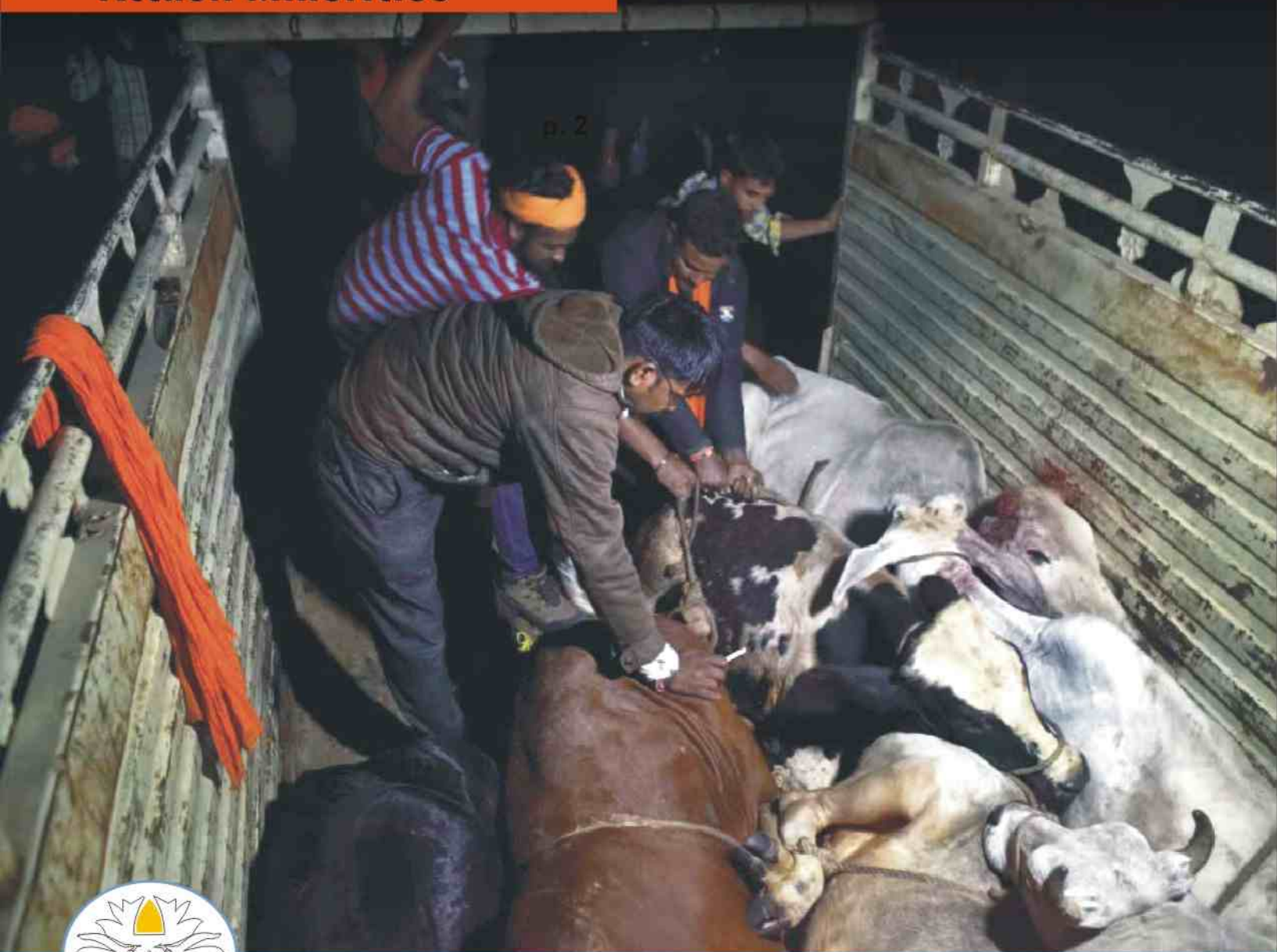


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Voice of Minorities & Oppressed People in South Asian Societies

## India: Vigilante 'Cow Protection' Groups Attack Minorities



**Sir Ganga Ram Heritage Foundation** [www.sgrhf.org.pk](http://www.sgrhf.org.pk)

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## Editorial

Most of the Hindu majority consider cow sacred and bans its slaughtering, this thought has spread rapidly all over the country. Their victims are largely Muslims, Dalit and Advasi. Ever since BJP has come into power they have increasingly used communal rhetoric that has incited a violent vigilante campaign against those who are engaged in cattle trade and beef consumption..Since May 2015 to December 2018 at least ,44 people including 36 Muslims were killed across the Indian states. The attacks have been led by so called cow protection groups who claims themselves to be affiliated with militant groups who have ties with BJP. There is a link between cow protection groups and Hindu national political movement and the failure of local authorities to enforce constitutional and International human rights to protect vulnerable minorities. Cow protection call is a way to attract Hindu votes but it has given mobs free access to attack and kill minority group members The Indian government should prevent and prosecute mob violence by vigilante groups who are targeting minorities in the name of so called cow protection and protecting culprits. The BJP ruled states have banned attacks blaming victims and adopted strict laws which harms minority communities. The tragedy is that police instead of investigating and arresting suspects are filing complaints against victims, their families and witnesses under the law that ban cow slaughtering. Under political pressure they have to sympathize with cow protectors, do weak investigations and let them go., so these vigilantes have political shelter and help. Police is impeding investigations and even play a complicit role in the killing and cover ups. In July 2018 Indian Supreme court issued a series of directives for preventive, remedial and punitive measures to address lynching, the term used in India for killing a mob. Court ordered all state government to appoint a senior police officer in every district to prevent mob violence. Court also recommended to create victim compensation system. Supreme court condemned violent attacks by the cow protectors. Human Rights Watch calls upon the government to enforce Supreme Court's directives, ensure proper investigations to identify and prosecute wrongdoers regardless of their political connections and should probe to end communal attacks on Muslims, Dalits and other minorities. The strict policies of BJP has disrupted India's cattle trade, rural agriculture economy, leather and meat export. The impact of the attacks and government response is hurting communities including Hindus whose livelihood are linked to livestock including farms, herders, cattle transporters, meat traders and leather works. State and national officials should follow Supreme Court's directives against mob killing and fulfill their Human rights obligations.

Editor



# Dalit communities in Kalikot still face discrimination, torture in the name of caste system

Chan Bista and his brother Narendra Bista from Kotbada in Naraharinath Rural Municipality, Kalikot, attacked Dilli Kami, a 57-year-old Dalit man, citing that he failed to come to their house for work last week. They knocked his tooth out and hit him on his chest, eyes and legs, all the while they hurled racist epithets at him. Police have arrested the Bista brothers but Dilli says he is being pressured by the villagers to withdraw the charge.

