

**Dynamics of Dalit Atrocities:  
A Case Study of  
Uttar Pradesh**

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21<sup>st</sup> July, 2004

**CERTIFICATE**

Certified that the dissertation entitled "**DYNAMICS OF DALIT ATROCITIES: A CASE STUDY OF UTTAR PRADESH**" submitted by me in partial fulfillment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** has not been previously submitted for any other degree for this or any other university and is my own work.

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We recommend that this dissertation may be placed before the examiners for evaluation.

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**(Supervisor)**

**Prof. Zoya Hasan**  
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*Dedicated*

*to*

*Mai & Babuji*

## A C K N O W L E D G E M E N T

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## LIST OF ABBREVIATIONS

BAMCEF	All India Backward (SC, ST and OBC) and Minority
BC	Backward Caste
BJP	Bharatiya Janata Party
BSESAS	Bhumi Sudhar Evam Shram Abhian Samiti
BSP	Bahujan Samaj Party
CID	Criminal Investigation Department
CM	Chief Minister
DAG	Dynamic Action Group
DGP	Director General of Police
DM	District Magistrate
DS4	Dalit Shoshit Samaj Sangharsh Samiti
DSP	Deputy Superintendent of Police
EPW	<i>Economic and Political Weekly</i>
HM	Home Minister
INC	Indian National Congress
JD	Janta Dal
LDA	Lucknow Development Authority
LJCP	Lok Jantantrik Congress Party
MLA	Member Legislative Assembly
MP	Member of Parliament
OBC	Other Backward Classes
PUCL	People Union for Civil Liberty
PUHR	People Union for Human Right
RPI	Republican Party of India
SC	Scheduled Caste
SDM	Sub-Divisional Magistrate
SP	Superintendent of Police
ST	Scheduled Tribe
UP	Uttar Pradesh
VHP	Vishva Hindu Parishad



## Chapter One

### **Introduction**

'Dalit atrocity' is a relatively modern phenomenon taking space in the front page of today's vernaculars but it has its root in the age old 'ritual untouchability', which got it ideological legitimacy under Hinduism. The material basis of it was the economic deprivation due to lack of property right to 'untouchables' and the ideological basis of it was the Hindu Religion, culture, value system, life style, inter personal relationship, which established invincible hegemony over the mind and life of Dalits in pre-independence India. With the secularization of Institutional space of economy, education and polity; a structural condition was created which set the tempo of social change to a more rapid pace in independent India. Owing to this social change, the scheduled castes started resisting *savarnas* dominance, belief and practices, which generated social conflict and social tension in Indian society. Challenges to customary behaviors due to education and political organizations, aggressive assertions of a new identity, the increasing resources to law as threat and leverage for securing right further deepened antagonism<sup>1</sup>. The changing character of these conflict situations, point to the fact that the *savarnas* do not any longer exercise ideological hegemony over Dalits and they have to affirm their authority through

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<sup>1</sup>Padma, Velaskar, (2000), "*The Politics of Untouchability and social Change: A Study of the Scheduled caste of Maharashtra*". Published in Journal of Indian School of Political Economy Vol – XII Nos. 3 p484

dominance mediated by violence. Therefore, there has been tremendous increase in the atrocities against Dalits.

Against this background, this dissertation attempts to understand the changing dimensions of Dalit atrocities with changing socio-economic and political condition in the life of Dalits vis-à-vis 'others' in Uttar Pradesh. This change has created asymmetry to the earlier existing power relation in the society, therefore, it has been resisted by upper castes more violently than ever. So, there are three aspects of Dalit atrocities in Uttar Pradesh; firstly, there has been rise in the number of Dalit atrocities in the recent past, specially of those atrocities arising out of socio –economic change in the life of Dalits. Secondly, there has been a change in the nature and intensity of Dalit atrocities; the atrocities have become more heinous than ever before. Thirdly, the response of the state to this social resistance, in legal term has been positive. State has passed much legislation to curtail these atrocities, but it has miserably failed to implement it. The effect of these legislations in the society has been in reverse direction, instead of decreasing the atrocities are going up with even more sophistications to cope with newly made laws.

**1.1. Statement showing the number of IPC crimes against member of the scheduled castes in the state/UTs during 1981 to 1986**

S.No.	State: U. P.	1981	1982	1983	1984	1985	1986	Total
	Nature of Crime							
1	Murder	214	208	202	213	23	270	1330
2	Grievous hurt	490	457	507	580	582	754	3370
3	Rape	169	152	148	176	177	229	1051
4	Arson	203	327	344	377	408	489	2248
5	Other Offences	2649	2833	2650	2854	2745	2955	16686
	Total	3825	3977	3851	4200	4135	4697	24685

Source: Report of the commission for SCs/STs 20<sup>th</sup> report (1986-87) Page 244

Table 1.1 shows that there has been a tremendous increase crime against Dalits in Uttar Pradesh.

In the nineteen eighties, an another aspect of Dalit atrocities was added to above that is atrocities arising out of the political assertion and formation of vibrant political identity' of Dalits in Uttar Pradesh. This political assertion was the product of process of democratization of Indian state after Independence in 15<sup>th</sup> of August 1947. Secular democratic polities opened way for Dalits but every move toward political equality was resisted by the orthodox society. This transformed the nature of violence against Dalits. Earlier specific or individualist violence against scheduled castes has turned into the aggregate violence against entire Dalit community.

Before we go into details, let us briefly look at the 'meaning' and 'content' of the term Dalit in the changing context. The word 'Dalit' in Marathi Literature Means 'suppressed and exploited people'. It was first used by Baba Saheb Ambedkar to replace the legal word 'scheduled castes' and Narsinh Mehta coined word Harijan, which was popularized by Mahatma Gandhi. Dalit refers to those who have been broken, grounded down by those above them in a deliberate way. There is, in the word itself, an inherent denial of pollution, karma, and justified caste hierarchy<sup>2</sup>. Over the period of time the word Dalit has acquired new contextual meaning i.e. According to Gangadhar Pantawane. 'Dalit is not a caste. Dalit is a symbol of change and

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<sup>2</sup>, Eleanor, Zelliot (1978), "Dalit new cultural context for old Marathi world", contribution to Asian studies, 11:77-97,P.77.

revolution. The Dalit believes in humanism. He rejects existence of God, rebirth, and soul, sacred books that teach discrimination, faith and heaven because these have made him a slave. He represents the exploited man in his country'<sup>3</sup>. Gopal Guru argues that the Dalit identity not merely expresses who Dalits are, but also conveys their aspirations and struggle for 'change and revolution'. Therefore, the term Dalit has acquired new cultural context relating to Dalitness, Dalit literature, and Dalit movement<sup>4</sup>. Simultaneous to the shift in contextual meaning, the 'content' of the word has also changed. Today, politically, Dalit is much wider term e.g. 'DalitBahujan' that includes scheduled caste, ST and OBC. Several authors have defined the content of Dalit or who constituted the category Dalit, differently. For example Kancha Ilaiah does not include ST, because they don't figure in caste system, while Kanshi Ram includes ST's as well<sup>5</sup>. If Ram prefers the term Bahujan then Ilaiah Prefers the term 'Dalit Bahujan' to explain this newly constituted identity of the most disadvantaged section of Indian society. The genesis of Dalit identity creates a dichotomy between 'Dalits' and 'other Hindus'.

Sometimes, it is argued that the sharp dichotomy between Dalits identity and other Hindus is wrong because this shows a false unity among Dalits who are diversely divided from each other along caste, regional, linguistic and general cultural line as they form the rest of Indian society. This division among the Dalit is true, but

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<sup>3</sup> James, Massey and Bhagwan, Das (1995), (ed) *Dalit solidarity*, ISPCK, Delhi, p-iv.

<sup>4</sup> Gopal Guru, (2001), "the language of Dalit Bahujan discourse", in Ghanshyam, Shah, (ed) "*Dalit identity and Politics*", New Delhi, Sage Publication. P.162

<sup>5</sup> Kancha, Ilaiah, (1996), "*Why I am not Hindu? A shudra Critique of Hindutva Culture, Ideology and Political Economy*", Culcutta: Samya, Publication, p-ix.

there exists essential unity also that is, they don't coerce each other and they suffer atrocities at hands of all other upper caste. Through there is a notion of hierarchy operating among themselves but that is operating upon the old principle of pollution and purity there may be some conflict among themselves but it is not up to the level that could lead to any form of atrocity within. Like Brahmins, Dalits do not have material interests in maintaining a caste-based hierarchy. The practice of hierarchy among them is cultural imposition rather than their own preference, thanks to the hegemony of the dominant caste milieu in which they live.

For the purpose of my study I have used the term 'Dalit atrocities' strictly to explain the atrocities faced by 'Scheduled Castes' in Uttar Pradesh. I have deliberately and rightly excluded OBC from the content of 'Dalit' because OBCs of Uttar Pradesh are violently suppressing the scheduled castes. As we see, today Dalit is the most accepted and popular word among the 'historically suppressed people' in society as well as in vernacular press. But it was never a familiar word for the lower castes in Uttar Pradesh before BSP popularized it in the last two decade. A better understood word was "Harijan" or simply "Scheduled Castes" in the view of their categorization by Indian constitution for the purposes of affirmative action. Dalit is a self-given term with value connotation which communicate, the feeling of self-respect and political assertion. Thus the shift 'Harijan' to 'Dalit' has a political goal in itself. It is a modern identity, though it has roots in primordial identity like 'castes'. This identity was consciously constructed by educated / elites of excluded community to assert themselves in the politics, as said by Kanshi Ram 'we have one point

program to take over political power". Today when this goal has been achieved though not substantially, the long desired rosy picture of free and equal society has remained a distance reality. This is so because instead of decreasing the atrocity and violence against this community, it has been increasing relentlessly. It is in this context that this dissertation examines the atrocities over Dalits in Uttar Pradesh.

### CONCEPTUAL ANALYSIS

It is necessary to explain meaning of some terms used in this dissertation and a brief critical appraisal of some of the studies available on the issue of Dalit atrocities. The first issue is one of nomenclature I have chosen to use the term 'Dalit' as a general identifier of the people about whom this dissertation is concerned. I intentionally used the term 'Dalit' to replace earlier terms e.g. Harijan, untouchables, scheduled castes, outcastes, Acchuta, depressed castes and Exterior castes. The intension behind using word Dalit is simple, firstly in my view, it reflects, though newly conscious, but strongest cohesion and solidarity of this group of people, who of course have many division within. Secondly, Dalit is a self-given term, which symbolizes their assertiveness and self-directedness.

This term has given much more 'visibility' in the political scenario. The 'increased visibility' of Dalits in contemporary India acknowledge by Andre Beteille, has acquired at a heavy price: a rise in atrocities against them.<sup>6</sup> Therefore, for a

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<sup>6</sup> Franco, Fernando 2002, (ed), "*Pain and Awakening: The Dynamics of Dalit identity in Bihar, Gujrat, and Uttar Pradesh.*" Published by Indian social institute, p-16

student of 'Dalit atrocity' the word Dalit suits more than any other word. Thirdly and the most importantly, as I think term 'atrocities' is particularly linked with the term 'Dalit' and not with any other word e.g. Harijan, untouchable etc. this is so because, words like discrimination, subordination, suppression, under privileged, which were used to explain the social status of untouchables are certainly not efficient to explain the conditions and status of Dalits'. And the intensity and volume of suppressive actions by the action by 'other caste' are such that it could not be explained by the soft words, unless we use the word 'atrocity', therefore, I can say if suppression discrimination were the world for relatively passive untouchable, then 'atrocities' is the only appropriate word for assertive Dalits, to explain their relationship with the 'others'.

After defining and contextualizing the term 'Dalit' for this dissertation, Now, it is necessary to define the term 'atrocity' which shall be frequently used here and there. Chapter one of the provision of SC, ST atrocity act 1989 defines atrocity as "Forcing a member of the SC/ ST to drink or eat any inedible substance as the human excreta or acting with intention to cause injury, insulting or annoying by dumping excreta and other similar items in the locality, taking their clothes forcibly particularly of the women folk, forcibly dispossessing them of their land and keeping them as bonded labor and forcing them to do beggar, interfering in the rights guaranteed to them for representation in public bodies, through elections, utilizing legal process for causing harassment and injury by instituting false, malicious or vexatious suits or legal proceedings against them and subjecting their women folk to

assault and sexual exploitation by person in position to dominate their will”<sup>7</sup>. Throughout this paper the meaning of the term atrocity shall be perceived in the light of above definition.

