

Quarterly MINO-VIEW

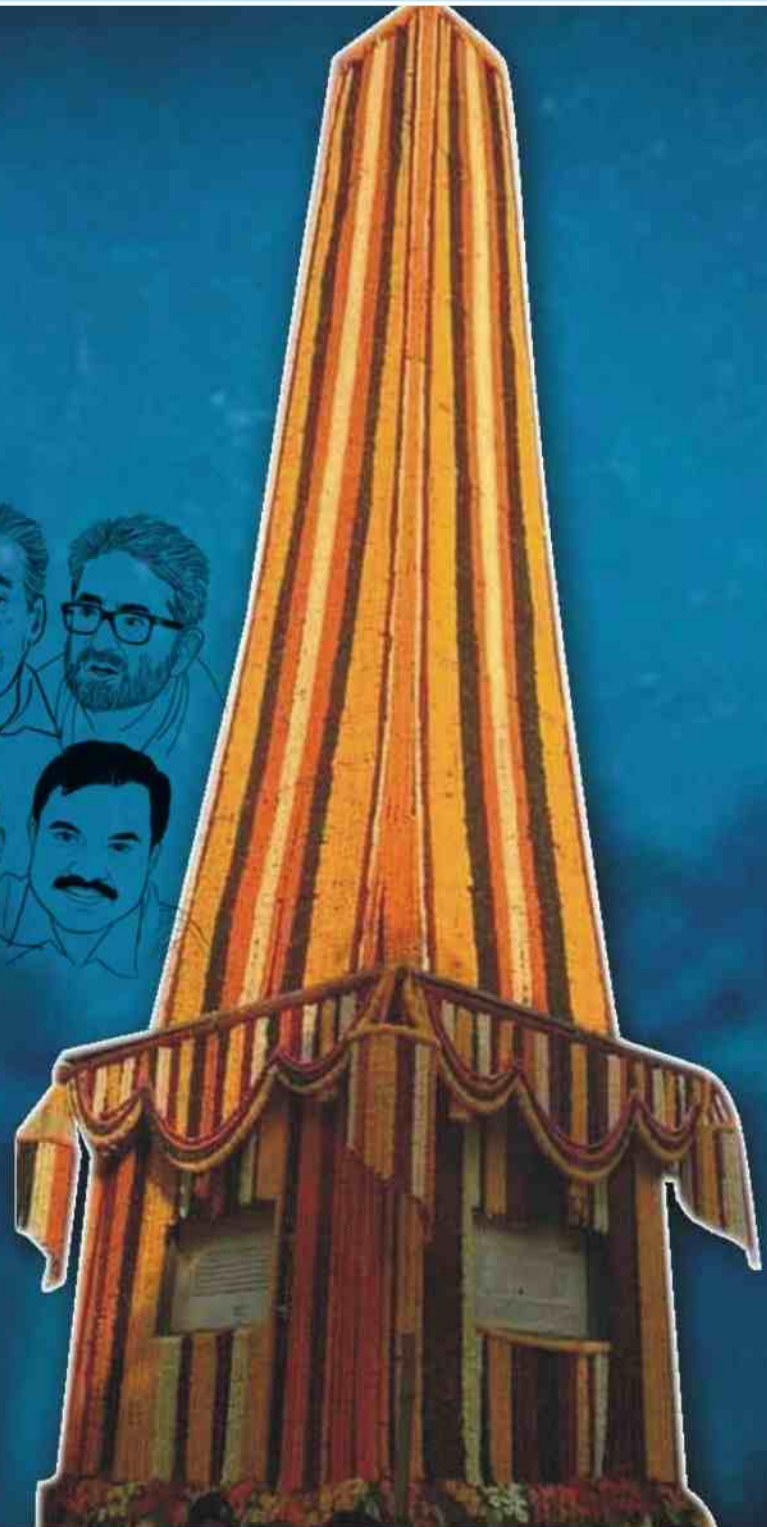
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Voice of Minorities & Oppressed People in South Asian Societies

Three years and still no trial: The Legal Battle of Bhima Koregaon

p. 7



Sir Ganga Ram Heritage Foundation www.sgrhf.org.pk

MINO-VIEW

Quarterly Magazine

Voice of Minorities & Oppressed People in
South Asian Societies

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Objectives

The Mino-View, a quarterly magazine, is a humble attempt to cover all dimensions of minority's life and culture not only in Pakistan but in all states of South Asia. It will act as a mirror reflector, reflecting the issues related to the identified minorities and other oppressed classes in the region. The magazine seeks to serve the objective of shedding light on the darkest issues of our social system by voicing the concerns of minorities and other oppressed sections of the South Asian societies. We will welcome feedback from our respected readers and concerned quarter. We invite social forces from all over the region to join hands for adopting a way towards egalitarianism.

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Editorial

Despite the continuous efforts of human rights defenders and different organizations throughout South Asia, attaining human rights objectives, in particular countries, remains a frightening task. Almost all marginalized groups in this region are facing common challenges of caste-based violence and institutionalized discrimination in figuring out their human rights goals. These challenges are further intensified by poverty, political instability, imbalanced development, decreased rate of growth, low literacy, enormous malnutrition, uncontrolled gender-based violence and widespread discrimination in education, health, nutrition and employment. Over the past two years, human rights defenders (HRDs) have faced unprecedented challenges in South Asia, where new threats have emerged in addition to existing threats. The voices of downtrodden are being suppressed by repressive laws from governments, widespread online harassments and threats to the families of human rights defenders. The silence of the people of other castes on the oppression and injustice done to the smaller castes is an indication that those belonging to other castes are equally complicit in this oppression. They range from students to politicians. If we talk about other South Asian countries, including Nepal and India, the civil society, media and human rights groups are still speaking out against this attitude, but they will only get stronger when they are joined by people other than the lower castes to pursue this movement. Some of the voices that were supporting the Dalits in this war are now falling silent. This year we have lost many voices like Stan Swamy, Kamla Bhasin, Dr Siddalingaiah, Mythily Sivaraman and US based sociologist Gail Omvedt, who dedicated their lives to oppressed classes and exposed the atrocities committed against them. Today, the so-called big democracies seem to be failing to protect ordinary people, especially minorities. In a society, where inhumane treatment to the lower caste communities is on the rise, where every 10 minutes a person of a small caste is oppressed, where women are subjected to abuse and violence just to assert caste supremacy and keep women 'in their place', where the children belonging to marginalized communities are more likely to stunt, where all religious communities are experiencing a fearful environment and could not practice their rituals properly, talking about human rights is a big deal. Those who speak of respect for humanity in such societies and who strive to end social discriminations and caste-based atrocities against human beings are to be commended loudly.

Editor

Caste and Gender Intersection: A critical Analysis



Dr. Rajesh Kumar

This paper deals with the concept of intersectionality with particular reference to the interconnectedness of gender, class and caste discrimination in India. Caste is a notion, as Babasaheb said but what makes it a complex phenomenon to understand is the fact that it is also a notional reality. Caste is never singular, it is a plural social mechanism. There is no such thing as a caste. There are always castes that constitute the infamous oppressive social system of Indian society, the caste system. The caste system is the best example of how a belief can be changed into an institutionalised belief system by making it sacred through self-regulating code.