Dilli is just a case in point. Dalit communities are still discriminated in Kalikot. They are compelled to face torture in the name of upper and lower caste system till date. "The so-called upper caste people treat us like animals," said Dilli, who also works as a mason in the village. "People from the higher class often beat us even when we have not made any mistake. We cannot argue with them."

In November 2011, Manbire Sunar of Maidhara in Jubitha was beaten to death for allegedly touching the hearth of an upper class family. The same year, Sete Damai, another Dalit man, was also killed by the so-called upper caste people. On June 2, 2018, Mana Sarki of Lalu in Naraharinath-9 was killed for having an affair with a man from the upper-caste.

Dalit rights activist Bale

Bishwokarma said the majority of the cases related to caste-based discrimination are settled outside the court.

"People from the so-called upper caste are backed by political parties. They often enjoy impunity," Bale claimed.

Discrimination still runs deep between Dalit and non-Dalit people in rural areas even though the constitution clearly states that caste-based discrimination is a punishable offence. "Villagers usually settle such cases

at the local level and the perpetrators usually walk away with a minor punishment," said Birsha Singh Bishwokarma, the ward chairman of Khadachakra Municipality-2.

Nearly 30 percent of Kalikot's population is Dalit. Chairman of the Kalikot Bar Association Damanraj Bam said that political parties and their sister organisations are only raising the issues of caste-based discrimination for political gains.

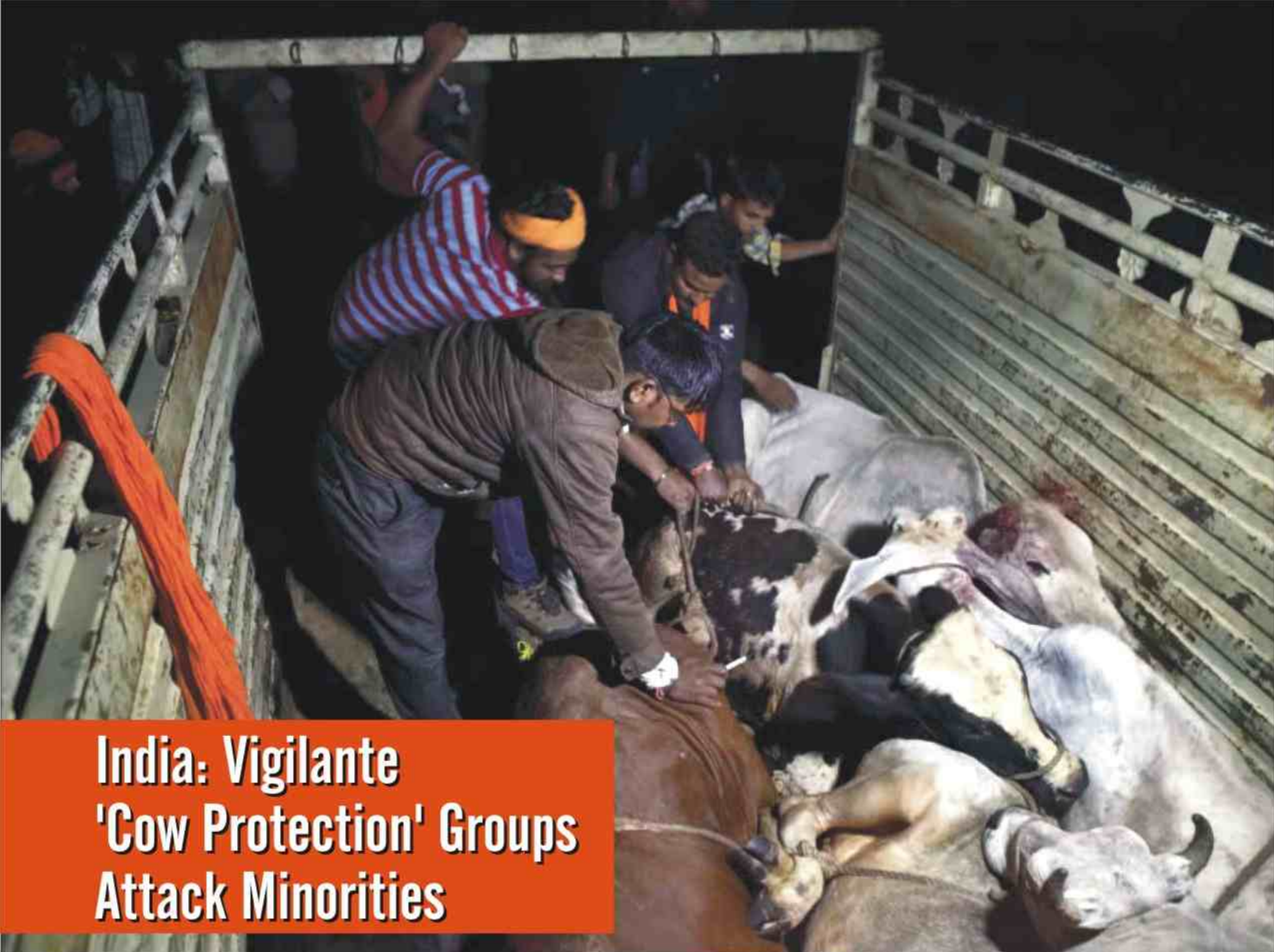
"There's a need of a concrete political action to end such inhumane practice. The entire community should collaborate to fight against caste-based discrimination," said Bam.

*Source: Kahtmandu Post*



**"The so-called upper caste people treat us like animals," said Dilli, who also works as a mason in the village. "People from the higher class often beat us even when we have not made any mistake. We cannot argue with them."**





## India: Vigilante 'Cow Protection' Groups Attack Minorities

Authorities Should End Communal Rhetoric, Prosecute Assailants

The Indian government should prevent and prosecute mob violence by vigilante groups targeting minorities in the name of so-called cow protection, Human Rights Watch said in a report released 19 February 2019.

The 104-page report, "Violent Cow Protection in India: Vigilante Groups Attack Minorities," describes the use of communal rhetoric by members of the ruling Bharatiya Janata Party (BJP) to spur a violent vigilante campaign against consumption of beef and those engaged in the cattle trade. Between May 2015 and December 2018, at least 44 people - including 36 Muslims - were killed in such attacks. Police often stalled prosecutions of the attackers, while several BJP politicians publicly justified the attacks.

"Calls for cow protection may have started out as a way to attract Hindu votes, but it has transformed into a free

pass for mobs to violently attack and kill minority group members," said Meenakshi Ganguly, South Asia director at Human Rights Watch. "Indian authorities should stop egging on or justifying these attacks, blaming victims or protecting the culprits."

The report details 11 cases that resulted in the deaths of 14 people, and the government response, in four Indian states - Haryana, Uttar Pradesh, Rajasthan, and Jharkhand - selected because of their large numbers of reported mob attacks.