## **THE LOCALE OF THE STUDY**

For the past ten centuries, Uttar Pradesh had politically occupied an important place in Indian history. Its vast, fertile Gangetic plains attracted invaders from west and central Asia; and in many ways the history of Uttar Pradesh became the history of India. The introduction of democratic politics after 1947 has further increased its importance as it elects one out of every six members to the Indian parliament<sup>8</sup>. Despite Uttar Pradesh being politically volatile the society of the state has largely remained unchanged, particularly in terms of dominance and suppression. Every attempt at social change has been resisted by the dominant Brahmin and Thakur castes. This resistance has many times ended up as group or individual violence over Dalit community, who are now the vanguard of new change. Let’s look at the social composition of the state briefly.

The Dalits (SC) constitutes 21.4 percent of the population in Uttar Pradesh against 16.48 percent in India. Uttar Pradesh accounts for 21.20 percent of total Dalit population in the country. Dalit constituted 23.16 percent of the rural population in

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<sup>7</sup> K.D. Purane, (2000), “*Untouchability and the law: The ground reality*,” Gyan Publishing House, New Delhi, p-174.

<sup>8</sup> Imtiaz, Ahmad, and N.C. Saxena. (1994). “Caste, Land, and Political power in Uttar Pradesh.” In K. L. Sharma (ed) “*Caste and class in India*”, Jaipur and New Delhi: Rawat Publication, p-172



Uttar Pradesh but their share in urban population of the state in only 12.15 percent<sup>9</sup>. The relative level of deprivation of the SC population in Uttar Pradesh is greater as they lag behind their counterpart in rest of the India in most of the indicators of socio economic development. Thus, only 22.92 percent SC in Uttar Pradesh are literate against 30.07 percent in India. It is estimated that 56.59 percent of SC population in rural area and 57.2 percent in urban areas of Uttar Pradesh were living below the poverty line in 1987 –88. The corresponding figures for all groups were 35.43 percent and 43.47 percent respectively<sup>10</sup>. Nearly half of the SC workers in agriculture are landless agriculture labourer and Female SC, who are the one third female workforce are again 57.71 percent agriculture labourer; we may now look at the access of SC households to land, which gives dignity, status and security in rural society to which the majority of SC population belong. As we see the proportion of cultivation among SC workers is lower (42.64 percent) than among other groups (56.38 percent). As many as 84.3 percent of SC holdings are marginal holdings, only 4.3 percent of SC holdings are above two hectares; while the corresponding figure for other groups is 13.9 percent<sup>11</sup>. If the situation is analyzed with reference to upper caste group alone then the disparity levels would be even more stark. Thus, the process of modernization has largely by passed the SC population in Uttar Pradesh.

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<sup>9</sup>A.K. Singh Art. (2001), "Social Structure and Development Process: A Study of Scheduled Castes of Uttar Pradesh" in ed. Vol. 'Social Change in Post independents India' by A.K. Lal and S. Sami Ahemad.p-142

<sup>10</sup> Throat, (1997) cited in A.K. Singh Op.cit p-147

<sup>11</sup>A.K. Singh Art. (2001). "Social Structure and Development Process: A Study of Scheduled Castes of Uttar Pradesh" in ed. Vol. 'Social Change in Post independents India' by A.K. Lal and S. Sami Ahemad.pp-144-50.

## **OBJECTIVES OF THE STUDY**

One thing acceptable to almost all intellectuals is that the Dalits of the countries are facing most pernicious kind of atrocity. Therefore, in order to formulate this research paper I am deeply intended to bring in the reality of Dalit atrocity, rather than bringing the question of caste, social stratification and emergence of a separate Dalit identity though it has its link with the issue of atrocities against this particular community. This is because the Social scientists, whether it is Indian scholarship or western have tried to understand either political assertion of Dalits (by Political scientist) or the social change in caste system in contemporary India (by sociologists). Social conflict which is the core of this social change and, atrocities arising out of it, has bothered very few of either the political scientist or sociologists. As is the case with the untouchability, we have few academic studies of the modern phenomenon of atrocity. The present work has tried to fill up the lacuna in the study of caste in Indian, with the help of bridging sociological and political understanding of caste; the issues which sociologist has already done; So following will be the objective of my work. Present thesis will have the following objectives.

1. To analyse the socio-economic changes taken place in the life of Dalits before independence and after independence and its relation to rising numbers of Dalit atrocities in Uttar Pradesh.
2. To analyse the changing nature and intensity of Dalit atrocities and its relations to rising economic and political consciousness among the Dalits of Uttar Pradesh.
3. To examine and analyze the various other reasons behind atrocities committee on Dalits with some of the typical cases of atrocities taking place in Uttar Pradesh.

4. To analyse the response of the state towards Dalit atrocities in terms of various legislations and executive orders, measures of protections taken by the Government and their effectiveness in the changed scenario.
5. To study the Dalit's political assertion in Uttar Pradesh and its impact on the Dalit atrocities.
6. To analyse Dalit atrocities in the context of changing caste relation between Dalits and other backward castes in the past two decades
7. To offer suggestions necessary for the problems of Dalit atrocities.

## **HYPOTHESIS**

This dissertation intended to prove the following two hypotheses in the context of Uttar Pradesh.

**First:** "The rising socio-economic and political consciousness among Dalits has led to the increase in magnitude and intensity of Dalit atrocities".

**Second:** "The changing nature of Dalit atrocities has led to the failure of the state in Prevention of Dalit atrocities".

## **METHODOLOGY**

The present dissertation has viewed the issue of 'Dalit atrocity' in the context of a considerable social, economic and political change in the life of Dalits. Therefore, it certainly, subscribes to both sociological and political perspective in the analysis of every event. The analysis is based on the secondary sources or data such as cases of atrocities published in national newspaper, reports of National commission to SC and

ST., and crime India reports. The unit of observation is a particular incident and not individuals or villages involved in the conflict.

Therefore, this paper takes up the empirical dimension of Dalit atrocity both in terms of its magnitude and intensity of violation. These observable incidences will provide empirical support to our study of changing dimension of these incidences. Since, our research at M. Phil level do not permit to take up field survey, the basis of empirical data would be from secondary sources. Along with empirical concerns study will also take up the major theoretical issues in the understanding of this social conflict operating in Uttar Pradesh society

### **SURVEY OF LITERATURES**

**Now, let's look at some of the studies available on this topic:**

1. ***The Untouchables Subordination, Poverty and State in Modern Indian by: Oliver Mendelson and Marika Vicziany:*** Two broad propositions are fundamental to the Book. The first is that the untouchables are among the very bottom elements of Indian society in both states and economic terms, and the second is that they have undergone a profound change in their view of themselves and the society around them. Whatever the truth of past assertions that untouchable accepted their own inferiority, it is our view that in recent years there has been greatly enhanced mood of assertiveness about their human and political rights<sup>12</sup>. Their argument is that the

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<sup>12</sup>Oliver, Mendelson, and Marika, Vicziany, (1998) "*The Untouchables: Subordination, poverty and state in Modern India*". Publication – Cambridge University Press, Cambridge.p-1

untouchables were a subordinated people long before twentieth century politics transformed them into a category of political relevance. They say that the nature of violence against untouchables can be divided into two broad category first, 'traditional' and second the violence which flows form modern form of resistance on the part of Dalits. The second category is now dominant, and it tends to revolve around a new and still emerging social and political identity constructed over the period of present century. Therefore, we can say the ritual based unsociability has transformed itself into cast-based atrocities.

2. *Beyond Ambedkar: essays on Dalits in India* by Nandu Ram: The Book beyond Ambedakar attempts to analysis some of the change occurred among the Dalits specially after the death of Ambedakar. More precisely, the book has analyzed the changes among the Dalits in the context of their educational, social integration, social stratification and mobility especially in urban area, atrocities, protest movements and socio-political consciousness for social identity; etc. Both in rural and urban areas. Prof Ram Argues. "A considerable among of change has occurred among all section of population including the scheduled castes in India since its political independence. The changes that have occurred are primarily in the, if horizontal direction and there is greater amount of resistance to the vertical changes it there are any. Both horizontal and vertical types of changes occurred or even and urge for that among the SC are opposed by the people of all castes and communities in village"<sup>13</sup>. He further says, 'This changes (social mobility) or even their urge for that is likely to

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<sup>13</sup> Nandu Ram, (1995), "*Beyond Ambedkar: Eassays on Dalits in India*", Har Anand Publication, Delhi p.219

promote hostility among other leading to inter group conflict and finally infliction of various types of atrocities on the *Dalit*<sup>14</sup>. Fourth section of the book specially deals with atrocities is especially helpful in doing any kind study on *Dalit* atrocities.

3. *Pain and awakening by Franco, Fernando:* In the book “Pain and Awakening. The Dynamics of *Dalit* identity in Bihar, Gujrat and Uttar Pradesh, Fernando Franco, distinguishes two major structural component of the process of identity formation of Dalits, they are ‘ideological – symbolic’ and ‘material productive’ and he examiner whether there have been significant changes in the ideological–symbolic<sup>15</sup>, and, in addition, whether, there changes have been matched by corresponding improvements in the Dalit’s control over economic and human resources Franco also examines, the relative change in the attitudes and economic position of non Dalit groups in Uttar Pradesh. Quoting Beteille, he argues that the ‘increased visibility’ of Dalits, especially due to increased political mobilization in Uttar Pradesh, has been acquired at a heavy price that is a rise in the atrocities against Dalits. Therefore it is a book on the pain and awakening experienced by various Dalit communities in different states.

4. *Weapons of the Weak: Everyday form of Peasant Resistance*, by: James C. Scott. In his book studied a Malaysians village called Sedaka, the village under writes resistance as the practice of resistance itself, he has tried to raise larger issue of

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<sup>14</sup> *ibid*, p.220

<sup>15</sup> Franco, Fernando (ed) 2002, “*Pain and Awakening: The Dynamics of Dalit identity in Bihar Gujrat, and Uttar Pradesh.*” Published by Indian Social Institute, New Delhi.p-16

resistance, class struggle and ideological domination. He says the struggle between rich and poor in the village is not merely a struggle over work, property right, grains and cash, it is also a struggle over the appropriation of symbols, a struggle over how past and present shall be understood and leveled, and a continuous effort to give partisan meaning to local history. Scott enumerates two kind of resistance 'every day form of resistance, and 'open defiance'<sup>16</sup>. He argues, though later has dominated the peasants study, but former should be counted even more important for the actual understanding of the village.

Above argument is of import in the understanding Indian condition of Dalits, though Dalits has not been able to afford 'open defiance' or an organized revolt historically, but they have resisted in 'off the stage' action. The accumulation of these resistances is ready to change the scenario of Uttar Pradesh politics.

Scott argues against Gramsci concept of hegemony. Gramsci says "elite control the 'ideology sector' of society i.e. culture, religion, education and media and thereby engineer consent of their rule, also create a climate that prevent subordinate classis form thinking there way free" this shows that hegemony is inevitable because of the mental enslavement of the subordinated people the inevitability of hegemony at two level. Firstly he said 'even if one accepts that the serf, the slaves and the untouchables will have trouble imagining social arrangement other than feudalism slavery or caste system, they will certainly not find it difficult to imagine reversing the distribution of

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<sup>16</sup>James C.Scott, (1985), "*Weapon of the weak: everyday farms of peasant resistance*", Yale University Press, New Haven.p-32

status and reward within that social order. (e.g. Reservation policy). Secondly, if it required no great leap of the imagination to reverse the existing social order, then it should come as no surprise that it can easily be neglected.<sup>17</sup>

In the conclusive remark I can say that Scott's idea of every day form of Resistance is insightful and important, he deliberately denied to explain action of the overt and collective form of resistance, which is equally important to address the class exploitation of the peasantry.