The caste system is an enclosed class system which divides these enclosed classes into watertight compartments leaving zero scope for social and cultural endosmosis. This results in perpetually disadvantaged groups that not only are denied dignity and self-respect but also access to basic human resources, jobs and education.

The intersectionality perspective emphasises that an individual's social identity exerts particular influences on the individual's beliefs and experiences of gender making it essential to understand gender within the context of power relations.

Thus, ritual purity cannot be seen as a mere exclusion of women from rituals but as a more inclusive involvement of women in maintaining caste hierarchy. Absence of women in rituals is related with their being born impure as women but making sure that their vaginas remain pure/ untouched/ unpenetrated before marriage (with a fear that the man might belong to a different caste) is the only means to ensure the purity of the blood of caste or clarity of the male lineage. So, to maintain the purity of caste, its ritual purity is ensured and to maintain the purity of blood of the caste, purity of vagina is sought.

Indian society is largely composed of hierarchical systems within families and communities. Patriarchy is one of them. Patriarchy in a non-hierarchical society

is different from the one existing in a hierarchical society. In a graded society it also becomes graded. Multi hierarchies produce a multicultural society in the form of local hierarchies (jatis). A jati is an endogamous unit with discrete cultural identity and a fixed occupation kept alive through endogamous marriage practices. Local hierarchies produce local patriarchal practices which contribute to diverse cultural practices in Indian society in the form of dresses, food, linguistics, art, music, etc. The common Indian rhetoric 'Unity in Diversity' thus becomes unity in maintaining this diversity.

The relational patriarchies between women within one family are a more adverse and continuous source in maintaining the caste (local) hierarchy. Here, women are pitted against one another and not all women are powerless all the time. Their position in the family, community and social hierarchy holds a special position in determining their susceptibility to sexual exploitation.

Women do not have any identity of their own. They derive their identities (in families and society) through the identity of the men they are related to. Local and relational patriarchies forever keep the identities of women submerged in the quagmire of religious culture and thus creating a deep hostility among women. The various lived experiences that women in different patriarchal locations defined by multi hierarchies' face, have no means of a uniform redressal.

The most widened gap of subjugation of patriarchal realities can be observed between savarna and Dalit women. The humiliation of a Dalit women is public while that of a savarna woman is mostly private. It's very rare that we hear upper caste women being dragged to fields by the lower caste men to teach their community a lesson, or are being stripped and paraded naked or hot oil being poured over them. The caste based sexual atrocities are a hard hitting reality in Indian society where the motive of sexual harassment of a Dalit girl is not only limited to sexual

gratification but it is also a political tool used to display the power of not only a male ego but also of a false pride of being upper caste. Such atrocities have a clear message that an upper caste male is the most powerful in the Indian graded scheme of multi hierarchies being both a male and an upper caste whereas a Dalit women being at the lowest level of this schematic ladder is the most marginalised and vulnerable being both a Dalit and a woman.

The Nirbhaya Case: 16th December 2012 On December 16th 2012 a female psychotherapy student from Delhi was on her way home with a male friend after watching Life of Pi in a popular theatre in Saket, South Delhi. At about 9:30 pm they boarded a bus from Munirka, Dwarka (a popular area in south Delhi). They were summoned into the bus by a teenage boy stating that the bus was going in the same direction as their destination. There were only six people in the bus including the driver Ram Singh, his brother Mukesh, Vinay Sharma an assistant gym instructor and Pawan Singh, a fruit seller. The student and her friend became very suspicious when the bus was diverted from its usual route. The doors of the bus were shut and the men started taunting the couple about their relationship, asking what she was doing with a man so late in the night and making lewd and offensive comments. Her male companion tried to protest but he was immediately beaten, gagged and hit with an iron rod. As he lay unconscious on the floor of the bus the six men attacked her with the same iron rod because she tried to protect her friend (Biswas and Malik, 4th January 2013) . Then two of the accused men forced her to the back of the bus where she was raped first by Ram, followed by the juvenile and then by the others. When she lost consciousness, she was again raped by Ram Singh and the juvenile (Osborne, 3rd January 2013). After raping her, the half-naked bodies of both victims were thrown into the street from the bus where they were discovered around 11 pm by a passer-by and were taken immediately to the hospital.

Rape of a Dalit woman is not a crime, it is an atrocity that also involves a cruel and shocking element of physical violence in order to teach the whole community a lesson for breaching the laws of Brahmanical order. It's very rare that we as a society admit to caste based sexual atrocities on Dalit women where the caste of a woman rather than their gender becomes the main element of the violating act. When Dalit women rights are violated they don't arouse the same reaction as seen in the case of violations of upper caste women. There is a complete lack of cooperation

by the administration, the police, medical establishment, local media and political parties. This culture of impunity and an absolute social silence in caste based gender violence has been deeply rooted and too normalized to be recognised as a tool to retain dominance of the upper castes.

Babasaheb believed that inter caste marriages or mixing of blood is the only way to annihilate the caste system. Despite rapid urbanisation and proliferation of nuclear families, caste/community based marriages remain prevalent. Increase in educational levels correlates to a decrease in endogamous marriages, but in India educational level of individuals appears to have no bearing on the likelihood of marrying someone from a different caste.

Subjugation of women is central to the reproduction and sustenance of the caste system and emancipation of women, especially women at the bottom of the caste hierarchy is crucial to any struggle against caste. In India one cannot fight for women's liberation unless one challenges brahmanical domination and caste hierarchy and brahmanical patriarchy as a means for this domination. It is essential to know why and how brahmanical patriarchy allows upper caste men to lock up their women while enjoying easy and unlimited access to the lowest women in hierarchy. It is important to realise the centrality of caste to the operation of gender inequality in Indian society.

Babasaheb was of the opinion that it is equally important to frame a code (Hindu code bill) for laws of marriage, adoption, divorce and inheritance based on equality among castes and between men and women just as it was important to frame a constitution based on equality of citizenship.

Dalit liberation movement would intrinsically remain incomplete without liberation of their women from the clutches of Brahmanical as well as Dalit patriarchy. Caste cannot be annihilated unless there is a sexual revolution. A sexual revolution cannot occur without political and ideological revolution. Politically we need to demand for a quota within the quota system of women representation in the parliament in order to break the savaranisation of women's politics. Self representation in the parliament will ensure a fair and equal representation of Indian women who do not form a homogeneous group owing to the multi hierarchies.

Dr. Rajesh Kumar teaches in Delhi University.

What it means to be Gail Omvedt A true Public Intellectual

Prof Parmod Kumar, SOH

When Gail Omvedt (81), one of the most sincere and authentic scholars on caste and gender studies breathed her last in her village, Kasegaon, Sangli, Maharashtra, it is so very visible that she has left behind a formidable legacy and a lesson for all as to How to live like a Public Intellectual. Her presence in IGNOU as Dr Ambedkar Chair for Social Change and Development was remarkable and the imprints of her scholarship will never fade away.