In one case in 2016, a vigilante group beat to death a Muslim cattle trader and a 12-year-old boy traveling to an animal fair in Jharkhand. Their badly bruised bodies were found hanging from a tree with their hands tied behind them. The boy's father witnessed the attack, hiding in some bushes: "If I stepped out, they would have killed me, too. My son was screaming for help, but I was so scared that I hid."



Many Hindus consider cows sacred and most Indian states ban slaughtering cows. But in recent years, several BJP-ruled states have adopted stricter laws and policies that disproportionately harm minority communities. In February 2019, the government announced a national commission for cow protection.

These policies and the vigilante attacks have disrupted India's cattle trade and the rural agricultural economy, as well as leather and meat export industries that are linked to farming and dairy sectors, Human Rights Watch said. The attacks, often by groups claiming links to militant outfits linked to the BJP, largely target Muslim, Dalit (formerly known as "untouchables") or Adivasi (indigenous) communities. The inadequate response from the authorities to these attacks is hurting communities, including Hindus, whose livelihoods are linked to livestock, including farmers, herders, cattle transporters, meat traders and leather workers, Human Rights Watch said.

In almost all of the cases documented, the police initially stalled investigations, ignored procedures or were even complicit in the killings and cover-ups. "Police face political pressure to sympathize with cow protectors and do a weak investigation and let them go free," said a retired senior police officer in Rajasthan. "These vigilantes get political shelter and help."

In several cases, political leaders of Hindu nationalist groups, including elected BJP officials, defended the assaults. In December, an angry mob set fire to a police station and burned several vehicles in Bulandshahr in Uttar Pradesh after villagers found some animal carcasses that they said came from slaughtered cows. Two people, including a police officer who confronted the mob, were killed. Instead of condemning the violence, the chief minister described the incident as an "accident," and then warned that, "Illegal slaughtering and not just cow slaughter, is banned in the entire state." A senior police official said investigators were determined to prosecute those involved in slaughtering cows. "The cow-killers are our top priority," he said. "The murder and rioting case is on the back burner for now."

In a number of cases, police have filed complaints against victims' family members and associates under laws banning cow slaughter, leaving witnesses and families afraid to pursue justice. In some cases, witnesses turned hostile because of intimidation both by the authorities and the accused. The authorities have even used the National Security Act - a repressive law that permits detention without charge for up to a

year - against those suspected of illegally slaughtering cows.

In July 2018, India's Supreme Court issued a series of directives for "preventive, remedial and punitive" measures to address "lynching" - the term used in India for killing by a mob. The court ordered all state governments to designate a senior police officer in every district to prevent mob violence and ensure that the police act promptly against the attackers and safeguard victims and witnesses.

The court recommended creating a victim compensation system and said all such cases should be tried in fast-track courts. The court also said action should be taken against any police or government officials who fail to comply with these directives. While several states have designated officers and issued circulars to police officials on addressing mob violence, they have yet to comply with most of the court's other directives.

India is party to core international human rights law treaties that prohibit discrimination based on race, ethnicity or religion and require the governments to provide residents with equal protection of the law. The Indian government is obligated to protect religious and other minority populations and to fully and fairly prosecute those responsible for discrimination and violence against them.

India's national and state governments should take immediate steps to enforce the Supreme Court directives, Human Rights Watch said. The authorities should ensure proper investigations to identify and prosecute attackers regardless of their political connections and initiate a public campaign to end communal attacks on Muslims, Dalits and other minorities. The authorities also should reverse policies that harm livestock-linked livelihoods, particularly in rural communities and hold to account police and other institutions that fail to uphold rights because of caste or religious prejudice.

"Indian police investigations into mob attacks are almost as likely to accuse the minority victims of a crime as they are to pursue vigilantes with government connections," Ganguly said. "State and national officials should be following the Supreme Court's directives against mob killings instead of disregarding their human rights obligations."

*Source: Human Rights Watch*



# UN rights chief warns against harassment of Muslims in India



**Michelle Bachelet says minorities, mainly Muslims and Dalits, are being targeted under the Narendra Modi government.**

The United Nations human rights chief has warned India that its "divisive policies" could undermine economic growth, saying that narrow political agendas were marginalising vulnerable people in an already unequal society.

"We are receiving reports that indicate increasing harassment and targeting of minorities - in particular, Muslims and people from historically disadvantaged and marginalised groups, such as Dalits and Adivasis," Michelle Bachelet said in her annual report to the UN Human Rights Council in Geneva.

Bachelet's warning came a day after Amnesty International's India chapter said it had recorded a "disturbing" number of hate crimes, including assault, rape and murder, against marginalised groups in 2018.

Relying on cases reported in mainstream English and Hindi media, the group said it had documented a total of 218 incidents of alleged hate crimes last year. Some 142 of them were against lower-caste Dalits, while 50 were against Muslims.

India accused of targeting Muslims in Kashmir crackdown.

Aakar Patel, executive director of Amnesty India, told Al Jazeera that there was "a culture of impunity for hate crimes" in India.

The country's law, with some exceptions, does not recognise hate crimes as a specific offence, Patel said, urging political leaders to be more vocal in

denouncing such violence and calling on the police to "take steps to unmask any potentially discriminatory motive in a crime".

"Legal reforms that enable recording of hate crimes and strengthen accountability must be a priority for any government that comes to power following the upcoming general elections," he added.

## 'India's moral stature stunted by attacks'

Kavita Krishnan, an activist based in New Delhi, said "the UN human rights chief should be concerned about this irrespective whether it affects economic growth or not".

"Everything cannot be measured in terms of economic growth. India's moral stature is stunted by these organised attacks on minorities which is justified in the name of protecting cows or in the name of protecting Hindu women," she said.

The report comes weeks ahead of the general elections due in April and May. Prime Minister Narendra Modi's Bharatiya Janata Party (BJP) has been accused of not doing enough to address the rising attacks against minorities.

In December, Fact checker. in, a data journalism outfit, said "the year 2018 saw the most hate crimes motivated by religious bias in India in a decade".

The group said 30 people were killed in 93 such attacks last year, the highest number of deaths since



it began tracking hate crimes in 2009. More than 300 people were wounded, the group said.

Most of the attacks took place in states ruled by the BJP. Uttar Pradesh, the country's most populous state, topped the list with 27 cases. Bihar, with 10 cases, came second. The figures by Factchecher.in show a spike in alleged hate crimes after Modi took power in 2014.

State governments ruled by the BJP have cracked down on the slaughter of cows, an animal many Hindus consider sacred, with vigilante groups beating and even killing poor Muslim and Dalit men over allegations of slaughtering cows and eating beef.

Modi has repeatedly said the state governments should punish vigilantes who commit violence in the name of cow protection, but his critics say the government has not done enough to prosecute the people accused of killings.