## 5. Articles

1. ***Dalit Assertion in Tamil Nadu: An Exploratory Note***: MSS Pandian in this article provides an explanatory note on increasing caste conflict between the backward castes and Dalits. What is of most importance about these caste conflicts are the changing characteristics of this violence. Pandian notes following three changing characteristics. Firstly the time taken to bring peace in situations of caste conflict has been progressively increasing in Tamil Nadu. Secondly in earlier conflicts, it was mostly the Dalits who lost their lives and property<sup>18</sup>. But in recent caste riots, both the tally of deaths and the loss of property are more or less evenly distributed between the two castes. Finally local caste conflict does not remain any longer as local. They quickly spread to other parts and engulf a large area<sup>19</sup>. The cause behind these changes is the changing configuration of power among the castes which

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<sup>17</sup> Ibid, p-331

<sup>18</sup> M.S.S.Pandian, (2000), "Dalit assertion in Tamil Nadu: An exploratory note", in the *Journal of Indian school of political economy*, vol.-9,no: 3-4 july-december.2000.p-501

<sup>19</sup> ibid, p-501



are involved, such as Dalit have gained over the year in material entitlement, while the 'others' have relatively stagnated gaining and augmenting material entitlement, are armed with a heightened sense of caste pride to establish their difference and superiority<sup>20</sup> With these changes in castes configuration the Dalit (caste devendrar) in Tamil Nadu has asserted in both sacred and secular domain. This assertion has led to serious caste conflict. And the top down macro thinking of the state is evident in the manner in which it responds to caste conflicts. Its response has always been one of providing the victim of caste conflict with economic compensation rather than addressing the question of uneven distribution of social power. Because of this Dalit of Tamil Nadu has started autonomous self-mobilization as large scale. Though Pandian has hesitated in using 'Dalit' as a broader category of these people and he has used caste as a category. Still the article is very insightfully for the study of caste conflict.

2. *Human rights and The Dalits: Gopal Guru* in this Article has discussed the violation of human rights of Dalits in terms of its definition and scope. Outlining the disagreement among scholars regarding above theme he says, "First, the disagreement on the definition and scope of human right is the broadly located into the dichotomy between the universal and the specific. Second it is also located in the difference between societal violence and civilizational violence.<sup>21</sup> And finally, an attempt is being made by scholars to a creative interpretation which seeks to define in terms of

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<sup>20</sup> Ibid, p-504

<sup>21</sup> Gopal Guru, (1999), "Human Rights and the Dalits: in GS Bhargava and R.M. Pal (ed) *Human rights of Dalits societal violation*". New Delhi, Gyan Publication. Quoted from Nandita Haskar, "p-35

“right to be human” rather than human rights, and a majority of the scholars seek to define human rights basically in terms of their violation by society on the one hand and the state on the other”. This article tries to understand the term ‘Dalit Human right’ in the theoretical, ontological and empirical perspective. Finally Prof. Guru felt the need to expand the definition of human rights to include in its gamut not only individual rights but the right of the community to move from the immediate to abstract or specify to universality.

### 3 *Hope and Despair: A Study of Untouchability and Atrocities in Gujarat*

**Ghanshyam Shah** in this article examines the situation of untouchability and atrocities on the Scheduled Castes, Dalits, in the contemporary Gujarat. It also probes into the forces contributing in the present situation. He argues that despite Gujarat being one of the economically prosperous states in the country unemployment is increasing every year. There is fierce competition and deep sense of insecurity among middle class across castes, which make them to hand together on primordial ties and perceive “the others” as their adversaries<sup>22</sup>. He further says, the practice of untouchability both in public and private sphere has not disappeared during the last five decade as expected by policy makers and secular social activities. At the same time, atrocities against the Dalit have increased<sup>23</sup>. The cause of atrocity are complex, often multiple and closely interrelated. Moreover codification of cause for atrocities based on secondary information is often problematic. Albeit there may be two broad

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<sup>22</sup> Ghanshyam, Shah (2000), “Hope and Despair: A Study of Untouchable and atrocities in Gujarat” Published in *Journal of Indian School of Political Economy*, Vol – XII Nos. 3-4. P 460

<sup>23</sup> *ibid*, p-467

causes of Dalit atrocities, political and 'socio-economic assertion for their civil and political right may be treated as 'political cause Apart from this there are social and economic cause, which are responsible for more than eighty percent of offence. The social causes cover very wide gamut. The researchers included (1) practices of untouchability in public places. (2) Insult and humiliation of Dalits for being "untouchable" (3) reaction to resistance by Dalits to discriminatory behavior of caste Hindus<sup>24</sup>. This article gives a very good analysis of the two phenomenon of untouchability and atrocity on Dalit community

## **CHAPTERIZATION**

This dissertation has five chapters including introduction and conclusion. **First chapter** gives a brief **introduction** to problems and objectives of the study. It provides general background of the Dalits of Uttar Pradesh who are the victims the atrocities. It also discusses about the genesis of the term 'Dalit' and 'Dalit atrocity' along with a brief survey of literature existing on Dalit atrocities. The hypotheses and the methodology have also been discussed in this introductory chapter. All Dalits were earlier the passive receiver of 'social exclusion' and 'societal violence' in the religiously legitimized Hindu social order, later they dared to transgress the boundary of exclusion, due to the upward social mobility with the process of social and economic change. These changes in the life of Dalit were violently resisted by the upper castes and therefore, Dalits faced new and even more heinous form of atrocities.

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<sup>24</sup> ibid, p-468

Therefore, the **second chapter ‘The rise of Socio-economic and political consciousnesses in Uttar Pradesh: A factor of Dalit atrocities’**, deals with atrocities resulting due to various socio-economic changes encompassing the life of former untouchable in the pre- independence and post-independence India’. In the pre-colonial period there was mainly the social and religious uprising of Dalits through various religious reform movements e.g. Bhakti Movement, and Arya Samaj. In the colonial period the process of *sanskritisation*, and westernization also brought a significant change in the life the Dalits of Uttar Pradesh. Every move by the Dalit toward there socio-religious changes have been resisted by upper castes. These resistances have been violent and have resulted into various new form atrocities. Second section of the first chapter deals, with post-independence period that is characterized by the rising economic and political consciousness among Dalits. It was the result of process of democratization and various economic measures such as reservation in jobs, and land reforms adopted by the government. This chapter deals with the atrocities arising due to various economic and political changes occurring in the life of Dalits of Uttar Pradesh.

**Third Chapter “Dalit atrocities in Uttar Pradesh: Its nature and intensity”** deals with the changing nature and intensity of Dalit atrocities in Uttar Pradesh. The Dalits of Uttar Pradesh suffer from atrocities of various natures such as religious or ritual atrocities; socio-cultural atrocities, economic and the latest are political atrocities. There has been a shift from one nature of atrocity to another nature of atrocities.

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Initially it was only atrocities of religious or ritual nature, which were prevailing now it is the economic and political nature of atrocities, which are prevailing. The study of 'Dalits atrocities' in the wake of 'political assertion' show that the more they have asserted politically, the more violently they had be resisted by upper castes. In Uttar Pradesh one significant reasons leading to atrocities on Dalits is confrontation over question of rights to vote and breaking / defilement of Ambedkar statue<sup>25</sup>. The statue of Ambedkar was used as a tool of political mobilization of Dalit by Bahujan Samaj Party (BSP). This political assertion undoubtedly enhanced the self-pride, dignity of the people, but rarely it has changed their relations with 'others'. Democratization and increasing politicization has thrown up a new, educated upwardly mobile generation aware of its distinct self-identity as 'Dalits' and no longer prepared to suffer exploitation.<sup>26</sup>. This situation has led to even more violent confrontation between Dalits and upper cast, resulting into severe atrocities on Dalits, which is entirely different in its nature form earlier form of atrocities. Hence this dissertation studies the Dalit atrocities the Dalit atrocities in all its facets.



**Fourth chapter "Response of the State to Dalit atrocities"** deals with the various legislations passed by the government to curtail Dalit atrocities and how new form of atrocities experienced by Dalits when the state of India after Independence given certain rights through constitution and legislations. As we all know under Hindu social system, Dalits has only 'Duties' and no 'rights' when the independent Indian

<sup>25</sup>Sudha Pai (2000), "changing socio economic and political profile of scheduled castes in U.P." published in *The journal of Indian school of political economy*, vol-xii, p-419

<sup>26</sup> ibid, p-408

state given certain rights to these people based on the principle of equality the orthodox society resisted this and Dalit paid very heavy price in the form of atrocities for exercising these rights. The state had to come forward for the protection of civil rights with some legislation and various executive orders. But, it failed miserably in protecting these rights, and the commuters adopted new ways and means to suppress Dalits. These new ways and means were even more dangerous than earlier ones. Therefore, this chapter discusses the success and failure of the state in curtailing new form of atrocities.

**Fifth Chapter “Conclusion”** provides a conclusive remark over the entire dissertation and the issues discussed within. It also explore into the various reason of Dalit atrocities and offers valid suggestions to the problems of atrocities.

## CHAPTER TWO

### **Rise of Socio- Economic and political Consciousness in**

#### **UP: A factor of Dalit Atrocity**

Uttar Pradesh is a fit case for the study of 'Dalit atrocity'; not because of its deeply religious and orthodox nature of society. Rather, it is a state where, there had been a tremendous gap between Dalits and upper castes in terms of distribution of economic and social assets, these assets had worked historically as instrument of domination and oppression, where Dalit had been at receiving end. These vertical relationships underwent a partial structural transformation, of society under colonial rule; due to hesitant and superficial intervention of colonizer in socio-cultural life of Indians. This intervention was not sufficient to change Indian society unless the radicals of Indian society themselves had not adopted a policy of social reforms, through various socio-religious-movements.

There had been a host of socio-religious movements in Uttar Pradesh which saw social hierarchy, oppression and 'Untouchability' as an evil worth of eradication. These movement attempted to purify the soul of upper castes and a generate petty over the untouchable. This encouraged untouchables to adopt way of

life prescribed by the protagonists of these movement, to achieve social equality. Since, the reach of social movement over 'Savarna' was limited, therefore, *Savarna's* couldn't cope with this new social advance of untouchables. *Savarnas* considered it an encroachment over their rights of dominance over untouchables. So this feeble attempt of transgressing, social boundary was suppressed violently, resulting into numerous atrocity over untouchables. This new advancement was treated with new form of oppression. This was the beginning of 'Dalit atrocity' in Uttar Pradesh.

This beginning of 'Dalit atrocity', in pre-colonial and colonial period, of UP social history, got even more intensity and diversity after the attainment of Independence on 15<sup>th</sup> of August 1947. Post independence social life of Uttar Pradesh society has witnessed more intense caste conflict. Both the numbers of atrocity and nature and intensity of atrocity on Dalits had undergone a remarkable change. This is precisely because of rapid economic and political change going on in the state.

While comparing and contrasting between the status of Dalit atrocity between pre-Independence verses post Independence Dalit atrocity, one should keep in mind following considerations: Firstly, in pre-colonial and colonial period the atrocity over Dalits were



largely directed against the social uplift or social advanced on the contrary in the post colonial period the gun of atrocity was largely directed against the material advancement of Dalits. This material advance of course was meager and insignificant for other societies, but considering the nature of Indian society and viewing the historically existing material gap between these two communities it was quite significant economic advancement. Significant enough to be resisted violently.

TABLE 2.1<sup>1</sup>

**Socio-economic development and atrocities committed on the Scheduled Castes during 1981 to 1991**

	State/UT	Socio-economic Development										Atrocities(%) in	
		Literacy rate in				Workers (%) in				Per capita income		1981	1991
		1981		1991		1981		1991		1974- 1975	1982- 1983		
		Total	SC	Total	SC	Total	SC	Total	SC				
1	Uttar Pradesh	33.4	18.48	41.6	26.85	29.22	33.67	32.20	35.29	812	1567	26.7	30.4
2	Madhya Pradesh	34.2	23.43	44.2	35.08	38.41	45.04	42.82	43.42	794	1636	28.2	34.1
3	Rajasthan	30.1	17.52	38.6	26.29	30.48	43.98	38.87	39.26	819	1881	10.9	13.3

*Source: Nandu Ram, "Beyond Ambedkar" pp-291-92*

Secondly, in the temporal analysis of Dalit atrocity, one can't overlook the great divide of 15<sup>th</sup> August 1947; when the primordial, and orthodox society in Uttar Pradesh entered into a new structural and institutional dimension, freshly arranged on the universal principle of equality, liberty and fraternity. Constitution promised to every citizen Justice, social, economic

<sup>1</sup>Nandu Ram, (1995), "Beyond Ambedkar: essays on Dalits in India" Har-Anand Publication, New Delhi, Pp-291-92

and political. It also assured the dignity of individual, for the first time in Indian history state intervened into society with certain constitutional safeguard to this vulnerable section of society. First Prime Minister of India Jawaharlal Nehru, considered this problem primarily as economic one; and hoped that, as poverty abated, so the discrimination too would dry up. Therefore, state of India wished the material advances of Dalit with 'Reservation policy in government jobs' and certain poverty alleviation 'programs'. Not substantially, but it did helped in the amelioration of destitute of Dalit. So the state intervention for the amelioration of economic condition of the Dalits was perceived by upper castes as kind of 'protectionism' by state. The beneficiaries of constitutional safeguards were met with unconstitutional societal resistance in the form of violence by *Savarnas*. This led to the tremendous increase in the numbers of atrocities upon Dalits. Beginning with six incidence of atrocity, in the first of report of SCs/STs commission, it went to more than ten thousands incidences every year today. These incidences have numerous new varieties which never existed earlier, such as rape, murder, burning of property, sprigging of women and naked parade of women.