Gail Omvedt, an Indian born in the United States, sociologist, researcher and researcher was born on August 02, 1941 in Minneapolis, Minnesota, U.S. and studied at Carleton College and UC Berkeley. After deciding to live in India, her association with veteran social worker Indutai Patankar led to her studying and participating in women's struggles. Her decision to stay back in India and contribute to grassroots' empowerment reflects her role as a public intellectual. She demonstrated through her life example that academic knowledge and degrees has to lead to a process of social change and betterment. A person who is able to acquire education has to be fundamentally accountable to society at large.

I was lucky to spend some quality time with Professor Gail Omvedt when she was Dr B R Ambedkar Chair professor at Indira Gandhi National Open University New Delhi. We used to sit and discuss all important issues concerning our society well beyond University hours. Professor Omvedt not only shaved my intellectual understanding but influenced my emotional orientation in multiple ways. On one occasion when I discussed the idea of buying a new car with her, she used all her ideas in convincing me not to be a part of the culture of consumerism. She told me that it will be difficult for me to be able to understand and empathize with the majority of our country

if travelling in a car. For her, a car may suggest some convenience but will deprive us of a higher social understanding and create a distance with the real people of India.

She was instrumental in initiating and promoting several public movements on anti-caste movement, Dalit politics and struggles of women in India. Gail Omvedt's writing includes numerous books and articles on class, caste and gender issues that have created a big revolution in an inter and trans disciplinary manner. She was active in Shramik Mukti Dal, Stri Mukti Sangarsh Chalval which works on issues of abandoned women in Sangli and Satara districts of southern Maharashtra, and the Shetkari Mahila Aghadi, which works on issues of women's land rights and political power. She has trained a whole new generation with her books and activism.

Her major publications include We Shall Smash This Prison: Indian Women in Struggle (1979) Reinventing Revolution: New Social Movements in India (M.E. Sharpe, 1993), Gender and Technology: Emerging Asian Visions (1994), Dalits And The Democratic Revolution: Dr. Ambedkar And The Dalit Movement In Colonial India (Sage India, 1994), Dalit Visions: the Anticaste movement and Indian Cultural Identity (Orient Longman, 1995), Growing Up Untouchable: A Dalit Autobiography (Rowman and Littlefield, 2000), Buddhism in India : Challenging Brahmanism and Caste (SageIndia, 2003), "Ambedkar: Towards an Enlightened India" (Penguin, 2005), Seeking Begumpura: The Social Vision of Anticaste Intellectuals (New Delhi, Navayana, 2009).

Her life, thoughts and Legacy hold even more importance in the 21st century as we witness an unprecedented sense of social divide in terms of distribution of resources. Prof Gail Omvedt will always be remembered for her seamless balance between her academic brilliance and grassroots' grip. If we have some more public intellectuals like her, we will find it easier to transform our inunequal world into an equal one.



Minority Law Reforms in Pakistan



Hamid Waleed

Right from the passage of the Objectives Resolution back in March 1949 to the adoption of the National Action Plan in December 2014 and the Action Plan for Human Rights prepared by the Ministry of Human Rights in 2016, the protection of religious minorities has been a cornerstone of the process of policymaking in Pakistan. The most encouraging aspect of Pakistan's political and constitutional framework as an independent state has been the posturing of the superior judiciary as a protector of freedom of religion of various religious minorities.

There is no doubt that the orthodox religious sections of the society exerted pressure on the political leadership to let religion determine political rights in Pakistan and declare it a theocratic state, however, the Pakistan Muslim League's leadership vociferously refused to succumb to any such pressure and the very first statement (Objectives Resolution) for Pakistan's future Constitution guaranteed fundamental rights, including religious freedom and rights of religious minorities, the rule of law and an independent judiciary. The Constitution of Pakistan, 1973 guarantees freedom of religion to every citizen, envisages that every citizen, subject to law, public order and morality, shall have the right to profess, practice and propagate his religion. Also, it states that every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions. While the Constitution also vividly makes the state responsible for the protection of its minorities, saying that the state shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.

Successive governments in Pakistan have been endeavouring to reform the laws relating to minorities. Though dealing with the misuse of blasphemy law has been a Herculean task for these governments but still, the collective response from all sections of the society, including the policymakers, judiciary, academia and media has played its role in reshaping a peculiar mindset with the passage of time. Accordingly, the kind of challenges emanating from these clauses of the Pakistan Penal Code during the decade of nineties (commonly known as "naughty nineties") have been overcome to a great extent in the recent past. Meanwhile, a number of domestic and international Non-Government Organizations (NGOs) and social groups have been advocating for concrete steps to control violence against minorities. The National Action Plan of 2014 has, thus, played a vital role in reforming legislation and government policies and curbing extreme trends in society. Both the Musharraf regime and the preceding governments had taken solid measures to bring all national policies in conformity with the country's obligation under international human rights law and other

International Conventions.

Pakistan Tehreek-e-Insaf (PTI) government has also been attentive to the issues since day one. Various sections of the minorities have faced new kinds of threats in the recent past. Especially, the Supreme Court of Pakistan has been proactive in responding to all such emergency situations promptly that has led to an immediate redressal and restoration of the worship places of minorities. Similarly, the issue of forced conversion, particularly in the province of Sindh, has given rise to an across-the-board reaction demanding an amendment to the relevant law. The federal government has recently introduced a draft bill, according to which, any non-Muslim adult who is able and willing to convert to another religion must apply for a conversion certificate from an Additional Sessions Judge. The judge would be required to set a date for an interview within seven days of receipt of an application for conversion. The judge may ask the applicant to study comparative religions and is required to complete the process within 90 days of receipt of application. The bill would also permit conversion only after the age of 18. The proposed law would authorize punishment of between five and 10 years and a fine of \$500 to \$600 for a person who pressures or forces anybody to convert to another religion. To finalize the proposed legislation, a high-level committee had been constituted at the federal level. The committee includes senior officials from the Ministry of Human Rights and minority parliamentarians.

Hindu Marriage Act, 2017 and Christian Marriage and Divorce Bill, 2019 are among the efforts to improve the personal law of these two minorities and protecting the rights of their coming generations. Ministry of Human Rights, Ministry of Law, and Ministry of Religious Affairs are in contact with all the minorities to get their inputs on all such reforms in their respective laws. It is important to note that the successive governments have been showing resilience towards protecting the rights of minorities in Pakistan. Despite achieving a country in the name of religion, the people of Pakistan have shown responsibility in protecting the rights of minorities by raising their voices against all the wrongdoings, as and when occurred during the past decades. They haven't encouraged anti-minorities laws like Indians, who have made the life of minorities in India miserable in the name of Hindutwa. Instead, the people of Pakistan have not only protected minorities but also foiled all the tactics aiming at fanning violence among various communities by their enemies. Renovation and rehabilitation of the Gurdwara Baba Guru Nanak Sahib is a feather in the cap of Pakistan, as it has projected not only the pro-minorities image of Pakistan but also opened up a window of peace for the progress and growth of the region.