### **Muslims at the receiving end of cow-related violence**

More than 80 percent of those killed in cow-related violence since 2010 are Muslims, according to Indiaspend website.

In 2015, Mohammad Akhlaq, a 52-year-old resident of Bisara village in Uttar Pradesh, was lynched by a Hindu mob over rumours of cow slaughter and beef consumption.

President of All India Muslim Majlis-e-Mashawrat, a federation of various Muslim organisations in India, said that Modi's "divisive policies have destroyed the image of the country at international level".

Shahnawaz Hussain, spokesperson for India's ruling Hindu nationalist BJP, dismissed Bachelet's comments as "baseless".



**UN human rights Chief said "We are receiving reports that indicate increasing harassment and targeting of minorities - in particular, Muslims and people from historically disadvantaged and marginalised groups, such as Dalits and Adivasis," Michelle Bachelet said in her annual report to the UN Human Rights Council in Geneva.**

"I reject the UN human rights chief's report," said Hussain. "These are baseless allegations to tarnish the image of India. India is the best country for Muslims in the world, and Hindus are their best friends."

Political commentator and former vice chancellor of Islamic University of Science and Technology in India-administered Kashmir, Sidiq Wahid, said people in Kashmir could say with confidence that no one better understands the "deficit in fairness that exists in India, especially, although not exclusively, under the BJP regime".

Many Kashmiri students living in Indian cities were attacked in the wake of a suicide bombing that killed 42 Indian paramilitaries in

the disputed region's Pulwama district last month. The Muslim-majority region has witnessed armed rebellion against Indian rule since late 1980s.

Wahid told Al Jazeera: "The UN report comes at a time that is both apt and embarrassing. It's apt because India is about to have elections ... It is embarrassing because the report conveys for the entire world to see the true state of democracy in the 'world's largest democracy'."

Nazia Erum, author of the book *Mothering a Muslim*, however, said nothing would change unless Indian leaders recognised the toll divisive politics was taking on the country.

"When we work together in recognising the divisive forces at work and act against them together, only then we can make a stronger nation," she said. "We simply cannot allow the next generation to grow amidst growing hatred and narrow confines of resentment towards the people of other communities."

*SOURCE: Al Jazeera News*





# Over 600 US, European Scholars Urge Centre to End 'Witch-Hunt' Against Dalit Activist Anand Teltumbde

The joint statement protests the "false allegations" against Anand Teltumbde, condemning the threat of the Dalit scholar's imminent arrest.

Coming out in support of Dalit scholar Anand Teltumbde more than 600 scholars from top US and European universities have issued a joint statement urging the governments of India and Maharashtra to bring the alleged "witch-hunt" to an immediate halt.

Protesting against the "false allegations" against Teltumbde, the statement issued "strongly" condemned the threat of Teltumbde's imminent arrest calling him distinguished scholar, civil rights activist and one of India's leading intellectuals.

Admired by many as an organic intellectual of the Dalit community, his writings have contributed immensely to critical debates on democracy, globalisation and social justice, the statement said.

"Teltumbde's house was illegally searched by the Maharashtra police on August 28, 2018," the statement said issued by Indian Civil Watch (ICW), a collective of scholars from major Universities like Princeton, Harvard, Yale, Oxford and the London School of Economics among others.

"The state and central governments then acted in concert to concoct manifestly baseless charges against Dr. Teltumbde and have threatened him with arrest under the UAPA (Unlawful Activities Prevention Act) Act, a draconian law that allows the state to suspend a citizen's right to a fair trial and detain him or her indefinitely," it added.

"Such dangerous allegations against one of India's leading and most prolific public intellectuals is a grave attack on democracy and civil liberties, and urgent redress is necessary," it said further.

Prominent among those who have signed the petition, include Elizabeth Woods of Yale, Cornel

West and Doris Sommer of Harvard, Robin Kelley and Eric Sheppard of UCLA, Mriganka Sur of MIT and Cindi Katz of the City University of New York.

"The 600 odd signatures came in like an avalanche over 72 hours," said Prof. Raja Swamy, spokesperson for ICW, the North America based group that initiated the petition.

Among the reputed South Asia scholars who have signed the statement include Partha Chatterjee and Akeel Bilgrami of Columbia University, Thomas Bloom-Hansen of Stanford, Rajeshwari Sundar Rajan and David Ludden of New York University and Barbara Harris-White and Karin Kapadia of Oxford University to name a few.



"The depth of support among South Asianists for Dr. Teltumbde and the Bhima Koregaon 12 is indicative of the sense of alarm and concern over the government's abuse of law and order to target the most dedicated civil rights activists and gifted intellectuals of Indian society," said Sangeeta Kamat of the University of Massachusetts at Amherst.

Source: New 18



# Report: Dalit women in Bangladesh - Access to Economic Rights (BDERM/UN Women, 2018)



## DALIT WOMEN IN BANGLADESH

### Access to Economic Rights

Focus on Land, Higher Education and Employable Skills for Livelihood

The report *Dalit women in Bangladesh - Access to Economic Rights* was launched by IDSN member the Bangladesh Dalit and Excluded Rights Movement with support from UN Women Report. Below are the report conclusions:

The study has found the practice of patriarchy in Dalit society is at extreme level. The Dalit women hardly get opportunity to enjoy freedom of expression. Different schemes and quota system for Dalits have been recently introduced in Bangladesh. These measures brought some positive changes for wider Dalit community keeping Dalit women aside. Furthermore, there is no mention of special provision for Dalit women in the policies adopted by Bangladesh government.

Most of the respondents participated in the study held patriarchal mindset of the society responsible for their least progress in education, land ownership and engagement with the employable skills. The study also found high rate of early marriage in Dalit society which negatively affects their education, health and social dignity. However, introduction of quota system for Dalit students at different public universities has created opportunity for them getting access to higher education. Land rights of Dalit women isn't recognized and practiced in Dalit society due to religious restriction. However, land distribution law and its practice among majority (in Muslim community) have encouraged some of the parents to distribute some of their lands to their daughters. This is a very positive indication that they study found 4% Dalit women inherited lands from their parents.

The provision of skills training for Dalit, Bedey and Horijon community that started in 2012-13 so far covered 5300 people from Dalit community. But, many people from Dalit community especially Dalit women didn't get this opportunity. The statistics on Dalit community published by the department of social services didn't include all the community. As a result, many Dalit women are still deprived of such government facilities. Hence, it is required that government skills training should reach to more Dalit women.

#### REPORT RECOMMENDATIONS:

##### 1. ACCESS TO HIGHER EDUCATION

- ❑ Government and civil society organizations, specially the organizations working in promoting and protecting the rights of Dalits, should conduct

promotional activities on government policies and facilities for girl students. It will help to reduce drop out of Dalit girls from school due to poverty.