**Table:2.2-Astrocities against SCs inU.P.from 1996-98**

s.no.	Nature of atrocities	1996	1997	1998
1	Murder	549	513	516
2	Rape	949	1037	927
3	Abduction	281	243	253
4	Dacoity	90	50	49
5	Arson	464	389	346

6	Scuffle	1584	3860	3809
7	Stealing	213	162	15
8	Reg. Under PCR Act 1976	1417	1216	724
9	Reg. under SC/ST PAA 1989	9620	870	7443
10	Others	13278	12396	11425
11	Total	31440	27944	25638

Source: Crime india1999,national crime bureau- ministry of home affair, new delhi.p-181

In the year 1999 more than one thousand of Dalit women were raped, which means everyday 3 Dalit women are raped in India and in Uttar Pradesh only everyday one Dalit women is raped and one Dalit man is killed.<sup>2</sup> Rape of a Dalit women is not a psychological play, where a criminal minded male rape a women just for the sake of pleasure; rather rape of a Dalit women, by Savarnas is lesson to be fought to these community, for their daring to transgress social and economic boundary it is in this light of these introduction I shall firstly look into colonial and pre-colonial period as to examine how these community has attempted to cross the social barrier amidst the resistance, sometimes violent, by the upper castes.

<sup>2</sup> Report of Public Hearing Organised Dynamic Action Group, (DAG), UP. Together with UP *Bhumi Sudhar evam Shram Abhiyan Samiti*, PEACE, PUCL, on 5<sup>th</sup> and 6<sup>th</sup> October 2001. P.-33.

## PRE-INDEPEDENCE INDIA

### Socio-Religious change in Uttar Pradesh: A factor of atrocities

Socio- religious change began in Uttar Pradesh with the Bhakti movement. After decline of Buddhism, in North India specially in Uttar Pradesh Bhakti movement was the first socio-religious movement which aimed to reform Indian society and religion. It was largely an egalitarian movement. Most importantly, majority of the saints of Bhakit movement came from lower castes and in many cases from untouchables. If Buddhism or Jainism was the volt of *Khastriyas* against hegemony and dominance of Brahmins, Bhakti movement was the revolt of lower castes or *sudras* and untouchables against Brahmanism. This movement registered a protest against the social order. Therefore, lower castes transgressed the social and religious boundary taught by Brahmins. This transgression was necessarily resisted and incidences of atrocity over untouchables were noticed.

Some more radical monotheistic saints of Bhakti movement in Uttar Pradesh broke away from the religious orthodoxy of Brahminism and preached for the equality of human being. In Uttar Pradesh Kabir was the earliest and the undoubtedly the most prominent figure of the Bhakti movement He belonged to a weaver

(low caste) family. Kabir was concerned with much more than mere religious reform. He wished to change society.<sup>3</sup> Kabir said:

“If Ram be within the image which you find  
upon your pilgrimage, then who is there  
to know what happens without. All the men  
and women in the world are His living  
forms Kabir is the child of Allah and of Ram.  
He is my Guru, He is my Pir.”

Kabir's stress was on a reordering of society on egalitarian lines. Call to social equality was powerful magnet, and expressed itself in the firm denunciation of caste. Kabir's rejections of Hindu rituals influenced many of the Bhakti saints and also many untouchables who were suppressed by ritualistic atrocities within Hinduism. The followers of Kabir formed 'Kabir Panth'. Several untouchables joined this 'panth', specially those who were in the vicinity of Varanasi. The Chamars of Varanasi, Bhojpur, Ballia & Gazipur of Uttar Pradesh largely adopted 'Kabir panth'.<sup>4</sup> This rejection of Hindu rituals by Chamar Kabir panthi did not save them from the domination and suppression. But the intensity of suppression did not increase only because Kabir was regarded as an important saint by both Hindu and Muslims. The teachings of Kabir did contribute to the social change in Uttar Pradesh.

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<sup>3</sup> Romila Thapar, 'History of India', Penguin India Ltd., New Delhi. p. 309.

<sup>4</sup> Oral history told by a Chamar Kabir panthi in Ballia.

Another saint from monotheistic Bhakti Movement in Uttar Pradesh was Raidas (or Ravidas) who belonged to the next generation of Kabir. He was a tanner (Chamar) by caste. Despite being low born caste he raised to the level of saint. He preached for egalitarian society free of caste discrimination. He was hesitantly accepted by orthodox caste Hindus, only because his notion of Bhakti gave prominence more to devotion to God, than social change and secondly, He was accepted by many monotheistic saints of his time as Siddha saint. Many Chamars of Uttar Pradesh considered him as a source of inspiration to rise in the social hierarchy. Under the influence of Raidas and Jagjivan Das of Barabanki District near Lucknow in Uttar Pradesh, the Satnami Movement was originated. This movement was largely dominated by rich Chamars (later Chhattisgarh). The fundamental tenet of this Movement was the abolition of caste and the authority of higher caste, especially of the twice born. This provoked a bitter hostility between Hindus and Satnamis. However, in order to come at par with high caste Hindus, the Satnamis tempted to acquire certain symbols. I would like to mention some of the cases of atrocities arising out of religious assertion of Chamars through Satnami Movement.<sup>5</sup>

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<sup>5</sup> Awadesh Kumar, (1985), 'Religious Protestant Status Improvement: A Case Study of Santnamis of Chhattisgarh.' In P. Pimpley and S.Sharma (ed.) *Struggles for Status*. Delhi: B.R. Publishing. p.110

In the first place, the Satnamis were enjoined to wear sacred thread (Janeou and rosary of the sacred basil bead). In 1916, the Satnamis (once again) campaigned for wearing of the sacred thread and using the diacritical mark. In 1917, a meeting was organized at Mungeli to adopt a strategy to acquire religious symbols. The meeting was attended by the prominent social and political leaders of the region. When Satnamis started wearing the sacred thread, the *Savarnas* once again came down heavily on them. The members of the high caste not only pulled out the sacred thread from the shoulders of Satnamis but inflicted the worst kind of physical injuries also. They branded the sacred thread on their shoulder, back and chest and made the diacritical mark on the forehead with red hot sickle or ladle. Ever since the murder and counter-murder between Satnamis and Rajputs in that area is a common phenomenon.<sup>6</sup>

To acquire the religious symbols once again. The Satnami leaders were invited to Kanpur Congress Session of 1925 where Ravi Shankar Shukla, Sunder Lal Sharma, and Swami Shraddhanand had put the sacred thread on to their shoulder in the presence of Mahatma Gandhi, Lala Lajpat Rai and so on. On their return from Kanpur Congress Session they started propagating for the initiatory symbols once again. But this time, more ferocious atrocities were inflicted on them by the high castes. In village Nipania near Baloda

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<sup>6</sup> *ibid.* p. 109

Bazar several Satnamis were be headed. They therefore, organized themselves to take revenge and also threatened to embrace Islam enmasse. This drew the Arya Samaj leaders and Congress leaders into the movement. Peace was restored on their intervention and Satnamis were allowed to wear the sacred thread and rosary and to use the diacritical marks.<sup>7</sup>

Another important Socio-Religious Movement before Independence was Arya Samaj which aimed at reforming Hinduism from within. The Arya Samaj with its emphasis on Hindu became highly popular in U.P. the Shuddhi movement received a great impetus here. A large number of Doms – one of the most despised castes among the depressed classes – were reclaimed to the Samaj after purification. There was a remarkable increase in the number of members of the Samaj from 65,572 in 1901 to 131,638 in 1911 as a result of Shuddhi. The educational activities of the Samaj spread to all the important cities of the state where D.A.V. schools and colleges were opened. It also maintained schools for outcaste boys such as the one begun for the Chamars.<sup>8</sup>

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<sup>7</sup> ibid. p. 111

<sup>8</sup> Gurbir Brar, (1985), "Socio-Religious Reform Movements and Untouchables in Northern India." in Prakash N. Pimpley; Satish K. Sharma (ed.) *Struggle For Status*, B.R. Publishing Corporation, Delhi. p.139.



Arya Samaj organized a three-day *shuddikaran* (purification) in order to reconvert 'neo-Sikhs' to Hindu religion. Piqued by the *shuddikaran* one Sikh convert remarked, "have we become impure by having become Sikhs?" (Deep 1989). Because of this pressure, some of them have reconverted to Hindu religion. One Congress politician unsuccessfully attempted to prevent the conversion of 29 Dalits to Sikhism in one village; one convert told me that this politician warned that conversion would reduce the number of Dalits, and that he had even brought the police to the village to thwart the plan of conversion.<sup>9</sup>

These examples of atrocities clearly shows that atrocities on Dalits is not only a modern age phenomena, irrespective of age and time, whenever in history a weaker section has arose to challenge the hegemony of stronger community, they had been suppressed through the use of violence. In the past when the Dalit challenged Savarnas religious hegemony they were suppressed violently, and today when they are challenging, *Savarna's* has political hegemony they are facing even more organized violence.

The Dalit protest against the dominant culture can also be observed in their search for an alternative mode of idol worship and

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<sup>9</sup> Jagpal Singh (1998), "Ambedkarisation and Assertion of Dalit Identity – Socio-Cultural Protest in Meerut District of Western Uttar Pradesh", EPW, Oct.3, 1998, Vol.XXXII, No. 41. p. 2613.

construction of temples. Setting up their 'own' temples named after Valmiki, Ambedkar or Ravidas by Dalits is not uncommon. Interestingly, as part of the Ambedkarisation process, the first attempt in some villages has been to construct Ambedkar or Ravidas temples. For example, in one village, first a temple in the name of Ravidas was constructed on the premises of the house of a Dalit, and after some months Ambedkar's statue was also placed there. Now there is an Ambedkar/Ravidas temple in the village.<sup>10</sup>

As we all see the modern Indian society is more political, politics is the guide to society. So Dalits are aspiring space in political sphere, but the historically dominant castes having monopoly over political instruments are resisting this aspiration of Dalit violently. Similarly the medieval and ancient Indian society was more religious than political, religion was the guide to individual and community life. Savarnas had monopoly over religious sphere when Dalits aspired to have space in religious sphere and they were violently resisted.

### **Sanskritisation and Westernisation: A Factor of Dalit Atrocities**

The discussion on the process of social change would be incomplete without a discussion on the status change of Dalits due

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<sup>10</sup> Jagpal Singh (1998), "Ambedkarisation and Assertion of Dalit Identity – Socio-Cultural Protest in Meerut District of Western Uttar Pradesh", EPW, Oct.3, 1998, Vol.XXXII, No. 41. p.2612.

to the twin process of Sanskritisation and Westernisation. The alleged change in the social status of certain castes have also come about independent of reformist activities e.g., Bhakit movement, and state action of granting privileges i.e., constitutional protection and reservation policy. These pattern and process of change have been described as Sanskritisation, westernisation and secularization.<sup>11</sup> While the first one is not alien to the Indian society and culture, the other two seem to have made in-roads during British rule. Before we discuss these processes in the context of 'Dalit atrocity'. Let us briefly discuss the concept.

To begin with, Sanskritisation meant as "a process by which a "low" Hindu caste or tribal other groups, changes its customs, ritual, ideology, way of life in the direction of a high, and frequent "twice born" caste. Generally, such changes are followed by a claim to a higher position in the caste hierarchy than that traditionally conceded to the claimant caste the local community... it is generally accompanied to and often results, in, upward mobility for the caste question; but mobility may also occur without Sanskritization; result only in positional changes in the system and does not lead to

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<sup>11</sup> Satish K. Sharma (1985) Caste Inequalities and Status Change Among Scheduled Castes – Some Trends in (ed.) Prakash N. Pimpley; Satish K. Sharma "*Struggle for Status*" (1985), B.R.Publishing, New Delhi, p.52

any structural change.<sup>12</sup> Sanskritisation can also occur independently of the acquisition of political and economic power. Dominant castes have played an important role in either advancing or retarding sanskritisation.