Independent India: Dreams Unfulfilled

Ram Puniyani

With India getting freedom from colonial rule, the first Prime minister Jawaharlal Nehru summed up the aspirations and dreams of the leaders and participants in the movement in his famous and apt speech "Tryst with Destiny". He stated, "The achievement we celebrate today is but a step, an opening of opportunity to the greater triumphs and achievements that await us." True to these words he initiated a process of strengthening of democracy, one man one vote, on one hand. Simultaneously he started laying the foundations of modern India. In the areas of industrialization, education, health and agriculture there was a massive advancement. The policies adopted, though they had some flaws, yielded to advancement in science and technology (CSIR, BARC, IITs to name a few), led to green revolution and white revolution among others, which enhanced the living standards of Indian people. The affirmative action for dalit-Bahujan in due course led to their empowerment and some facilities started reaching too far off Adivasi areas as well.

It is not that all was hunky dory, there were many lapses in policies implementation, the obstacles posed by traditions and blind faith came in the way time and over again despite the promotion of Scientific temper being the part of duties enshrined in Indian Constitution. The grip of religiosity started loosening but was very much there. Building on emotive religiosity communal forces raked up the Ram Temple issue and it served a big springboard for communal forces. The journey which the republic was marching on initially got obstacles from here on. Later on there was a total change in

the priorities of the state. The communal forces, which earlier were on the margins started getting center stage in due course and dominated the scene after Babri Demolition in particular. The communal violence, which had taken horrific shape with anti-Sikh pogrom of 1984, kept on surfacing in dangerous proportions ; Mumbai 1992-93, Gujarat 2002, Kandhamal 2008, Muzafarnagar 2013 and latest in the tally being the Delhi violence of 2020.

The anti Sikh violence was a single go tragedy. The anti Muslim violence kept resurfacing. Lately Anti Christian Violence, though mostly below the radar has become endemic. With BJP coming to power with majority in the center the matters are going from bad to worse, while insecurity of the minorities is skyrocketing, the other marginalized sections are also feeling pinch of the violence directed amongst them. The policies of this Government with overt communal agenda are also affecting the economic and social plight of marginalized sections of society. As per the data of National Crimes Record Bureau (2019) the violence against SCs has gone up by 7.3% and against STs by 26.5%. Ghettoization of minorities is on the rise. The Indian fraternity which developed during freedom movement seems to be going in the reverse gear, by and by.

While the ruling Government claims to be pursuing the policy of Sab ka Saath, Sab ka Sathh and Sabka Vishwas, (Take everybody along, everybody's development and everybody's trust) in reality it is few Corporate houses and elite which are flourishing at break neck speed while the condition of average people is going down as the price rise of



commodities and petrol-diesel are touching the unaffordable limits.

India was coming up and improving in global indices related to freedom, hunger, employment and other social indices. The trend is reversing now. The most glaring insensitivity of the ruling Government, which is pushing the country in the direction of Hindu rashtra, is manifested in the form of its insensitivity to the eight month old farmers agitation, to which Government has turned the deaf ear. The unemployment has been rising. According to data from Center for Economic data and analysis based on ILO Stat data base; India's unemployment was highest since 1991. It has increased sharply to 7.11 (2020) from 5.27 (2019). It is much higher than even countries like Bangla Desh (5.3), Srilanka (4.84) and Pakistan (4.65).

In Press freedom it has slid down from 133 (2020) to 142 (2016), while Nepal is at 106, Sri Lanka 127, Pakistan 145 and Bangla Desh 152. As far as religious freedom is concerned for the first time India has been places in the lowest category of 'Countries of particular concern' by US Commission on International Freedom. This has been based on anti minority violence, CAA, NRC and Delhi anti Muslim violence in particular. As per the Global Hunger Index report 2019. India ranked 102 among 117 countries.

Last seven years of our republic have been marred by a rise in intense hate against religious minorities.

Issues like Cow-Beef, Love Jihad and Ghar Wapasi have dominated the socio-political scene pushing to the margins the central concerns of the country. These central concerns related to livelihood, agriculture, control over prices of commodities and improvement in health and educational facilities have been eclipsed by emotive issues propped up by the ruling party. Country has hardly recovered from the blow of demonetization, which ruined the small trade, rural employment and economy apart from other factors.

The Government in power is out to suppress the federal spirit of the constitution and now many Governors are openly espousing the cause of the ruling party. The handling of Covid, the sudden lockdown again showed its lack of concern for the lives and travails of average people in general and more and deprived in particular. On the top of all this the Pegasus issue, spying over its own citizens has shocked the country to no end.

The ruling Government and its parent the RSS have pushed us back by decades at most of the fronts of democracy, fraternity and welfare of the people. In a way it should be no wonder as their agenda is based on exclusion of religious minorities and defends the status quo of caste and gender as prevalent in the ancient times. This is important part of their political ideology. One can only hope that we come back to the path which was envisaged by the freedom movement!

Three years and still no trial: The Legal Battle of Bhima Koregaon

Neha Joshi

On July 5, 2021, 83-year-old activist and priest Father Stan Swamy passed away in a Mumbai private hospital while in judicial custody for his alleged involvement in the riots that took place in Bhima Koregaon post the Elgar Parishad event held on January 2018.

His death highlighted the state of undertrials in the Bhima Koregaon case, most of whom have been awaiting trial for the past three years. On December 31, 2017, a group of persons including activists and retired Supreme Court judge Justice PB Sawant and retired Bombay High Court judge Justice BG Kolse-Patil came together for the Elgar Parishad event. The event marked the 200th anniversary of the victory of Dalit soldiers in a battle against a local Brahmin Peshwa ruler. It was marred by violent clashes between Dalit and Maratha groups which led to at least one death and injuries to several others. Consequently, three First Information Reports (FIRs) were filed in the case.

FIRs and chargesheets filed in the case

The FIR of January 8, 2018 registered against Leftist groups with Maoist links was the one vigorously pursued by the authorities. It forms the basis of the entire Bhima Koregaon case which led to arrest of 16 accused, 3 chargesheets and a trial yet to begin.

It was registered on a complaint by a Pune businessman Tushar Damgude, belatedly alleging that at the event, people had given inflammatory speeches inciting hatred. The case was being investigated by the Anti-Terrorist Squad, Pune which accused 11 persons are accused. The first chargesheet of over 5,000 pages was filed in November 2018 against 5 arrested accused and 5 absconding accused.

Those arrested were activist Rona Wilson, Nagpur lawyer Surendra Gadling, Nagpur University professor Shoma Sen, former Prime Minister Rural Development fellow Mahesh Raut and Sudhir Dhawale of Republican Panthers. The absconding were alleged underground Maoists Milind Teltumbde, Prakash alias Ritupam Goswami, Prashant Bose alias Kishan da, Manglu and



Deepu. The Pune Police applied for an extension of time for filing of a secondary chargesheet and an additional 90 days was granted by the Special Pune Judge on November 26, 2018.

A supplementary chargesheet was filed in February 2019 against lawyer activist Sudha Bharadwaj, Telugu poet P Varavara Rao, activists Arun Ferriera, Vernon Gonsalves and fugitive general secretary of the banned CPI (Maoist) Ganapathy alias Chandrashekhar.

Both chargesheets made specific allegations that the accused were raising funds for terrorist activities, recruiting different persons from different states to give training for terrorist activities and hatching conspiracy for committing terrorist acts. It alleged that the accused hatched conspiracy to form a parallel government in the country by overthrowing the government established by the democratic setup.