- ❑ Awareness program on benefits of education, both from government and civil society, needs to be implemented in Dalit colonies and settlements.
- ❑ Child Marriage Restrain Act 2016 needs to be reconsidered as it has kept the provision of "special circumstances" in the name of ensuring their "best interest". According to this provision, marriage of a minor girl in special circumstances will not be considered as crime (Daily Prothom Alo, 24 November 2016).
- ❑ Alternative occupation for Dalits need to be ensured to reduce poverty.
- ❑ The Dowry Prohibition Act, 1980 needs to be implemented properly.
- ❑ More advocacy and campaign needs to be conducted so that government ensures special measures for Dalits higher education.

##### 2. ACCESS TO LAND RIGHTS

- ❑ Bangladesh government should enact 'uniform family law' instead of religion and custom based laws.
- ❑ Government should revise the Khas Land Distribution Policy and preserve quota for Dalit and Dalit women.
- ❑ Income generating activities for Dalit women needs to be ensured. As many Dalit women will join the workforce, their traditional mindset will be changed.

##### 3. ACCESS TO EMPLOYABLE SKILLS FOR LIVELIHOOD

- ❑ Government and civil society organizations should take necessary measures to disseminate the services of Social Welfare Ministry for Dalits.
- ❑ The training centers should be decentralized so that Dalit women from remote areas can also avail the facilities.
- ❑ Technical and vocational institutes should introduce quota for Dalits.

Source: IDSN



# The Valmiki community's protest against empty political gestures - and an oppressive occupation

By: Manisha Mashaal



Every second, the Valmiki community's dignity and rights are murdered.

Our history has been written with tears of blood. For how long will our truth be obscured? On your pages lies our truth that nobody else has bothered to know. I want to place this important truth before society, in the light of recent events.

I am aware that when I state this, I will immediately be met with replies like 'yes, this is a very grave issue, it must be highlighted', or 'it is time to shatter the silence around it'. But the fact remains that there is no one who wishes to work for the emancipation of this community. An example of this was seen at an exhibition on 24 February, at the Kumbh Mela.

Two ladies from the Valmiki community, Jyoti and Chhavi Devi and three gentlemen, Pyarelal, Naresh Chandra and Horilal, had their feet washed - a 'great' deed, apparently. It has only instilled a sense of inferiority in us.

This act only serves to make us more untouchable.

There is a very old custom in this society of immediately taking a bath upon being touched by an "untouchable", in order to purify oneself. How cruelly ironic that the same custom should be practiced on the people from our community in order to "respect" them!

We belong to a community that is considered untouchable even among the Dalits. It is such beliefs and views that need to be cleansed, not our feet.

It is this same set of beliefs that has led to this grand gesture. Since these people are from untouchable communities, care must be taken to see that their feet are not filthy, lest the entire arrangement should be polluted. That is why the gesture was made.

Why they were not honoured inside the temple where the worship occurs? Because, even today, members of our community are not allowed inside temples. After washing our dirty feet, you are honouring us. Is this honour or insult? What answer do we give to our raging minds?

Touching our feet is a bit excessive. We don't even need you

to make our community a vote bank; we sacrifice millions of votes for you anyway. If you are ready to become a great leader, pick up your pen and write that no one from the sanitation worker communities will engage in sanitation work and scavenging henceforth, in the country.

Did the Prime Minister not feel inclined to listen to the 'Mann ki Baat' of these workers? As for them, why did they not speak about their problems: their children's education, their own health, their financial condition and the grossly unhygienic conditions of their work?

Why is such honour bestowed upon us around the time of the elections and not at all the other times when our people clean toilets and pick up others' leftover food and utensils at railway stations with their own hands?

There is no proper protective clothing provided at all. Our mothers and sisters are forced to listen to remarks like 'Can't you see I'm walking here; my clothes will be spoiled now' while at work. What do you think they feel at being told off by young children half their age? Why is this so?

This is because the Valmiki community, on account of the work they are engaged in, are considered dirty and polluting. This issue has been relegated to the sidelines. The Swachh Bharat Abhiyan was inaugurated on 2 October 2014 with a budget of Rs 1.95 lakh crore, that was meant to be spent on building 1.2 lakh toilets in order to end the practice of open defecation. How many sanitation workers were honoured then? On the contrary, there was greater recruitment of such workers for cleaning these toilets.

Can there not be greater deeds than washing feet? And why now? So much money has been spent in the name of the Swachh Bharat Abhiyan. But has there been any provision made for educating the children of these families? Has there been any explanation or basis given for this historically unhygienic custom?

There have been so many universities built in the name of society. Have there been any martyr memorials built for those who sacrificed their lives in order to make the country clean?



Have their children been provided with jobs or have any leaders offered consolation to such families?

In the heated cauldron of Indian politics, the Kumbh Mela is organised, where people take a dip in the Ganga, the Gita is read - and members of the Valmiki community only are given the job of cleaning. Of all these people, only three men and two women were chosen to have their feet washed by the Prime Minister in bronze vessels. It escapes comprehension as to why this was done right before the 2019 General Elections.

To this day, hundreds of thousands of people have died in the sewers due to inhaling toxic gases and ingesting the filth and nightsoil. Nobody has even bothered about their families. There are countless women who fall prey to several diseases while doing sanitation work, as a result of which their children are forced to take up the profession in their stead. There are no fixed timings for sanitation workers; they usually start their work before daybreak and have to continue working till late at night, in order to make ends meet.

If I speak in the context of Haryana, where I hail from, the Valmiki community has very little access to education. In villages, girls from the Valmiki community have to carry the filth and garbage of the rest of society, when they should actually be studying. Thus, the hope and promise of a bright future is snuffed out by this dirty custom.

For women of our community, this act of cleaning garbage begins in the dark of the night. Before daybreak, the mud, refuse and nightsoil of the entire village are already on the heads of the women and men of our community. Even all the refuse and nightsoil has a higher status than that of the members of our community. For I have always seen them weighed down by it. Everyday we are humiliated with the slur 'choorha', meaning an insect crawling in muck. What sort of dignity do we have?

Why does the act of carrying refuse begin at 4 am? So that nobody sees us in this act.

I have mostly seen the members of my community cursing governments for leaving them in such a condition. But when there was talk of an era of development, there were high hopes within the community. They believed they would progress too and that their children would have brighter futures. Why has this ended up as a mere dream for my community?

Education is the only means by which the Valmiki community can bring about its intellectual development, by which it can hope for more gainful employment and to break free of the shackles of such a profession. It is tragic that the situation of the sanitation workers with regard to education remains so worrying. A research study conducted by the Indian Social Institute across the states of Uttar Pradesh, Himachal Pradesh, Haryana, Rajasthan, Bihar, Jharkhand, Madhya Pradesh, Chhattisgarh and

southern states like Karnataka, Tamil Nadu, Telangana, Andhra Pradesh concluded that a mere 0.6 percent of youth from sanitation worker communities manages to reach higher education. The study makes it clear that after the intermediate level, these students are forced to drop out.