Above mentioned concept of sanskritisation forwarded by Srinivas is questionable, when we look it in the context of Dalit atrocity. One may ask that whether Sanskritisation of lower castes goes unchallenged within the given social arrangement of society. A scheduled castes does not become a Brahmin by mere imitation of Brahminic way of life. The actual social status of the caste concerned remain the same. The process of change not as simple as has been described by Srinivas. There had been instances in which any attempt on the part of Dalits to improve upon their social status was thwarted by the upper castes by way of adopting violent means against the former.<sup>13</sup>

The higher castes not only resisted the change but also laid down prescriptions for the regulation of dressing, eating, and living

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<sup>12</sup> Srinivas, M.N. *Social Change in Modern India*, Allied Publishers, Bombay 1977, p. 6-7.

<sup>13</sup> Satish K. Sharma (1985) *Caste Inequalities and Status Change Among Scheduled Castes – Some Trends* in Prakash N. Pimpley; Satish K. Sharma (ed.) "Struggle for Status" (1985), B.R.Publishing, New Delhi, p.55.

pattern of the scheduled castes.<sup>14</sup> There had been many instances of atrocity in both pre independent Indian and post independence India, when imitation of the life style of upper castes by the Dalits had led to violent confrontation leading loss of several life. Nearly all illustration previously mentioned in the last section of this chapter proves this point.

According to Dipanker Gupta 'Sanskritisation is a reassertion in an extraverted form of what was till then an introverted expression of the caste's overall rejection of the position given to it by the hierarchical rule governed by the twin principles of economics and politics. He argues 'Sanskritisation seen thus is an extra version of a long standing, deeply felt and believed in judgments of their caste status which was hitherto privy only to members of the that caste.<sup>15</sup> If we go along the definition of sanskritisation given by Prof. Gupta, it would add to more confrontation between upper and lower castes, this is so because here sanskritisation has been perceived as the process of assertion or an attempt of getting one's own due from the society, so previously privileged section would never allow this, for the continuation of their dominance, therefore, it leads to more violent confrontation. At

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<sup>14</sup> Ibid, P.55

<sup>15</sup> Dipankar, Gupta, , "continuous Hierarchy and Discrete Castes"... p.133

the ground level, process of Sanskritisation had certainly added to continuously increasing volume of Dalit atrocity.

Sanskritisation and Westernization are linked process in modern India and it is not possible to understand one without reference to other.<sup>16</sup> Sanskritisation is the mobility accusingly within the framework of caste, whereas westernisation implies mobility outside the framework of caste. Therefore, westernisation means adoption of western value life style by an individual irrespective of his caste and ritual status. So grossly it can be equated with imitation of West. This process has covered entire Indian society irrespective of caste hierarchy.

Since upper castes in Uttar Pradesh had access to education and Western value prior to lower caste, therefore they westernised earlier, and sometime they considered it as their role privileges, which should not be extended to Dalit at any cost. But, with the spread of education, Industrialisation and sometimes due to secular policies of pre-independence and post-independence Indian state, the Dalits got an opportunity for Westernisation. But the resistance was obvious from the upper castes due to two reason *Firstly*, from those who where westernised previously, considered it to be their sole prerogative and it should not be extended to Dalits and *Secondly*, for those upper castes who lag behind in run of westernisation, they were jealous of seeing westernised Dalit. So the cost of westernisation

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<sup>16</sup> Srinivas, M.N. *Social Change in Modern India*, Allied Publishers, Bombay 1977, p.8.

was generally paid by college going girls and boys of Dalit community in the form of humiliation and sometimes as harsh as being beaten up. So, in a way process of westernisation also contributed, though very little, but significantly in Dalit atrocity.

This development is best seen among the Chamar leather workers of Agra district who from the early 1800s had been attempting Sanskritisation under the influence of the Arya Samaj.<sup>17</sup> By the 1940s, the leaders realized that upward mobility through Sanskritisation was a route closed to castes below the ritual barrier of pollution. As a result, the transitional period 1945-50 saw a marked change and their reference group of identity now became the SC community with whom they identified as part of the oppressed and untouchable section of the population, and political participation within the new constitutional order emerged as a better means for entering the new power structures.<sup>18</sup>

## **POST-INDEPENDENCE INDIA**

### **Economic Change and Dalit Atrocities in UP**

In Uttar Pradesh, economic life of Dalits had undergone a significant change after independence. This is so because, of the

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<sup>17</sup> Lynch, Owen M. (1969) *The Politics of Untouchability: Social Mobility and Change in a City of India*. New York: Columbia University Press. p.33.

<sup>18</sup> Sudha Pai, (2001) "From Harijans to Dalits: Identity Formation, Political Consciousness and Electoral Mobilisation of the Scheduled Castes in Uttar Pradesh" in Ghansham Shah (ed.) *Dalit Identity and Politics- Cultural Subordination and the Dalit Challenge*, Vol.2. Sage Publication, New Delhi. p.262.

change in economic affair of the country due rapid industrialisation. Secondly, special attention paid by the state to uplift the socially and economically disadvantaged group. This was done with the help of two process, *firstly*, by reservation of job in government services for Dalits and *secondly*, by the distribution of land to the landless Dalits through land reform legislation. This change perturbed the earlier stagnant relationship between disadvantaged and privileged groups of Indian Society. It changed the earlier relation of dominance. Naturally the status quo-est , who originally had better economic status resisted this change violently, and Dalits or the most economically disadvantaged faced atrocity of several kinds.

This process of economic change initiated by the British government. The advent of British enabled untouchables to take full advantage of expanding employment opportunities in several areas such as railways, industrial towns, textiles centre. They got new push for education and social change. In the context of Maharashtra Zelliott, however, deliberates that it was entry into the British army which proved significant for the subsequent movement of the Maharashtra movement. The importance of this particular event lies in the fact that it exposed untouchables to western culture and new socio-political order. She quotes Ambedkar.

"Until the advent of the British, the untouchables were content to remain untouchables. It was a destiny pre-ordained by the



Hindu God and enforced by the Hindu States... Fortunately or unfortunately, the East India Company needed soldiers for their army in India and it could find none but the untouchables.. In the army of the East India Company there prevailed the system of compulsory education for Indian soldiers and their children, both male and female. The education received by untouchables in the army... gave them new vision and a new value. They became conscious that the low esteem in which they had been held was not an inescapable destiny but was a stigma imposed on their personality by the cunning contrivances of the priest. They felt the shame of it as they never did before and were determined to get rid of it.<sup>19</sup>

I shall briefly discuss the economic change in the life of Dalits in Uttar Pradesh, in the colonial and post colonial era, for the purpose of analysing the increasing conflict between Dalits and upper castes.

Along with these factors the role of traditional skills of certain castes and the association of these skills with the market economy has also proved to be a significant factor Lynch demonstrated this in his study of Jatavs of *Agra*. He shows that, how changing condition of life and development of market economy has

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<sup>19</sup> cited in S.K. Sharma., op. cit. p.58, 1985

added to the change among the Jatavs of Agra. The Jatav of Agra were the member of an untouchable community which occupied a very low social status in the context of the caste Hindu society. They were in a vast majority in the city of Agra and carried out leather work as their traditional occupation. The Jatavs got a number of contracts for supplies of hides and skins.<sup>20</sup> Under the influence of Arya Samaj reformist activities, they started getting education; they also became conscious of their rights. The rich Jatav contractors started opening cotton mills. This weaving work was also done by the Jatavs. At the same time shoe industry also started functioning under the ownership of Jatavs. These factors significantly added to economic prosperity of Jatavs of Agra. As a result of economic prosperity and advance in educational sphere, the educated young Jatav formed 'Jatav Men's Association in 1917. Its major purpose was to motivate fellow men towards education, sanskritisation and change of their identity.<sup>21</sup>

Similar to Agra, establishment of *Kanpur* was major Industrial city of Uttar Pradesh had brought about a significant change in the life of the untouchables. Kanpur's early industrial expansion was based on a military market for a containment. The military required mostly boots saddle and clothing. In 1863 the government Harness and Saddler factory was founded and in 1864 a

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<sup>20</sup> *ibid.* p.57

<sup>21</sup> *ibid.* p.63.

cotton mill was established called Elgin cotton spinning and weaving co. ltd. Second phase of industrial development was the period between 1915 and 1947; when Large factories i.e. fertilizer, heavy engineering goods, were established this new industrial city not only made untouchables in its vicinity economically well off, but also spread a new consciousness among them for self respect and human dignity. It also enabled them to pursue education and form social and political organization. No doubt, these new consciousness gave rise to new conflict in the society leading to several unrecorded atrocity over Dalits.

In the post independence India *first* major factor responsible for increase socio-political consciousness among Dalits in reservation policy all the three areas of Education, Employment and representation in various political fields i.e. Lok Sabha, Vidhan Sabhas and Panchayats. The *second* most important factor responsible for bringing economic change in Uttar Pradesh is land reform. It has changed the existing caste class relations and increased conflict Dalits and OBCs. Let us briefly look at how Reservation has brought these consciousness. The theory behind the reservation in education is that the lower strata of society - specially scheduled castes is incompetent to get entry into educational institution through normal process of recruitment. At the same time education is thought to be an important factor to promote self

reliance, self respected and independence - both psychological and economic.<sup>22</sup> Emphasizing on education Parvthama writes in "Ambedkar and after - education is a potential factor is status improvement for the scheduled castes as it brings consciousness about their socio-political Plight.<sup>23</sup> Therefore, to raise the literary rates among scheduled caste several steps have been taken by the state govt. in India.

Recently in U.P. several steps have been taken to raise literacy among SCs with more prominence than in any other state. This is so because Uttar Pradesh lag behind in Dalit education in comparison to other states i.e. Kerala. The literary rates among Dalits in Uttar Pradesh is only 26.85% which is one of the lowest rate among Dalits in the country is evident from the fact that in Kerala the literary rate among Dalits is 79.91 percent which stands at the top of the list followed by Gujarat (61.06 percent).<sup>24</sup> Among the various steps taken by the UP government to raise literacy rates among Dalits, are 580 government added NGOs schools, Mahatma Jyotiba Phule government Ashram School in Lucknow, rates of scholarship has been increase from 30 to Rs. 60 for high school student and from Rs. 20 to Rs. 40 for Junior high school students 164 separate hostels (125 for boys and 39 for girls) has been opened

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<sup>22</sup> Manjit Singh, (1995), "End of Uutouchability – A Legal Way?" in Prakash N. Pimpley; Satish K. Sharma (ed.) "Struggle for Status" (1985), B.R.Publishing, New Delhi, p.182

<sup>23</sup> *ibid.*, p.182

<sup>24</sup> Vivek Kumar, ( ), "Dynamics of Dalit Leaderships in India", p.120

in the different district head quotes in the state. Besides pre coaching centres have been set up for helping the SC/ST candidates in their preparation for appearing in IAS, IPS, PCS, Engineering, Medical and other competitive examinations.<sup>25</sup>

Despite government's initiative, the parents of Dalit students in Uttar Pradesh have now become even more conscious towards the education of their children. They are sending their children to good public schools, for quality education. So, with over all a good effort of state and good initiative from the Dalit people, there had been a tremendous increase in the consciousness towards the importance of education. This consciousness has helped Dalit community to benefit from the government policy of job reservation. Though in the grade A and grade B services the required quota for SC/ST has not been full filled. But, still Dalits have benefited economically, by getting jobs in grad C and D services. These, Job holder are now more conscious about the education of their children and the coming next generation is one relatively well educated their rights and human dignity.

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<sup>25</sup> *ibid*, p. 122

**Table:2.3-Representation of SC in State Services, UP 1989<sup>26</sup>**

Group Services	Filled in %	Un-filled %
A	8.16	-12.84
B	10.12	-10.88
C	15.76	5.24
D	21.19	+1.19

*Source: U.P. Annual, 1996-97, p.267 (Kumar Vivek, p.127).*

As far as reservation in bureaucracy is concerned the major grievance of Dalits or the scheduled caste in the state has been that the various orders concerning reservation in government services in the state are deliberately violated. In bureaucracy, the Dalits face discrimination and victimization which increases their frustration and retards the rate of their socio-economic development.<sup>27</sup> Annexure – I shows the relation between socio-economic development and Dalit atrocities as we saw policy of reservation in Job and Education has contributed to the structural change in Uttar Pradesh society.