Transfer of case to NIA

In January 2020, the Centre issued a notification for the investigation to be transferred to the National Investigation Agency (NIA) and accordingly, the NIA registered a case. After NIA took over the case, the case was transferred to the Special NIA Court of Mumbai.

Thereafter, NIA filed a voluminous chargesheet of over 10,000 pages in October 2020 against 8 persons including Father Stan Swamy, Anand Teltumbde, Gautam Navlakha, Prof Hany Babu, Sagar Gorkhe, Ramesh Gaichor, Jyoti Jagtap and absconding accused Milind Teltumbde.

On August 22, 2021, NIA submitted seventeen draft charges in the Special Court against the 16 accused in the Bhima Koregaon case. However, the accused pointed out that several of their pending applications are required to be disposed of before the charges can be framed by the Court. Thus, the framing of charges has been deferred till then.

The accused

The following are details of the proceedings that have been filed since 2018.

Sudhir Dhawale

Dhawale was arrested in June 6, 2018. He is a Dalit rights activist and owned a Marathi left-leaning publication.

Rona Wilson

Wilson is an academic, activist and was a member of the Committee for Release of Political Prisoners. He was arrested on June 6, 2018.

Surendra Gadling

Gadling is a human rights lawyer. He was a former general secretary of the Indian Association of Peoples' Lawyers (IAPL) and was arrested on June 6, 2018.

Shoma Sen

Sen, an English literature professor, Dalit and women's rights activist, was also arrested on June 6, 2018.

Mahesh Raut

Raut was the last to be arrested in June 2018 by the Pune Police. He was a land rights activist and had been a former research fellow of the Prime Minister's Rural Development Programme.

P Varavara Rao

The Telugu poet and communist ideologue was arrested by the Pune Police in August 2018 in the next set of arrests. These set of accused were placed under house arrest for about a month, before they had to surrender to judicial custody.

Arun Ferreira

A lawyer by profession, Ferreira was an advocate of tribal and Dalit rights. He was also arrested on August 28, 2018.

Vernon Gonsalves

An academician and trade unionist, Gonsalves is a Dalit, tribal and prisoner rights activist.

Sudha Bharadwaj

Bharadwaj, also a lawyer by profession, was the national secretary of the People's Union for Civil Liberties when she was arrested in August 2018. She was also a visiting faculty member at National Law University, Delhi.

Dr Anand Teltumbde

Teltumbde's name was added in the FIR in November 2018. A scholar and a professor of management at the Goa Institute of Management, Teltumbde surrendered

to the NIA after the Supreme Court refused to grant him protection from arrest in March 2020.

Gautam Navlakha

An academician, writer, human rights activist and former secretary of People's Union for Democratic Rights, Navlakha was arrested in August 2018, but was placed under house arrest. He also surrendered with Teltumbde in April 2020 after the Supreme Court order.

Hany Babu

Babu, a Delhi University associate professor, was arrested in July 2020 after he had been summoned by the NIA for interrogation.

Sagar Gorkhe

Gorkhe, a member of the Kabir Kala Manch, was arrested with two other members by the NIA in September 2020. The organisation was alleged to be a Maoist organisation.

Ramesh Gaichor

Gaichor was arrested along with Gorkhe for being a member of the Kabir Kala Manch. The two accused have filed a plea for quashing of the criminal proceedings initiated against them, which is pending before the Bombay High Court.

Jyoti Jagtap

Claimed to have given provocative speeches at the 2017 event, Jagtap, also a member of the Kabir Kala Manch, was arrested with Gorkhe and Gaichor and was remanded to NIA custody for 3 days. She is presently lodged in the Byculla women's prison with Sen and Bharadwaj.

Father Stan Swamy

The eldest among the incarcerated accused and the last person to be arrested was the late tribal and Dalit activist and Jesuit priest Swamy. Although his name appeared in the 2018 FIR, he was arrested by NIA in October 2020.

Although Swamy passed away in July 2021, his lawyers have been trying to keep the criminal proceedings against him alive in a bid to clear his name from the case. While Bombay High Court is yet to take a call on Swamy's pending appeals, the Special NIA Court has listed the pending applications on September 6, 2021.

Courtesy: Bar and Bench

Nepal: Why non-Dalits' silence is also violence against Dalits

Often I faced one common question from my friends, seniors and juniors: why I always write on caste-based discrimination, why not on other issues. They accuse me of being a casteist who always talks or writes about the caste issue. According to them, there is no such scenario as I wrote. But, unfortunately, the media coverage of caste-based discrimination and its consequences speaks a lot. Generally, within a month, the national media publish around two to three news items about the issue. On the other side, there are many such incidents that are unheard of and unaddressed. More than that, the local leaders and police administration force survivors to stay silent and not to take legal action. Even they threaten the survivors of grave consequences if they initiate the legal process. In this context, I think not only me but every conscious citizen, non-Dalits even more, should speak against violence against Dalits. If they fail to do that, they could also amount to violence against the Dalits.

The recurring disease

Once again, this old disease of caste discrimination came to society with the Rupa Sunar-Saraswati Pradhan controversy. Reportedly, it began with a casual conversation as Sunar asked if Pradhan could give her a flat at her house. At one point, Pradhan was very positive to give the flat to Sunar. But, when Sunar revealed her caste as a Kami, everything changed. The house owner refused to give her room because of her caste. After that, Sunar decided to seek the help of the law. Hence, she filed an FIR against Pradhan and the police even arrested the house owner. But, it later divided society as some supported Pradhan and some others Sunar. The contents posted on social media were very pathetic. A large mob of non-Dalit attacked Sunar with worse comments just because of her caste and the community to which she belongs. Even government officials, scholars, journalists, and artists stood on the side of the caste system and discrimination. Their arguments and activities reflect the social psychology of the people regarding the issue.

Some news reports and people's comments on social media on caste-based discrimination tells everything about the social structure of our society. The incident divided the people and reflected ethnocentric thoughts of people who yet are supportive of caste discrimination. They openly advocate for discrimination and say, "We will follow caste discrimination until and unless Dalits are denied reservation facilities." But, in fact, Dalits are not alone to get the reservation. Dalits get only nine per cent of the reservation seats whereas women, ethnic tribes, the disabled, people from remote areas also get reservations. Sadly, the non-Dalits only see the reservation for Dalit, which is very less as compared to the oppression of these so-called non-Dalits. In Nepal, Dalits are attacked, killed and tortured by non-Dalits because of caste. There are many tragic accidents like the Rukum massacre and the murders of Ajit Mizar, Sete Damai, and Angira Pasi because

of their caste. There are many Rupa Sunars, Deepa Nepalīs and Karuna BKs, who were asked to leave the rented rooms because of the caste. There are many discrimination cases happening in the country, but very few were addressed.