The main reason for this is the lack of access to schools. Even when there is access, there are other reasons for the overwhelming dropout rates, such as the discrimination practised by teachers, weak financial condition and the negative self-esteem that these students develop as a result of constantly working with their parents in this profession. Even today, there is open and public discrimination practised by teachers towards children coming from sanitation worker families. Nothing has changed despite such discrimination being punishable by law. To this day, these children are forced to do sanitation work in schools.

For children from such families, the only source of education is the state government-run school. But the aforementioned study has also revealed that these schools are bereft of even the minimum facilities mandated by the Right to Education Act. Even after studying in these schools, these students cannot prepare themselves for good employment opportunities and competitive examinations and have, perforce, to stick to their caste-ordained occupation.

Another reason for this is that our community has been denied any opportunity to acquire technical and professional skills such as mechanical work, electrical work etc. In such a scenario, having relinquished their caste-based unskilled work, they can find no other opportunities. The community continues to be trapped in this profession, generation after generation.

In the last few years, through the efforts of the Safai Karmachari Andolan and several other human rights organisations, new laws were passed in Parliament that made manual scavenging a crime. In spite of this, neither have the deaths in septic tanks stopped nor has the number of people recruited in other forms of sanitation work reduced. What is it that keeps people from these families from leaving their caste-ordained professions?

On 25 February, 2019, a day after Prime Minister Narendra Modi honoured the five sanitation workers, Darshan Ratna Raavan, chief of the Aadi Dharm Samaaj (AADHAS), had gathered along with thousands of members of the Valmiki community at Jantar Mantar, New Delhi, in order to protest the deaths of sanitation workers and to fight for the rights of the community. There were thousands of women demanding justice for their family members, who had lost their lives in the sewers.

They were demanding that sanitation workers be given reservations. Till date, they have not been given any accommodation. Neither have their children been given



any government jobs. They are far away from receiving any monetary compensation or damages. Such a situation only exists because there has been no implementation of our constitutionally guaranteed rights. If their demands could be met, it would lead to a very welcome social change.

As a female leader from the Valmiki community, I can clearly see that there has been a huge contribution by the sanitation worker communities in bringing you to power. Is it not the responsibility of the present administration that new schemes are devised for the development of our community, so that we too may join the mainstream? Or will we always be seen as a vote-bank? This attitude needs to change; we cannot see any more people lose their lives by drowning in filth. Otherwise, there is going to be large-scale opposition from our community, which will not be favourable to the current administration.

The practice of manual scavenging was banned by law in 1993, and yet it persists tenaciously. It was Bezwada Wilson's initiative to fight for the rights and dignity of sanitation workers that spread the movement to every corner of the country. The movement highlighted the failure of implementation of this law in everyday life. It brought the attention of the government to this issue. In this context, here are a few questions that I would like to raise:-

- ❑ Since the practice of manual scavenging and manual cleaning of sewers is banned by law, what has been done to ensure the implementation of this law? Because both these practices continue to exist in full force. Is it not the responsibility of the administration to check this?
- ❑ Does the administration not feel the need to look at the data on the number of people from the community who have lost their lives while working in sewers?
- ❑ Will the responsibility for the continuation of this dirty custom, that is being done by the administration, be taken up by the present government? Or will they introduce mechanical cleaning of sewers? Are there any machines for this purpose in your records? If there aren't, what do you say is the basis of these "suicides" that occur in the gutters and manholes? Because there is a law against this in our Constitution.
- ❑ Are these workers committing suicide in the sewers?
- ❑ Does the self-respect and education of the Valmiki community in this country have no meaning for you?
- ❑ If those in charge of running the country are themselves encouraging these practices, who do we go to in order to press for the implementation of these laws?

The practice of keeping sanitation workers deliberately on contract and making them work in the sewers must be stopped. It is clearly evident that the state and administration have failed in implementing and upholding

the rule of law. Nothing else can explain the continuation of these practices even after so many years of them being banned by law.

We would be happy if the Prime Minister would grant members of our community special reservations, through which we can avail of special positions in education and employment.

I would like to propose the following provisions and safeguards regarding employment opportunities and practices of the Valmiki community:-

- ❑ Appointing some members of this community as judges.
- ❑ Those sanitation workers who have lost their lives while working be granted the status of sanitation soldiers (Safai Sainik).
- ❑ There should be a provision by which all education of children belonging to sanitation worker families, from primary to higher education, be completely free.
- ❑ The wages of those from our community who are engaged in this profession must be four times those of Grade A government officers. Since the pursuit of this profession involves humiliation at every moment, it is an exceedingly difficult job, one that they do by causing harm to their own self-respect.
- ❑ Sewers must be cleaned using machines. The practice of sacrificing people from our community like animals must be stopped.
- ❑ It is very important to provide those engaged in scavenging with reservations based on economic, social, educational and political backwardness. Our community has been cleaning the filth of society for thousands of years in the face of such contempt and humiliation, to the extent that we have internalised this within our own community.
- ❑ We have been excluded from every kind of institution. We want a life of dignity in this country. Provide us with alternative opportunities and make us part of the mainstream.

Till date, the mothers in my community have not been able to impart good education to their children, because the garbage of your society was being cleaned by them for which they have never ever received fair and necessary wages. Society, as a whole, is responsible for this. But this debt lies in your hands; you can repay it if you want to. We are asking for our rights from the government of our country at the Kumbh Mela this year. This is not charity; these are our rights. Just give us our rights! Understand the value of our community or at least try to.

There cannot be a bigger deed during this Kumbh Mela than the present administration accepting our demands.





# Caste discrimination is blocking progress on the SDGs says UK NGO development network BOND



***A new report Caste and Development: Tackling Discrimination Based on Work and Descent has just been released by the UK NGO development network BOND highlighting the urgent need to address caste discrimination in order to progress on the UN Sustainable Development Goals.***

*One of the co-authors of the report, Murali Shanmugavelan writes:*

Structural inequalities and discrimination are at the core of the caste system. Caste determines social hierarchy and restricts people's access to fundamental human rights. It reduces social, political and economic opportunities where the practice is prevalent in South Asian countries and the global diaspora.

Caste affects a fifth of the world's population by affording social privileges to some and marginalising others. But the Sustainable Development Goals (SDGs) don't mention it, despite caste-based discrimination being a significant barrier to leaving no one behind.

Bond's Caste and Development Group explores this crucial omission in their new report, Caste and Development: Tackling Discrimination Based on Work and Descent. The report also identifies a

set of practical actions for policymakers and civil society organisations.