**Green Revolution and Land reform** is another factor which brought comprehensive change in the economic life of Uttar Pradesh. Green revolution and land reform added prosperity to Backward class farmers i.e., Yadavs, Jats, Kurmi. In the social hierarchy. It also changed the existing caste relations between SCs

<sup>26</sup> *ibid.* p.127

<sup>27</sup> *ibid.* p.127

and OBCs in UP. OBCs are just above the Dalits, so the prosperity of OBCs brought by Green revolution and land reform created a huge economic gap between landed OBCs and landless Dalits. This led to the increase in the cases of Dalit atrocities committed by newly prosperous Jats and Yadavs. Quota politics and Kisan politics of Lohia and Charan Singh led to the rise of OBCs in U.P.

In the first conference of the Samyukta Socialist Party (SSP) held in April 1966, Lohia recommended a quota for of 60% for backward section of society. It should be extended to 'all spheres', not only the administration but also in education system and the assembly.<sup>28</sup> On the other hand Charan Singh was anti-Dalit according to T.J. Byres. His BKD have nothing to offer to Dalits. As a revenue minister in-charge of land reform in Uttar Pradesh after Independence, Charan Singh promoted the interest of what he called the middle peasantry by abolishing the Zamindari system.<sup>29</sup> This process produced economically strong and politically assertive OBCs who intended to dominate the society and politics of U.P. The Dalit became an innocent victim of this domination.

This structural change has brought socio-economic consciousness among Dalit community leading to intensified

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<sup>28</sup> Christopher Jaffrelot, (2000), " The Rise of the Other Backward Classes in the Hindi Belt", in *The Journal of Asian Studies* 59, no. 1 (February 2000): 86-108, p.90.

<sup>29</sup> *ibid.* p.92.

conflict with previously dominant groups (Savarnas). There is another aspect of reservation policy which has contributed to structural change in the political power relation in Uttar Pradesh Society that is reservation in the legislative assemblies, Lok Sabha and Panchayats.

### **Rising Political Consciousness and Dalit Atrocities in U.P.:**

All these social and economic changes in the life of untouchable led to the rise new political consciousness among the community. Therefore, several political organization were set up. Before we discuss post independence rising socio-political consciousness, let us trace back their roots in the pre-independence era. Jatavs of Agra as a politically active group, first raised the issue of inclusion of one of their members in the state legislative council. In 1920 one member of Jatav community was appointed as the member of legislative council and he pressed for the demand that in each district Board one member should be from their community.<sup>30</sup> During 1930s and early 40s the Jatav elite started talking part in independence movement. In 1944-45 a Schedule caste confederation of Agra was formed and was linked with Dr. Ambedkar's Scheduled castes Federation.

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<sup>30</sup> Satish K. Sharma (1985) *Caste Inequalities and Status Change Among Scheduled Castes – Some Trends in Prakash N. Pimply; Satish K. Sharma (ed.) "Struggle for Status" (1985), B.R.Publishing, New Delhi, P.63.*



In 1958 Republican party was formed in Agra. So a new social and political structure were formed. Jatava left Sanskritic names and their Kshtriyas ancestors. This is because sanskritisation is not effective means a political participation for achieving a change in style of life and to rise in the Indian social system.<sup>31</sup> In 1950, Agra city become Municipal corporation and elections were held for 54 members municipal corporation. Republican party won 17 seats. Six were reserved for Jatavs. Then three Jatav members were also elected to the legislative assembly. In 1962 election Muslims and Republican party united. They also fought election for Deputy Mayership and a Republican Vaishya was elected. In general political manifesto they wanted to improve the downtrodden of India and besides a charter of ten demands were presented to Prime Minister Shastri.<sup>32</sup> This included the demand that the portrait of Ambedkar must be given place in the central Hall of the Parliament. This socio-political consciousness spread beyond Agra. Similarly Kanpur also experience an increase in the political consciousness of among Dalits.

Initially, in the pre-independence era the demand for representation from untouchable was a demand for separate electorate like Muslims and others. After the defeat of this idea in Puna pact, then Dalit leadership (Ambedkar) half heartedly accepted

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<sup>31</sup> Lynch, op.cit. p.469

<sup>32</sup> Lynch, op.cit. p.474

the idea of Joint electorate in single member constituency. This idea was commented in our constitution as the reservation of seats for scheduled castes in the Lok Sabha and Vidhan Sabha. This reservation initiated the political participation to a large extent. Though this reservation did not helped Dalit substantially to overcome all disability historically imposed upon them. Still it was a important move towards the politicisation of Dalits. This is so because, Firstly, in the absence of reservation, the scheduled castes had never been able to represent in such a large proportion. Following data suggests the actual condition of Dalits representation in those Vidhan Sabha constituencies, which are not reserved.

**Table:2.4- Performance of Dalit Candidates in Non-Reserved Constituencies**

Vidhan Sabha Elections in India	Total No. of Candidates	Total No. of Dalit Candidates won
1952	2571	5
1969-70	2798	0
1970-71	2853	3
1971-73	2943	0

*Source: Candidates al. 1968-717 and RCSCST.*

This poor representation of Dalits in non-reserved constituencies reveals the importance of reservation. But, for the several reason the existing system of reservation had been criticised by politically conscious Dalits. Some of them are as follows:

1. Population of reserved constituency has majority of non-Dalit population, in the first past the post system, it is the will of non-

Dalit population is represented in the election. Therefore, the reservation does not represent the voice of Dalits. As for example; During 1962 elections, out of the total 76 seats reserved for scheduled castes, there was not a single seat which comprised the majority of scheduled castes population. At the same time, out of the 111 Lok Sabha constituencies where scheduled castes comprised more than 20 per cent of the population<sup>33</sup> so scheduled dates depends upon non scheduled castes dates for their victory.

2. Nearly 75 per cent of the scheduled castes population remained outside the reserved constituencies.<sup>34</sup>
3. These reservations are only for the lower house of representation and the upper house both Rajya Sabha and Vidhan Parishad are not represented through reservation. Also there is no constitutional reservation provision for scheduled castes to be elected to cabinet<sup>35</sup> and other political posts.
4. Most of the reserved constituencies are represented by the members of those political parties whose dominant leadership's basic interests are in clash with the scheduled castes. Those scheduled castes legislators are helpless to influence the policies of the party and its power structure.<sup>36</sup>

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<sup>33</sup> Manjit Singh, op. cit. p. 184

<sup>34</sup> ibid, p.184

<sup>35</sup> ibid, p. 184

<sup>36</sup> ibid, p.185

Representation of Dalit leaders in Lok Sabha and Sabha and State Assembly through different political parties in UP based on 1999 and 1996 General elections respectively.

**Table:2.5- Party wise representation of Dalits in U.P.**

Sl. No.	Political Parties	No. of Dalit leaders in the Parliament	%age	No. of Dalit leaders in State assembly	%age
1.	BJP	7	38.88%	44	48.88
2.	BSP	5	27.77%	22	24.44
3.	INC	-	-	5	5.55
4.	JD	-	-	5	5.55
5.	L J C P	1	5.55	-	-
6.	S P	5	2.77	14	15.55
<b>Total</b>		<b>18</b>	<b>100</b>	<b>90</b>	<b>100</b>

*Source: Chief Electoral officers, U.P., 1999-1996 (Quoted in V. Kumar, p.138).*

Above data clearly shows that so called upper caste party (BJP) has own maximum 48% of U.P. assembly seats and 38.88% of Parliamentary seats in U.P. Therefore, it is unlikely that the existing reservation policy will represent the interest of Dalit. The failure of existing reservation policy to represent the interest of Dalit, filled anxiety in the hearts of Dalits with the System. They looked for alternative. So the educated and economically well new generations of Dalits tried to launch new Dalit party in different parts of India.

Specially in Uttar Pradesh party like BSP grew as a produced of rising Dalit Socio-economic and political consciousness of Dalits.

According to Kanshi Ram, the rejection of the demand for separate electorates and constitution of joint electorates amounted to a defeat of Dalits with protracted effect. The Brahminical order designed the whole thing in a manner that only stooges could have come out of it.<sup>37</sup> Kanshi Ram started mobilization of Dalits by criticizing then existing Dalit leadership as mere stamp of Savarnas. This broke the patron-client relationship between Dalits and Savarnas; because conscious Dalits were not ready to vote for Savarnas stamp any longer. BSP was the political expression of social action movement founded by Kanshi Ram, (BAMCEF) and an agitating wing, the *Dalit Shoshit Samaj Sangharsh Samiti (DS<sub>4</sub>)* in 1982.<sup>38</sup> It believes in the confrontation with upper caste to gain their share of power. Kanshi Ram argued that the depresses section and minorities have been denied a share in economic and political power which is in the hand of an elite Brahmin minority. The farmer can change the system and seize power by voting for BSP. This generated a hope among Dalits and an unprecedented politicization and mobilization of Dalits can be noted today in Uttar Pradesh.

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<sup>37</sup> Abhay Kr. Dubey,(2001), "Anatomy of a Dalit Power Player: A Study of Kanshi Ram" in Ghansham Shah (ed.) "*Dalit Identity and Politics – Cultural Subordination and the Dalit Challenge*, Vol. 2, Sage Publication, New Delhi. p. 284.

<sup>38</sup> Sudha Pai (1994) 'Caste and Communal Mobilisation in the Electoral Politics of UP', Special Issue on State Politics, *Indian Journal of Political Science*, 55(3): 307 – 21. p.310

On the other hand, there is another social group in Uttar Pradesh, just above in Uttar Pradesh, just above the Dalit in social hierarchy in UP is that OBCs. Their rise as an important political player in 1970s and 1980s, for the first time seriously questioned upper caste domination in public sphere, and also perturbed the existing pattern of domination and suppression of Dalits. OBCs have now become the prime dominating castes over Dalits. Political ambition of this two 'groups' started clashing due to differing class interest in the countryside and rivalry for a similar social base and politics. This led to a steady deterioration in the relationship between the two coalition partner in the first coalition government of BSP and SP. In the first five months of the government's tenure, there were about 60 clashes involving backward and lower caste in which 21 SCs and 3 BCs were killed, the most important clash being in Meerut in March 1994.<sup>39</sup> Therefore, the political assertion of backward classes and Dalits have led to more confrontation and more atrocities of new kind on Dalits.

A new trend visible during the 1993 elections was a new assertiveness by Dalits in the countryside against OBCs and desire to carry forward their own movement.<sup>40</sup> This is particularly visible

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<sup>39</sup> Sudha Pai, (2001) "From Harijans to Dalits: Identity Formation, Political Consciousness and Electoral Mobilisation of the Scheduled Castes in Uttar Pradesh" in Ghansham Shah (ed.). *Dalit Identity and Politics- Cultural Subordination and the Dalit Challenge*, Vol.2. Sage Publication, New Delhi. P.278.

<sup>40</sup> *ibid.* p.278

in young energetic, new generation of Dalit leadership in U.P. This new breed of politicians are more consciousness about their identity and integrity. In an interview with Dalit leaders of Uttar Pradesh Vivek Kumar has categorized entire Dalit leadership of UP in following category.

**Table:2.6-Age composition of the Dalit leaders in Uttar Pradesh**

Sl. No.	Age (yrs.)	No. of Respondents	Percentage
1.	25-29	8	4.32
2.	30-34	32	17.29
3.	35-39	47	25.40
4.	40-45	93	50.27
5.	Above 45	5	2.70
Total		185	100.00

*Source: Vivek Kumar, P.132, (Dynamics of Dalit leadership in India) an interview with the Dalit leaders.*

This shows this generation of leadership is young and energetic. This new Dalit leadership has used methods of politicisation, which is more radical than the previous leadership. Today's the Dalits of Uttar Pradesh are more conscious about their political rights. This is due to the politicization. Savarnas political leadership has considered this politicization as threat to their dominance. Therefore, Savarnas attempted to curve the means of politicisation of Dalits such as defilement of status of Ambedkar in Uttar Pradesh. Dalits are taking it as a contempt of their leader, so

the conflict in Uttar Pradesh has risen tremendously. Simultaneously, new forms of atrocities against Dalits are coming up daily. The rising socio-economic and political consciousness among Dalits has led to increasing conflict situation in the states and the number of atrocities are rising tremendously. The next chapter shall discuss the nature and intensity of these atrocity committed of Dalits in Uttar Pradesh.