Silence is violence

Usually, in caste-based discrimination cases, the survivors get tortured by non-Dalits. They also discourage the survivors from taking legal action against the accused. Non-Dalits behave as if the survivors commit a crime by filing a case. Right now, we can see people's comments about Rupa Sunar's legal fight for justice. Peoples' comments are extreme and against humanity and law. A majority of non-Dalits do not like to talk about caste-based discrimination. Even the youth and student unions do not like to participate in Dalits' protests. Remember, they are the ones who go for a strike on price hikes in fuels. These are the youth who protest on animal rights but remain silent in caste discrimination incidents and Dalit murders. Similarly, top leaders of political parties, union leaders remain silent. It shows that we have very ethnocentric and narrow thoughts on such vulnerable issues. Non-Dalits' absence in the Dalit movement proves it. Media, civil society and progressive groups actively raise voices against caste-based discrimination, but that is not enough unless non-Dalits actively support the cause. They should understand caste-based discrimination is not only the problem of the Dalit community. It is the common problem for all Nepalīs if we analyse it minutely.

When a black man named George Floyd was killed in the USA, the white community actively took part in the protests by holding big placards and banners on the streets. They joined hands with the black community for justice, equality and humanity. One slogan, "Silence of a White is violence" held people's attention very effectively. Even police personnel said sorry and asked for an apology to the black community. But, in our context non-Dalits make alliances to fight against the Dalits when they make efforts to get justice for example by filing a case against any act of discrimination. They accuse Dalits of trying to attack social norms and values and corrupting society. There is an understanding of social crime in our society. Mainly, the hypocrisy of non-Dalit is one of the major factors to perpetuate caste discrimination in our society. Their silence adds to the casteist attitude in our society. But, remember, caste discrimination is a virus of society. It will destroy the mutual harmony among the people. It will erase the unity of people. Therefore, people should think twice before doing anything about it. They should stand for humanity. Moreover, the entire nation should fight against inhuman activities that differentiate people on the basis of castes. People should unite together for self-esteem, social freedom and equality. Otherwise, society will face a worse situation in the future.

Source: Online Akhbar

The New 'Republic of Fear'

If a state wants to perpetuate the reign of a ruler or his ideology, it could simply crush its citizens. This method suits brazen dictatorships. However, states that wear a veneer of democracy are cleverer: they abuse their legal system to oppress citizens in a 'legal' way. The law in India has been weaponised by the state as the most effective tool of persecution of all those who dissent. We are now in a paradoxical situation where constitutional values professed by the state are being violated in the name of upholding the law. The Indian state is shooting from the shoulder of law to murder justice.

The state is feared, not respected

Far from being the most important 'service arm' of the state, the role of the law enforcement agencies, whether the state police, CBI, NIA, ED or NCB, etc., has been reduced essentially to the proverbial midnight knock at the doors of citizens, whisking them away or implicating them in false cases that would see them running to the courts for years on end with their lives and livelihoods destroyed in the process. Law enforcement having metamorphosed into the dreaded 'coercive arm of the state', means that the 'thought' comes from the state, which, in turn, is executed by the 'muscle' of law enforcement. The Indian state and its law enforcement agencies have come to be feared, not respected-and that, dear countrymen is the real tragedy of our democracy. One of the most effective methods of abusing the laws is to create an atmosphere of fear-fear in the minds of those who do not prostrate before the regime; and, fear in the minds of the 'devotees of the regime' that the dissidents pose a danger to the state and them. In dictatorships, they called them the "enemy of the people". We call them by more colourful names, like anti-nationals, 'desh ke gaddaar', 'tukde-tukde gang', 'jihadis', 'urban Naxals', 'ISI agents', 'speaking Pakistan's language', etc.

The Indian state today seems to proclaim that everything in the country is in danger-whether it is religion, culture, communal harmony or public peace and tranquillity. When these things are not threatened, the unity and integrity of the country, internal security or its development are threatened. Every day we find political leaders exhorting people to maintain the 'unity and integrity' of the country against 'internal threats'. What are those internal threats and what creates them, no one knows. What is so 'uniquely fragile' about our unity and integrity after 74 years also that we are obliged to reinforce it every day, we don't know. Things, which could endanger national security range from 280 character tweets to WhatsApp messages, emails, and Facebook posts, to articles, books, songs, plays and films-people have been charged for criticising a yoga guru, saying cow dung does not cure Covid, cheering Pakistan's cricket team, cartoons and not standing up in a cinema when the national anthem was being played. When the



state cannot invoke sedition or the UAPA, they can always accuse someone - typically a victim - of hurting religious sentiments or inciting disaffection amongst communities. Witness the cases filed recently against those who described the allegations the old Muslim man levelled about the attack he was subjected to in Ghaziabad.

Majoritarianism, the new democracy

In fact, anything that does not conform to the majoritarian narrative is capable of being cited as an act aimed at destabilising the country. Indian society is now being driven by a strictly binary logic. Either you conform to the majoritarian narrative or you deserve to be tormented. The majoritarian narrative is seldom questioned by the state, and majoritarian violence is seldom punished. Recently, according to media reports, highly inflammatory speeches calling for the mass murder of Muslims and the kidnapping of Muslim women were allegedly made during a mahapanchayat at Pataudi, Haryana by Suraj Pal Amu, a BJP spokesperson and some private individuals including a man accused of firing at Jamia Millia University last year. Though these are all cognisable offences, the police say it has not acted because no one has filed a complaint yet.

The troll army, acting allegedly at the behest of the ruling party, pounces upon the slightest hint of dissent. To them, dissent questions the authority, the supposedly infinite wisdom of somebody, raised to the status of a demigod-and is therefore sacrilegious. Trolls regularly tag the offices of the prime minister, the home minister and the police, demanding registration of cases against their targets. The Indian state, on its part, seems to be deeply apprehensive of a 'domino effect' in relenting to any demand arising out of dissent. Thus a vicious cycle is established.

The state and its insecurities

Are we not ashamed of the sheer ridiculousness of the situation we present? Are we trying to tell the world that a nation of 1.39 billion people, which pretends to be a 'Vishwaguru' (teacher of the world), starts tottering and its

people start boiling over a few words? If the country is supposedly full of such people whose sentiments sit on a hair-trigger or are treacherous, then probably we are not fit to continue as a nation. The Indian state does not seem to have the moral courage to admit that it suffers from so much insecurity that it wants to snuff out any whiff of dissidence by creating the bogey of 'nation, religion or culture in danger'. The rulers seem to suffer from insecurities because, deep down in their hearts, they know that all they have done is the collective brainwashing of the masses and, except for a slick propaganda bombardment from every possible medium, they have nothing tangible to show. American political and social activist Abbie Hoffman once said, "You measure a democracy by the freedom it gives its dissidents, not the freedom it gives its assimilated conformists." The way the Indian state is going full throttle against any kind of dissent bodes ill for our democracy.

Devious means

Clever elected leaders kill democracies by subverting the institutions of democracy quietly. As Steven Levitsky and Daniel Ziblatt note in *How Democracies Die*, this may be less dramatic but equally destructive; it erodes democracies slowly, in barely visible steps so that generally, no alarms go off in the collective consciousness. Over the years, they have perfected the techniques of intimidating and muzzling the media; selective targeting of political and ideological opponents and minorities by implicating them in false cases; demonising migrants or anybody the majority describes as 'others'; exploiting a distorted historical narrative of 'victimhood' amongst the majority; and abusing the laws by invoking the bogey of national security at the drop of a hat. They also claim to be the sole embodiment of 'people's will', which provides them with the license to commit atrocities in the name of satisfying 'collective conscience' or 'setting right historical wrongs'. The tragedy of this country is that the people no longer find it incongruous, if not outright shameful that a chief minister, who is supposed to uphold the rule of law, proudly proclaims that criminals will be killed in encounters (thok diya jayega).