## **What is caste?**

Caste is a hierarchical category based on pre-set social identities determined at birth and strongly divided by occupations. The most excluded social categories now identify as Dalits (a political category formerly known as "untouchables"). Dalit occupations are most stigmatised and this stigma often continues even after they find new occupations. Bhim Rao Ambedkar,

India's first law minister, described caste as an "enclosed class" because it prevents social mobility and traps people in poverty and often slavery: "the caste system is not merely a division of labour. It is a division of labourers."



**Dalit occupations are most stigmatised and this stigma often continues even after they find new occupations. Bhim Rao Ambedkar, India's first law minister, described caste as an "enclosed class" because it prevents social mobility and traps people in poverty and often slavery.**

An example are the "scavenger" Dalit caste groups that are assigned by the caste system to handle human excrement, dead bodies, dead animals and other sanitation jobs. Anyone born into this group is expected to do this kind of work and struggles to take up other occupations. Even if they do, the discrimination continues in many aspects of life.

Caste is often thought of as a thing of the past, but it continues to exist in modern societies affecting economies and life-opportunities



for individuals and families resulting in inequitable human development.

### **Inequality and discrimination is central to Agenda 2030**

The SDGs “emphasise equality of opportunity and reducing inequality of outcomes, the elimination of discrimination in law, policy and social practice and socio-economic inclusion of all under the banner goal ‘to leave nobody behind’”. This is not possible in caste-affected countries unless development policymakers and practitioners are sensitive to caste-based disparities and their effects on social, economic and political development.

Agenda 2030 has put discrimination and inequality firmly on the development agenda. This report explores with evidence that there is an inextricable link between inherited caste status and its impact on one’s life opportunity.

### **Caste affects inequality across the SDGs**

In the run-up to this year’s UN High-level Political Forum on Sustainable Development, the report looks at caste-based disparities across several SDG being reviewed:

- ❑ SDG 4 (education): While Bangladesh has made significant progress in access to primary education, in 2014, just 28.5% of Dalit children were registered in school, in contrast to the national average of 96.7%. Drop-out rates for Dalit children are very high.
- ❑ SDG 8 (decent work): In India, wages are particularly low in areas where populations include a large proportion of Dalits and International Labour Organisation (ILO) data finds that wages for excluded castes are around half those of other groups. Across South Asia, for example, Sri Lanka and Pakistan, caste is strongly associated with bonded labour and other forms of slavery.
- ❑ SDG 10 (inequalities): As well as caste-based deprivation, caste-based privilege is an important aspect of widening inequalities. Researchers have argued that in India growth is based on private accumulation which has relied on existing social inequalities creating segmented labour markets that keep wages low for specific social categories while benefitting more privileged ones.
- ❑ SDG 16 (peace, justice, and strong institutions): Violence against Dalits and particularly women is widespread. The UN Special Rapporteur on Minority Rights also describes caste as a barrier to



claiming rights and justice, highlighting discrimination within criminal justice systems, fear of reprisals, and the notion that caste-based discrimination should be solved within communities rather than treated as a crime.

### **Data for Dalits**

Discussions and debates are abuzz on the developmental and economic value of data, but there is very little data to monitor progress in addressing caste-based disparities in achievement of specific SDG targets.

In the delivery of the SDGs, data disaggregation by caste status and more “caste-sensitive” indicators would help to monitor progress in narrowing resulting inequalities.

Governments should do more to evidence and address experiences of discrimination. International and local agencies that gather data against SDG indicators, such as the ILO and in-country social and economic research centres, could also consider more disaggregation by caste status where appropriate.

**Recommendations** In the report, we suggest that governments act on all available evidence to protect the rights of Dalits and other excluded groups, end caste discrimination and remove other caste-specific barriers. We also set out recommendations for donors and NGOs working in caste-affected countries, including that they:-

- ❑ Ensure staff are more representative of diverse communities including Dalits.
- ❑ Support Dalit advocacy platforms.
- ❑ Collect caste-disaggregated data and advocate for collection of caste-disaggregated data by statutory agencies.
- ❑ Adopt caste-sensitive approaches in context-analysis and planning.

*Source: International Dalit Solidarity Network*



# Pakistan appoints first-ever female Hindu civil judge



In the first, Pakistan has appointed a female Hindu judge to the civil and judicial magistrate.

Suman Pawan Bodani who hails from Sindh's Shahdadtown area stood 54th in the merit list for the appointment of civil judge/judicial magistrate.

After completing her intermediate from her native town Shahdadtown, Bodani received her Bachelor of Law (LLB) degree from Hyderabad before moving to Karachi to pursue Master of Laws (LLM) degree from Shaheed Zulfiqar Ali Bhutto Institute of Science and Technology (SZABIST). She then worked for Advocate Rasheed A Razvi's firm.

In an interview, Bodani said she belongs to an underdeveloped rural area of Sindh, where she has seen the poor struggling to cope with various challenges. "They cannot even afford to lodge cases. This is the reason behind my decision of joining law so I can bring justice to them."

She added that she faced resistance from her community as they do not approve of girls working in the field of law.

However, she said her family including her father

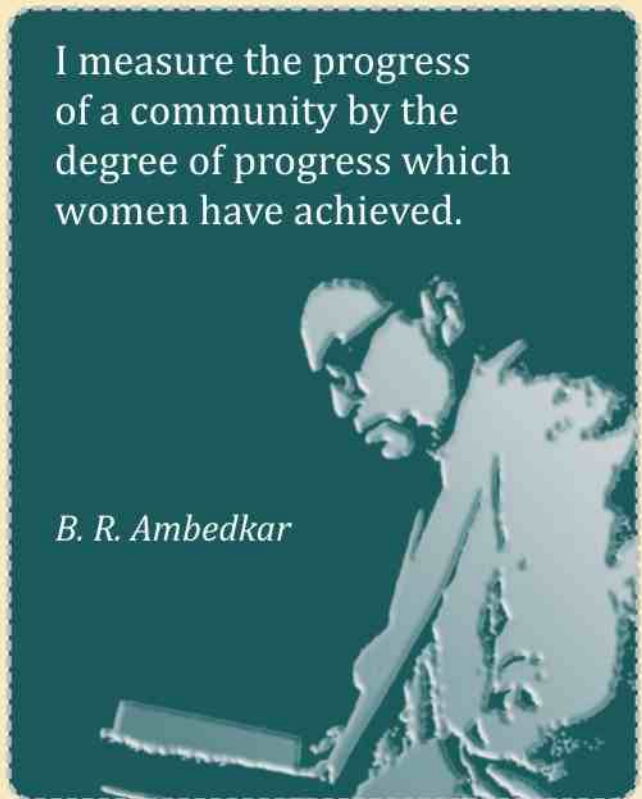
and siblings extended their full support to her and did not pay any heed to what people would say and helped her in achieving her dreams.