## **CHAPTER THREE**

### **Dalit Atrocities In Uttar Pradesh: Its Nature And Intensity**

Uttar Pradesh is at the top of the list of Dalit atrocities in the country and it is on the rise.<sup>1</sup> (Annexure IV). In 2001 the state recorded 3,404 cases of atrocities under the Indian Penal Code (IPC) and 3,385 cases under the Dalit enactment. In 2000 these figures were 2,696 and 2,495 respectively and in 1999 the figure of Dalit atrocities were 2,495 in Uttar Pradesh.<sup>2</sup> In an Interview given by SriRam Arun (Chairman of Uttar Pradesh SC/ST Commission) total 42000 cases of atrocities came before the commission in which 40% of cases were related to police.<sup>3</sup> Peoples Union for Human Rights (PUHR) claims that in the year 2002 till August 4654 cases of Dalit atrocity had come to light.<sup>4</sup> Criticising the UP Govt.'s claim that till Sept. 2002, there has been 3.57 % decrease in atrocity related deaths and 17.33% decrease in the rape of Dalit women; PUCL Secretary says that there has been tremendous increase in number of Dalit atrocity in BSP BJP alliance Government in the year 2002.<sup>5</sup> National Commission for SC/ST itself admits that UP records the highest number of Dalit atrocities in the country seeing the report of the commission it is evident that there has been continuous increase in the

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<sup>1</sup> Report of Public hearing organized by DAG, PEACE, IPT, PUCL, and UP, BSASAAS. P.-3.

<sup>2</sup> Ibid. p-3.

<sup>3</sup> Hindustan (Hindi) Aug 27, 2002 (cited in DAG, Aug 2002 issue) :

<sup>4</sup> Amar Ujjala (Hindi) 11 Dec. 2002 (cited in DAG, Dec. 2002 issue)

<sup>5</sup> Ibid.

number of Dalit atrocities except few exception. This increase has been noted not only in its magnitude, but there has been also a change in the nature and intensity of Dalit atrocity.

**Table: 3.1-U.P.tops in list of atrocities against SCs.**

S.no.	Nature of atrocities	State on the top	Percentage
1	Murder	Uttar Pradesh	50.2
2	Rape	Madhya Pradesh	29.1
3	Abduction	Uttar Pradesh	54.9
4	Dacoity	Uttar Pradesh	61.2
5	Stealing	Uttar Pradesh	44
6	Arson	Uttar Pradesh	43.4
7	Scuffle	Uttar Pradesh	20.5
8	Reg.under PCR Act 1976	Maharashtra	26.4
9	Reg.under SC/ST PA Act1989	Uttar Pradesh	36.8
10	Others	Rajasthan	36.3
11	All kinds of atrocities	Uttar Pradesh	25.4

*Source: crime India 1998, National Crime Bureau Ministry of Home Affairs, New Delhi, p-184*

This chapter deals extensively different nature of Dalit atrocity and increasing intensity of atrocities.

## **Nature of Dalit Atrocities in UP**

Dalits in Uttar Pradesh experience atrocities of several kinds. So, there can be numerous such as rape, murder, house burning, beating, beggar, and false legal changes etc. typologies of atrocities visiting upon Dalits.

But the basic qualities of these incidences or the motive behind are limited which can be enumerated as the 'Nature' of Dalit atrocities. i.e.

1. Religious Nature of Dalit atrocities;
2. Socio-cultural Nature of Dalit atrocities;
3. Economic Nature of Dalit atrocities;
4. Political Nature of Dalit atrocities.

All forms of atrocities fall under either of above-mentioned nature of atrocities. Therefore, there shouldn't be any confusion in the meaning of the terms likes 'types', forms, and 'Nature' of atrocities or 'qualities' of any incidence of Dalit atrocity.

### **Religious Atrocities**

This is the oldest among the other nature of atrocity. It was extensively prevalent in pre-modern era of Indian History. Atrocities of religious nature have

not ended yet, it is still continuing. Though the number of atrocities of this nature has decreased in its magnitude compared to others. The nature of 'Religious Violence' against Dalits can be divided into two broad categories, First, 'Traditional violence which has its roots in the ritual untouchability'<sup>6</sup> and secondly, the violence arises out from the resistance to 'ritual untouchability'.

Now, let us look at the 'Traditional religious atrocities and its genesis in Hindu social order. Louis Dumont in his book "Homo Hierarchicus: the caste system and its implications says" Untouchability can be analytically represented to be at the very core of Hinduism.<sup>7</sup> The most perfect representation of the dichotomy between purity and pollution is found between the 'Brahmini' and the 'untouchables' and that is the basis of whole caste hierarchy.<sup>8</sup> Manu, the architect of Hinduism in his book 'Manu Smirti' says "A Chandala and a boar, a cock and also a dog, and a women in her course and an eunuch, may not see the Brahmin eating". But pollution from an untouchables in particularly serious. So the Jataka tells the tale of a young Brahmin who shares the food of a Chandala, and then goes off to die in despair in the forest.<sup>9</sup> In this way the ideologues of Hinduism constructed a Brahminical ideology, which legitimized the subjugation of 'Untouchables'. This ideology closed the door to knowledge, dignity and civility for these people. It also established a complete hegemony where people could not think of resisting even the most heinous kind of atrocity. Traditional form of Dalit

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<sup>6</sup> Oliver Mendelsohn, Mirika Viczyany, (1998) "*The Untouchables: Subordination Poverty and State in Modern India*", Cambridge University Press, Cambridge. – p.59.

<sup>7</sup> Louis Dumont, (1970), "*Homo Hierarchicus: The Caste System and its implications*", Delhi Vikas Publication. p.33.

<sup>8</sup> Ibid. p.33.

<sup>9</sup> Ibid. p.34.

atrocities include various unequal practices such as Dalits were not allowed to enter into temple, put sacred threads, can't listen to Vedas, can't sit on cot, can't wear shoes etc. If they defy their social rule they were given social punishment, sometimes it was of very heinous kind. Some of the sanctions posed Hindu texts (Smritis) are still continuing and defilement of these today's cause atrocities on Dalits. Today largely, the religious atrocities arise out of protest by the Dalits to follow those sections of Hinduism. According to Varna system Dalits have been given the task of carrying dead cattle; when they refused to do this they faced atrocities. Some important cases are:

**Case 1.** In Raebareilly district Block D, when Dalits refused to carry dead cattle, three houses of Dalits were put on fire, in which eleven Dalits burnt alive.<sup>10</sup>

**Case 2:** Village Lalbad Bab, District Sahjahanpur: One Dalit woman was killed for entering a temple. Local MLA and others protested against this.<sup>11</sup> This incidence of atrocity in the year 2000 shows that atrocities of religious nature are still continuing.

**Case 3:** In the village Hetmapur, District Barabanki. One Dalit woman was abducted when she went to pay homage to the temple.<sup>12</sup>

There is another dimension of religious atrocities that is the belief of the orthodox Hindu societies into the dark power of untouchables. Many times

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<sup>10</sup> Mata Prasad, (1995), "Uttar Pradesh ki Dalit Jayiyon Ka Dastavez," Delhi Kitab Ghar Publication, New Delhi, p.111.

<sup>11</sup> (Amar Ujjala (Hindi), Oct. 15, 2000)

<sup>12</sup> Jansatta (Hindi), November 21, 2000, in DAG Report.

orthodox Hindu society believes that untouchables are the cause of diseases being suffered by their cattle. Allegation of Witchcraft on Dalits women very often. Several occasions Dalit women had paid heavy prices for the ignorance this orthodox Hindu society. Since religion and myths are intertwined to each other in such a way that the atrocities arising out of either should be discussed in single heading 'Religious atrocities.

Keeping 'religious violence' in mind, Ambedkar regarded untouchability as intrinsic to the construction of Hinduism and Gandhi called it a 'historic corruption of Hinduism'. Ambedkar had only solution to get rid of these disability imposed by Hinduism, that is conversion to Buddhism. He led a conversion movement. Many Dalits today prefer to convert to other religion preferably Buddhism. But this conversion had yet another dimension to religious atrocities, For example, several Dalits in the villages of Meerut, Muzzaffar Nagar, Saharanpur and Gaziabad, converted to Sikhism on 26<sup>th</sup> January 1990.<sup>13</sup> Several Dalits of Nagla village and Jangeji village of Meerut district converted to Sikhism because of atrocities<sup>14</sup> by both Hindu and Muslim community of the district.

In another recent event more than hundred Dalits converted to Christianity in the year 2002. According to the report printed in Sahara Samachar dated on 26 December 2002. Despite, the rule of BSP a Dalit party they couldn't get relief from

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<sup>13</sup> Mata Prasad (1995) op. cit. p. 121 (translated from Hindi)

<sup>14</sup> Ibid., p.121 (translated from Hindi)

the atrocities. Dharmapal one convert said that in 1995 when Mayawati came to power district magistrates helped them in the possession of their Patta land, which was allocated to them in 1984. But after the end Mayawati rule, their houses were looted, and burnt by *Savarnas*. A BSP leader Harbhajan Singh Baudh took Patta land, illegally in his possession. Since then Dalits are demanding their Patta land, instead they are facing several atrocities.<sup>15</sup> At the last resort they decided to convert to Christianity as a protest. As we saw Dalit are converting to other religion to get rid of all disabilities imposed upon simply because they are lower caste Hindu. Even if they get converted to other religion they are not free. There had been several cases where converted Dalits had faced atrocity. i.e. In Kilpal village of Jagatshingpur district of Orissa seven women converted to Christianity were tonsured, brutally beaten and reconverted to Hinduism by VHP in the year 2004.<sup>16</sup> This case was highlighted by media, still there are sever cases of similar kind occurring in parts of country remains unnoticed. In conclusion; we can say that atrocities of religious nature are still continuing, though number of incidences of this nature are decreasing.

### **Social and Cultural Nature of Dalit Atrocity**

Dalit atrocity is not solely as religious affair; had it been so, Dalit would not have suffered many serious atrocities at the hand of Dominant Muslims. If Dalits are suffering only because they are the part of Hinduism, then it should stop after conversion. Empirical evidence shows that it has not happened like that.

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<sup>15</sup> Sahara Samachar (Hindi, 26 Dec 2002) in DAG Dec 2002 issue

<sup>16</sup> Amar Ujjala (Hindi), 17 Feb. 04.

Therefore I argue that there exists a socio-cultural fault line between Dalits and 'other'. This 'other' includes everyone excluding Dalits, such as OBCs, Savarnas Muslims, and Sikhs. 'Others' can be termed as 'dominant' and their culture is termed as dominant culture. The ongoing conflict between dominant culture and Dalits own culture, ever increasing tendency to challenge Savarnas dominant culture has given rise to atrocities on Dalits. Today much of the incidence of atrocities has reason other than the ritual or religious distaste for Dalits. They neither originate from the straightforward imposition of high caste authority. Today it largely originates a dominant castes reaction to initiative of Dalits to slough off their historic condition to rise in the world. The more Dalits have resisted their subordination the more savage have been reaction they have engendered.

Social and cultural nature of Dalit atrocities is quite evident from the incidence of atrocities occurring on Dalit women. Dalit women are victimized, because according *Savarna's* culture 'women' are considered as a thing of Prestige, and if they want to humiliate anybody, easiest way is to humiliate their women folk. If the victim is a Dalit woman, Savarnas think that it's a humiliation for entire Dalit community. Today when Dalits are trying to challenge Savarnas dominance, Savarnas avenge it by humiliating Dalit women. Therefore, the number of atrocities on women are increasing sharply. Before, we go further let us briefly look upon certain cases of atrocities on Dalit women:



**Case 1:** In village Bansi, District Hardoi (UP): one 16 year old Dalit girl was abducted by upper caste youth and she was repeatedly raped for 8 months, when she got pregnant, she was not returned after eight month. The police refused to register FIR. The Dalits left the village in fear.<sup>17</sup> This incidence shows the dominance of Savarnas in villages as well as governmental machinery. Dalits are forced to accept them dominance or get ready to fare extreme humiliation of this kind.