The remarkable alacrity with which baseless cases are being registered against journalists and media houses for reporting anything that shows the state in a bad light, makes one feel that another phrase 'case kar diya jayega' (a case will be filed against you) has been added to their armamentarium. In other words, the state is running permanently on a 'punishment mode'. The most effective method of subjugating the people in general and dissidents, in particular, is to hit them where it hurts the most—deny them justice. A clever exploitation of the criminal justice system is the key to this process while the state rides a moral high horse. The ministry of external affairs has responded to global criticism by saying that everything which took place in the run up to the custodial death of Father Stan Swamy was "strictly in accordance

with the law". The primary objective of the Indian state seems to be to keep the people terrified of the state and thus permanently subjugated. They know it well that, given the tortuously long process of criminal justice, the process itself is a punishment, even if you are acquitted years or decades later.

Laws to torment and subjugate

Precisely for this reason, the Indian state has enacted a vast number of laws. They can always find some obscure law under which you can be booked for anything. In the 19th century itself, Justice Holloway of the Madras high court had warned that the British were 'over-legislating' the colony and it was inherently bad as they would be abused to oppress the people. The imperialists did not listen to him for obvious reasons. The Indian state not only hung on to the powers of the colonial regime, it amplified them. We need not speak about the abuse of sedition and UAPA, etc., as everybody knows them. The Indian state excels in abusing even less powerful laws. For example, Section 505 in the original Indian Penal Code of 1860 was intended basically for 'protecting' the military from rebellious rumours - a genuine concern from the point of view of the British in the backdrop of the recent Mutiny of 1857. Indira Gandhi knew that in independent India there was hardly any possibility of someone trying to subvert the military by rumours, etc. As such, the Section would have been of little help to a dictatorial state masquerading as a democracy. Hence, she amended it in 1969 vide Section 3, Act 35 of 1969 to include every member of the public in its ambit so that a much larger number of people could be persecuted for practically anything they did.

The absence of laws also serves the purpose

In spite of having signed the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (as adopted by the United Nations General Assembly on December 9, 1975) on October 14, 1997, India has not ratified it by enacting an enabling legislation to reflect the definition and punishment for 'torture' and bring domestic laws in conformity with the Convention. The Indian state has deliberately not enacted a law on this because they do not want to let go of this potent tool of oppression and silencing political dissent. The intolerance and insecurities of the Indian state are acutely reminiscent of the despot Kamsa, the maternal uncle of Lord Krishna. Kamsa was afraid of newly-born infants; our modern state is afraid of young college girls and octogenarians. The Roman tyrant Caligula, known for his cruelty, extravagance and perversions had said, "Let them hate, so long they fear". It was never as true as for India of 2021—fear seems to have become the primary tool of governance for the 'republic of fear'.

(Dr. N.C. Asthana is a retired IPS officer and a former DGP of Kerala.

Source: Janata Weekly (Article courtesy: The Wire)

Crimes against Dalits, tribals increased in Covid pandemic year: NCRB



A scheduled caste (SC) person faced crime every 10 minutes in India in the past year, cumulating to a total of 50,291 cases registered in 2020, an increase of 9.4% from the previous year, data from the National Crime Records Bureau said.

Crimes against scheduled tribe (ST) communities also increased by 9.3% to a total of 8,272 cases in the year.

The rise in crimes against SCs and STs bucked the broader trend of a drop in crime under some major heads - except Covid violations -- last year, due to the pandemic and the 68-day-long lockdown that began on March 25, 2020.

Overall crimes rose 28% due to criminal cases related to Covid-19 violations, but crimes against women slowed 8.3%, rape cases dropped 12.4% and abduction decreased by 19.3%.

“Our experience says that when it comes to atrocities on Dalits, efforts are made to dilute the seriousness of the violence and shield accused people. It is a serious matter that despite a pandemic and the presence of constitutional and legislative safeguards, crimes against them are increasing,” said Rahul Singh of the National Dalit Movement for Justice.

The data on crimes offered four broad takeaways.

One, the largest chunk of crimes against SCs and STs in the past year was that of simple hurt - bruises, injuries resulting out of skirmishes or fights as opposed to more serious broken limbs or maiming. A third of the crimes against SCs was registered as simple hurt, while the figure stood at a fourth for STs.

This confirmed anecdotal evidence of rising social tensions in the countryside as migrant labourers -

many of whom came from marginalised castes and tribes - were forced to return from the city to their home villages, where very few of them owned land or commanded social capital.

To be sure, simple hurt always form a big proportion of crimes against SCs, but the 2020 figures represented a four percentage point rise from 2019.

Two, crimes against SCs continued to be concentrated in a handful of states.

Uttar Pradesh constituted 25% of all crimes recorded against SCs and reported 12,714 cases in all. To be sure, this can be attributed to the state's high population (it also has the highest population of SCs) and better reporting mechanisms owing to a dense network of ground-level activists.

It was followed by Bihar (7,368), Rajasthan (7,017) and Madhya Pradesh (6,899). Together, these four states account for two-thirds of all crimes against SCs in India despite accounting for only around 40% of the country's 197 million scheduled caste people.

The rate of crimes - which is a measure of crime cases relative to the population of SC -- was highest in Rajasthan, followed by Madhya Pradesh and Bihar. This was identical to last year.

A similar analysis for STs doesn't hold because they're concentrated in a few states, unlike SCs who are more evenly spread.

Three, the nature and quantum of crimes against Dalits is very different in big cities and the countryside and smaller hamlets. This underlines the logic behind migration of lower-caste communities from villages to cities since Independence and the exhortation of BR Ambedkar to leave the “sink of



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In 2020, a total of 1,485 crimes against SCs were registered in India's 19 metropolitan cities with a population of two million or more - indicating that 97% of the crimes against Dalits occurred in small towns and villages.

The figure in big cities represented a drop of 10.9% from the previous year - a sharp contrast to overall numbers that went up. To be sure, it could also mean that lockdown strictures were more rigidly enforced in big cities, leading to lower crimes.

The nature of crimes against SCs in big cities was also different. In the 20 big towns, criminal intimidation and rape were the most common crimes against Dalits. Overall, simple hurt and atrocities cases were the most common.

Four, the court pendency rate of cases, especially in cases filed under the Scheduled Caste and Scheduled Tribe (Prevention of) Atrocities Act, continues to be low. This also confirms standalone reports of cases of major caste crimes taking years to reach final stage in courts and difficulty faced by Dalits in proving crimes against upper-castes.



The court pendency rate of cases under the SC/ST Act stood at 96.5% in 2020, up from the 94% last year. At the end of the year, 177,379 cases were pending trial under the special legislation meant to protect the marginal castes and tribes.

The overall pendency rate in the country for all cases was 91.3% for special and local laws (SLL) crimes and 93.8% for Indian Penal Code crimes.

Only 216 cases from the 50,291 crimes against SCs in 2020 resulted in convictions. 3,192 cases resulted in acquittals.