Last year, Justice Tahira Safdar took oath as the first woman chief justice of the Balochistan High Court. Justice Safdar was also the first woman civil judge in Balochistan and has the distinction of being the first woman to be appointed in all posts she has served on.

*Source: The Nation*

I measure the progress of a community by the degree of progress which women have achieved.

*B. R. Ambedkar*





# Report finds entrenched caste discrimination in India's criminal justice system

“Criminal Justice in the Shadow of Caste” is a pioneering report looking at the administration of criminal justice in India through a caste lens. The findings reveal discrimination at all levels, including within prisons. The report has been released by IDSN member, the National Dalit Movement for Justice (NDMJ-NCDHR), in collaboration with the National Centre for Dalit Human Rights.

## Overrepresentation of Dalits and Adivasis in India's prisons

The report states that while Dalits and Adivasis account for about 24 per cent of the country's population, they constitute 34 per cent of prisoners. National statistics also show that there is a gross overrepresentation of Dalits who are being held in custody while awaiting trial (undertrials).

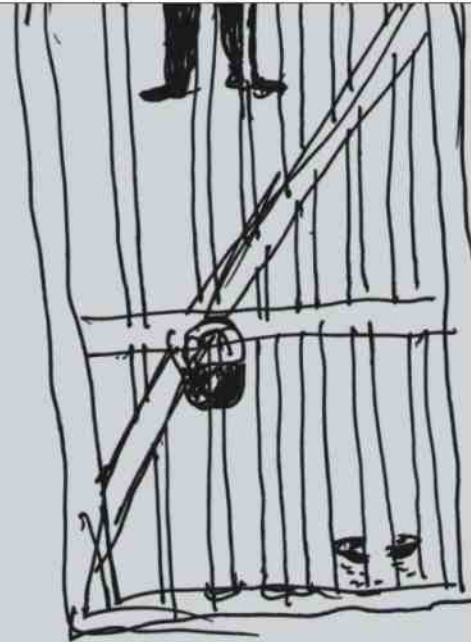
Key reasons behind this overrepresentation are outlined in the report and include deeply entrenched caste biases within the police force, court officials and prison officials, as well as the lack of adequate access to legal remedies and support for Dalits and Adivasis.

Recommendations of changes that need to be made to address systemic caste-based injustices are also offered in the report. These include taking action to stop torture, ensuring that Dalits and Adivasis are not unfairly targeted by the police or convicted by judges on the basis of their background, as well as expediting pending trials and ensuring legal aid is accessible to all.

## Dalits and Adivasis face discrimination and mistreatment

The findings detailed in this report furthermore show how prison systems do not function at the level of the United Nations' Standard Minimum Rules for the Treatment of Prisoners. The relevant international obligations and standards are found to be deliberately disregarded.

The deliberate physical and psychological mistreatment of inmates by prison officials is a persistent and pervasive issue of concern. Dalits and



## CRIMINAL JUSTICE IN THE SHADOW OF CASTE

STUDY ON DISCRIMINATION AGAINST  
DALIT AND ADIVASI PRISONERS  
& VICTIMS OF POLICE EXCESSES

National Dalit Movement for Justice  
(NDMJ) - NCDHR  
New Delhi

Adivasis are particularly vulnerable to deliberate mistreatment. Furthermore, caste-based discrimination found outside the prisons is also present within the prisons.

“Most of them [Dalits and Adivasi inmates] reported to have faced discrimination in terms of accommodation, bedding, food that is served to them and even employment and wages provided within the jail. Another issue is also problems faced in accessing legal aid,” said advocate, Rahul Singh, from NDMJ.

## Urgent overhaul of the Legal Aid System is needed

One of the key recommendations in the report includes the need for an urgent overhaul of the current Legal Aid System in order to ensure that illiterate and poor undertrials are also able to access legal aid. In connection with the release of the report NDMJ and the American Bar Association held a “National Training Programme for Special Public Prosecutors and Advocates to Ensure Access to Justice to Dalits and Adivasis.”

A press release from NDMJ on the report outlines the following main findings and recommendations:-



### **Main findings of the report;**

The findings detailed in this report show the gravity of caste discrimination against Dalits and Adivasis by police institutions. Deeply entrenched prejudices against Dalits and Adivasis play an important role in their harassment and incarceration.

There are allegations that police officers have their own caste and gender biases and often behave towards Dalit's and Adivasis in a discriminatory way. Usually the victims of police torture are mainly Dalit's and Adivasis. They are often picked up and jailed on concocted charges.

The case studies and findings reveal the treatment of Dalits and Adivasis by the police and their discriminatory behaviours. They are subjected to illegal arrests and detention and physical torture, by the police in the name of nabbing the "habitual offenders".

Members of the community, including men, women and children, are subjected to systematic, continuing, ruthless treatment in the hands of the police. It reveals that it is handy for the police to catch hold of the Dalits and Adivasi communities and foist false cases on them for crimes, which they had not committed. Dalits and other indigent people too poor to seek legal counsel obviously spend too long time behind bars, unable to seek justice even when they might be innocent.

The research shows how caste based prejudice leads to a high number of vulnerable communities inside the prisons and how often the prisoners are denied the minimum legal protections and legal process guarantees during their arrest, detention or imprisonment. Findings reveals how barriers are imposed on incarcerated Dalit's inside the jails, the infringements of their legitimate rights being Dalits in terms of their right to food, wage, employment, accommodation, medical, bail, parole and similar other important right to trial and appeals. All these together impede the future success of both families and of communities at large.



**The case studies and findings reveal the treatment of Dalits and Adivasis by the police and their discriminatory behaviours. They are subjected to illegal arrests and detention and physical torture, by the police in the name of nabbing the "habitual offenders".**

### **Key Recommendations from the report are as under:-**

1. States must ensure that torture and cruel, inhuman or degrading treatment or punishments are not employed before, during or after any interrogation inside or outside the Police Custody by police officials.
2. Ratify the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
3. Ensure that government take measures to protect certain section of the SC, ST and DNT from being targeted on the pretext of habitual offenders and caste bias by the police.
4. The State Police Departments in conjunction with the State Legal Services Authority (SLSA ), should conduct training and sensitization programmes on discrimination free atmosphere in Jails and police stations, rights of scheduled castes and scheduled tribes and their duties and responsibilities.
5. Providing medical assistance, accommodation and beddings, adequate wages and employment, to inmates in prisons needs no reaffirmation and discrimination to basic minimum facilities based on caste is a violation of human rights. All State Governments should concentrate on making discrimination free atmosphere a reality, including prisoners.
6. Legal Aid System needs an urgent overhaul. Such useful state instrument which can prove vital for thousands of illiterate and poor undertrials needs the strong endorsement of the Union Government and states. In this regard, the Law Commission's proposal for new lawyers to do a two-year compulsory stint with the legal aid system is still hanging in fire and needs to be enforced immediately.

*Source: IDSN*