"These pendency numbers bring the adequacy of existing court infrastructure to adjudicate these cases in question," said Raja Bagga, a senior programme officer of the Commonwealth Human Rights Initiative.

He pointed out that in a state like Bihar, with 49008 atrocity cases for trial, only 55 were disposed by the courts during the year, leaving 48, 953 (99.9% of the cases) pending. Out of these 55 cases, 43 led to acquittal.

In West Bengal, only 723 atrocity cases were in court on trial (one of the lowest among big states), but only two of them were disposed off during the year, both ending up in acquittal.

"Connected to the slow pace of the trials is the low conviction rate of 42.4% in atrocity cases. The average conviction rate in the country is 59.2% for IPC cases and 87.5% in SLL cases," Bagga added.

Source: Hindustan Time



Minority leaders press Government for commission, to end discrimination

Leaders deplore condition of minorities 50 years after independence.

The alliance of religious and racial minorities has asked the government to form a national commission and protection law to end discrimination and violence.

At a press conference at the National Press Club, the alliance leaders deplored the condition of the minorities in Bangladesh, some 50 years after the achievement of independence, where secularism is one of the four pillars of the constitution and urged the ruling Awami League to fulfil their promises regarding the minorities issued before the 11th parliamentary polls.

Hindu-Buddhist-Christian Oikya Parishad leader advocate Rana Dashgupta, Bangladesh Puja Udjapon Parishad President Milan Kanti Datta, former lawmaker Ushaton Talukder and President of Parbatya Chattagram Jana Samhati Samiti (PCJSS) Jyotirindra Bodhipriya Larma alias Santu Larma were present at the press conference, among others.

A total of 24 minority organizations and platforms expressed solidarity with the demands and signed the written statement.

If the demands are not met, the alliance will declare a

long march towards Dhaka in February next year. Rana Dashgupta read out the statement. He asked the government to take effective steps to end incidents of murder, intimidation, mob attacks and violence against the minorities and ensure human rights, safety and social dignity and justice.

The leaders also demanded separate land commissions for the minorities of the plains and the hills and implementation of the Vested Property Return Act.

Replying to a query, Rana Dashgupta said the Facebook post given by Jhuman Das, a youth from Sunamganj now in jail in a case filed under the Digital Security Act 2018, had nothing to do with demeaning any religion.

"It is a matter of great regret. The main culprits are now free on bail while Jhuman is behind the bars. We have appealed to the High Court to look into the matter and will file a plea for his bail," he said, with a hope that Jhuman would be freed soon.

The alliance leaders said they would submit a memorandum to the prime minister to remind the ruling party about its pledges spelt out in its election manifesto. They will also launch a mass signature campaign.

Source: Dhaka Tribune

Violence' new means of upper caste hegemony

Abash Parida



Recently, I watched a movie titled "Narappa". Venkatesh is in the lead role. The entire plot of the movie is based on caste system, caste crime and caste discrimination. The old rancour between upper caste people and Dalits over land acquisition, controlling water source or supply and structural dominance have been displayed in the movie. The involvement of local police, local leaders and local goons to galvanize the micro social issues into caste conflict is also presented in the movie. Many claim that the movie is based on real life incidents that occurred in Tamil Nadu during 1960s.

The number of caste based violence in India is spiking up. As per a report by the National Dalit Movement for Justice, as many as 400,000 incidents of violence on Dalits were reported between 2009 and 2018. This number is approximately 6per cent higher than the incidents of violence occurred between 2000 and 2009. Even Covid 19 pandemic could not stop the caste based violence. During the pandemic imposed lockdown, the caste atrocities and caste crimes have significantly increased nationwide. There is a publication titled "No lockdown on caste atrocities-Stories of caste crimes during the Covid-19 pandemic," which depicts many horrific and disturbing stories of lower caste people or Dalits who are victimised by the caste dominance. The Dalit Human Rights Defenders (DHRDNet) Network collects as many as 60 real life stories from seven Indian States such as Gujarat, Kerala, Karnataka, Maharashtra, Rajasthan, Tamil Nadu and Telangana. Overall, the book gives a crestfallen message of how caste dynamics control the socio psychological, legal and structural aspects of society. In one of the stories like "Young Dalit voice silenced for water" a young Dalit was brutally killed by upper caste because of water issues in Gujarat. In another story "She May Never Walk Again", a Dalit girl was raped and thrown near a water tank by 'upper' caste offenders. In "Beaten for being thirsty", a young Dalit man and his mother were brutally assaulted for demanding water from a public tap in their village in Rajasthan. "The tragic tale of an ideal Dalit youth" and "Love murdered by a caste hammer" are the stories based on honour killing. In the two stories such as "A Crime in an ambulance" and "Gang raped in quarantine centre" the vulnerable status of Dalit women is highlighted.

These real life stories are meant to find out the root cause of the caste crimes and to ensure legal justice to victims. These 60 stories emphasize the role of police, legal gaps and poor administration to control these crimes. The role of police and legal system are always questioned on their stand on caste based justice. For Example: As per prisons

data, two in three prisoners i.e 69per cent and undertrials i.e 65per cent in India are from the Scheduled Castes, Scheduled Tribes or Other Backward Castes.

And as per the data by National Campaign Against Torture (NCAT), out of the 125 deaths in police custody, 60per cent belong to poor and marginalised communities. We understand that caste system is an endogamous and hierarchical system with the practice of purity and pollution. Dominance is the key feature of caste system. Caste violence is one of the methods of caste dominance. Traditional form of symbolic order of dominance was untouchability. Now the upper caste people try to maintain their dominance in other forms like atrocities and violence. In my personal opinion, caste based violence and atrocities are the new symbolic order of dominance by upper caste people. There is a long debate on caste discrimination and caste violence. Many scholars argue that caste crimes like untouchability are the form of new structural violence.

The various forms of caste based violence are murder, rape, kidnapping and abduction, robbery, arson and physical assault. Mob lynching is also another form of caste violence. Mob lynching is community based as well as caste based crime. Recently four men, including a Hindu priest, have been charged with the rape and murder of a 9-year-old Dalit girl in Delhi. According to India's National Crime Records Bureau, more than 32,000 cases of alleged rape against women were reported in 2019 only. It is true that caste violence has been increasing. The forms of violence can be defined as physical, mental, psychological, cultural, economic and political violence and so on. Further, it is to understand that despite many acts and laws the pendency cases related to caste atrocities is high and conviction rate is very low. As per the National Crime Record Bureau, 1, 70,000 cases are pending trials in 2019. Further, 2, 04,191 cases were up for trial in 2019 and only 6per cent i.e. 12,498 cases had the trial completed. Yes, it is a fact that incidents of caste violence occur more in rural areas. But now they take place in urban areas also. The reasons like caste patriarchy, exploitation, untouchability, achieving political power and economic opportunities such as land or water supply are the few out of many which prompt the caste violence. But out of these land and untouchability stand as the strong reasons which instigate caste conflict. Now each caste group is trying to empower itself. In the process of empowerment many castes try to subjugate and ignore others. Simultaneously, an insidious hostility is growing.

Courtesy: The Pioneer