**Case 2:** In village Barwan, District Barabanki (UP). After a quarrel with her husband, a Dalit woman was dragged out of her house tied to the tree and was generated. For two days the police refused to register the case.<sup>18</sup>

**Case 3:** In village Bastauli, District Gazipur (UP), Four Policemen raped the wife of a Dalit and beat him up who he protested. An ex-BSP minister took up the case and forced an enquiry.<sup>19</sup>

**Case 4:** In Belada village of Fatehpur police station adjoining to Mayawati constituency, a 17-year-old young girl was burnt alive in a broad day light.<sup>20</sup>

**Case 5:** A Dalit women was gang raped and threaten not to report to police. Incidence occurred in Madanpur village of Raipur police station of Kanpur District. All culprits belong to Yadav castes.<sup>21</sup>

Above cases of heinous crime against Dalit women suggests that culprit are not only the upper castes but also so-called lower castes i.e. Yadav ...

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<sup>17</sup> Amar Ujjala (Hindi), December 23, 2000.

<sup>18</sup> Rastriya Sahara, Nov. 9, 2000, in public hearing organized by DAG.

<sup>19</sup> Amar Ujjala (16 Sept. 2000), in DAG report".

<sup>20</sup> Hindustan 9 June 2003 (Hindi)

<sup>21</sup> Hindustan 14 July 2003 (Hindi)

Secondly the intensity of atrocities tells that it is a teaching to Dalits not to challenge the dominant culture. Since women are considered to be symbol of culture, the rape of a Dalit woman is perceived as destruction of Dalit culture and status. Another important feature is involvement of police either directly or indirectly by protecting culprits.

This is so because police system is largely constituted by dominant caste that still want to preserve their dominant culture and social status. They contribute to it indirectly by not registering the case of atrocity of women; sometimes they are directly involved in the atrocity. According to chairman of UP, SCs/STs commission 40% of the total case of Dalit atrocity are related to police.

**Case 1:** the police on the ground that he was a notorious dacoit killed Ram Sanjivan, son of Chote Lal, in an encounter. Later it became known that a dacoit of the same name is in the jail. After prolonged demonstration, the police registered on FIR on the incident, but in the name of an unknown person, not in the name of the 15 policemen or the inspector involved in the encounter. When this name came to light, there were further demonstration for CID enquiry. When ultimately the CID enquiry took place these police persons were transferred. But when Mulayam Singh became chief minister, he brought back the policemen on the ground that these kinds of transfer are demoralizing for the psychology of the police force.<sup>22</sup>

**Case 2:** In the village Birsapur, District Sitapur (UP) A Dalit woman was paraded naked by a farm owner, a retired police officer who also acquired the Dalits land.

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<sup>22</sup> Report of Public hearing organized by DAG, PEACE, IPT, PUCL, an UP BSA SAAS) p.39.

The police also beat up the Dalit.<sup>23</sup>

**Case 3:** A Dalit youth of the village Kaharia, PIS Babhan was stripped and beaten brutally by the police and he was forced to leak spit.<sup>24</sup>

**Case 4:** In another incidence of police atrocity, eight Dalit youngsters were caught on theft charges, for general inquiry. They were kept in police station for three days and beaten and tortured.<sup>25</sup>

Above cases of atrocities states that the police system is not performing its secular task; rather it is behaving as a part of dominant caste. This so because the mental outlook of policemen was supplied by the Savarna culture. Despite education the change in the outlook of the officers are still marginal. So they still behave as partisan and making ineffective all laws for make for the protection of Dalits. Apart from police atrocities and atrocities on women there are several other atrocities such as stopping of Marriage procession of Dalits by upper castes beaten up of Dalit who dare to sit on cot in front of dominant castes. Not allowing Dalit widow for remarriage, and forcing Dalits for beggar. All these forms of atrocities which has be seen in abundance forms the part of socio-cultural nature of atrocity, because were the culprit is guided not for the religious sanction or for material benefits. Rather these natures of atrocity aim at establishing dominance permanent.

### **Economic Nature of Dalit Atrocities**

The major reason far atrocities since the 1980s, according to the national

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<sup>23</sup> Amar Ujjala (Hindi) Aug 26, 2000 (in DAG, report p.29)

<sup>24</sup> Hindustan (Hindi) 27 September, 2002, (DAG, issue September 2002)

<sup>25</sup> Hindustan (Hindi), 5 Sept 2002).

commission are economic and political rather than purely social and cultural.<sup>26</sup> The main economic reason are alienation of land or not giving seas land allotted to them by Govt. forcing them to perform bonded/unpaid labour and refusal to pay minimum wages.<sup>27</sup> Today an atrocity of economic nature is the single largest constituent of total volume of Dalit atrocities. This is has resulted due to the increased Economic consciousness among the Dalits. This new consciousness among Dalits has increased the competition of material resources, which can be portrayed as acting upon the ideological fault line of this new confrontation.<sup>28</sup> Table 3.2 suggests that economic atrocities are high in comparison to other atrocities. Now it is a new tool in the hands of *Savaranas* to hamper Dalits struggle for equality.

**Table: 3.2 Causes of atrocities from total 213 cases received in commission headquarter during 1980-81**

Reason of atrocities	Number of cases related to			Percentage of total cases
	SC	ST	TOTAL	
1. Land dispute	29	5	34	15.95
2. Economic problem	19	2	21	9.86
3. Police atrocity	25	6	31	14.55
4. Personal enmity	15	-	15	7.04
5. Untouchability	15	-	15	7.04
6. Other reason				
a. Rape/kidnapping	28	14	42	19.72
b. Robbery	5	-	5	2.35
c. Exploitation by contractors	-	1	1	0.47
d. Miscellaneous	21	5	26	12.21
E .Not known	20	3	23	10.50
Total	177	36	213	100.00

*Source : report of the commission for Sc /St (3<sup>rd</sup> report April 1980-81. page-148)*

<sup>26</sup> Sudha Pai, (2000), " Changing Socio-Eco and Pol. Profile of SC in UP," in *Journal of Indian School of Political Economy* Vol. XII Nos-3 & 4 July – Dec-2000 special issue of SCs p.419.

<sup>27</sup> Ibid.p-419

<sup>28</sup> Oliver Mendeson and Marika Viczyany, p.12.

The genesis of this new phenomenon goes back to Nehruvian era, when Nehru took a more modern, materialist, position than either of Gandhi or Ambedkar. For Socialist minded Nehru the problem of Dalits was overwhelmingly economic. As the poverty abated, so the discrimination too would dry up.<sup>29</sup> Mrs. Gandhi inherited similar view from her father. She started anti-poverty programme in the '20 point programme of the emergency including the ending of bonded labour – a matter that mostly affected untouchables and tribal.<sup>30</sup> Land distribution under the land reforms and ceiling Act was of course was pitiful relative to overall need for redistribution to the tiller nonetheless for the first time land was changing hands at the behest of the state, and it was mainly untouchables who were beneficiaries. Such action contributed to long-term heightening of consciousness among Dalits that their lot in life was not merely to accept their own landlessness.<sup>31</sup> In some areas of Uttar Pradesh Lands were distributed to Dalits in 1984. Still there are many Dalits who do not have possession of their Patta land. This Patta land has become major cause of contention between Dalits and upper castes resulting into several atrocities.

**Case 1:** Rajni Devi of village Methitikur, District Unnao (UP) got the papers of Patta land of 11 Biswa two, or three years back but she has not got the land. Neither does the Patwari know where her land is.<sup>32</sup>

**Case 2:** Ratni w/o Jassa Singh (village Kothari Bahlolpur, Tehsil Behat) from Sharanpur was dispossessed of her land, which she was cultivating for 4 years.

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<sup>29</sup> Ibid. p.14.

<sup>30</sup> Ibid. p.59.

<sup>31</sup> Ibid. p.59.

<sup>32</sup> (DAG PUCL... Report of Pub. Hearing) p.13.

Both Lekhpal and Police, when approached, told her that the land does not belong to her.<sup>33</sup>

Above two case of atrocity clearly shows that the land allotted to Dalit are either remained non-posses, when Dalits possessed it, Landlords took it back with the help of administration. There are reports in newspaper that whenever Dalits has tried to keep their land in their possession they have suffered various atrocities.

**Case 1:** In a Patta dispute over a pond, a Dalit Shiva Ram of Kamalapur village Police Station, Madiyawa was killed on 30 August 2002.<sup>34</sup>

**Case 2:** Ram Charan Raidas (Dalit) of village Likhana, P/S Kushi was shot dead because of Land disputes.<sup>35</sup>

**Case 3:** A Dalit women was killed and her house was put on fire on land dispute, in the village Chandupura, P/S Banda of Shahjahanpur.<sup>36</sup>

**Case 4:** In a dispute over Patta land possession a Dalit's house was looted and put on fire by dominant castes. This incidence occurred in the District Barabanki.<sup>37</sup>

Above cases of atrocity clearly show that the intension of the culprits are to bring economic loss to the Dalits. It was done in two ways, firstly by

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<sup>33</sup> Ibid. p.14.

<sup>34</sup> Hindusan (H) 31 Aug 2002 (in DAG Aug 2002), p.9.

<sup>35</sup> Hindustan 29 Aug 2002, (DAG report Aug. 2002).

<sup>36</sup> Hindustan 29 Aug 2002 ( DAG report Aug 2002).

<sup>37</sup> Jan satta (Hindi) 30 March 04 (in DAG Apr – 2004 issue)

snatching the property that Dalit have been allocated by governmental policies and secondly by either burning the properties they have gathered so far.

**Table: 3.3 :- Cases of Arson during 1981-1986**

State: U. P.	1981	1982	1983	1984	1985	1986	1989	1991	1992	Total
Arson & Property Burning	203	327	344	377	408	489	245	291	450	3234

*Source: Report of the commission for SCs/STs 20<sup>th</sup> report (1986-87) Page 244*

In other case of Dalit atrocities of economic nature, dacoity and abduction for ransoms are also prevalent. Many time some well off Dalit shopkeepers are either abducted to cause economic loss to them or their shop are put on fire. The prime motives behind these incidences are to cause economic loss to Dalits. So that could not compete with others and remains at the bottom of society.

Several times, atrocities of economic nature are brought by high caste Govt. employee in various ways. For example, the cancellation of Asami Patta, or by making double entry of same Patta land in specially revenue and forest department. These days when government had announced several soft loans for the alleviation of poverty of Dalits. Now it has become another means of atrocities.

Several times loans are taken by dominant caste in the name of Scheduled Caste with the help of Bank officials. At all the time of payment Dalits are put behind the bars. Sometimes bank officials give loans to Dalits and take high bribes, nearly equal to subsidy given to Dalits. When the Dalits fails to pay back these money; official takes the Undue advantage of their poverty and exploits Dalits in several ways. So due to lack of information to Dalits and existing corruption with the system today Dalits have become an easy pray for economic atrocities.

### **Political Nature of Dalit Atrocities**

In Uttar Pradesh politics today two significant reasons leading to atrocities are competition over question of right to vote and breaking/defilement of Ambedkar statue, which Dalits find most humiliating.<sup>38</sup> These atrocities still political nature revolve around a new and still emerging social and political identity constructed over the period of time. This new identity was the result of one most-important change, which has taken place in the political field of Indian society that is Democratisation and politicization. It has thrown open a new educated upwardly mobile generation of its distinct self identity as 'Dalit' and no longer prepared to suffer exploitation. This fruits of democratization, which tries to bring dignity to Dalit, is never acceptable to Savarna. It is evident from the comment of a Thakur women on the conduct of their men folk in the period before Panchayat election in UP. "Night and day they are running from Chmrauti to Chamrauti----- the one who used to net and beat chamars are now folding hands in

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<sup>38</sup> Sudha Pai (2000), op. cit, p.419.



front of them – bribing them, saying nice things to them. Now no chamars are being beaten scolded for their work. All this is being done just to get votes. After the elections are over, the chamars will be treated the same as they were before”. This statement reveals the attitude of orthodox Savarnas. It also indicates towards the fact that if a Rajputa can't go to Dalits house for vote, how can he allow any Dalit to become his ruler. This attitude of Savarnas helped in the radicalization of Dalit youths. The young generation tried to form their own political identity, which confronted with Savarnas political hegemony it resulted in many atrocities.

Statue of Ambedkar was taken as means of politicization of Dalits. So Sanarnas attacked it. Let us look some of cases of breaking or defilement of Ambedkar's status.

**Case 1:** in a very recent event, in the last parliamentary election, Dalits of Jiyasad village in the Mehnagar Police Station, Thakur prevented Dalit from casting their votes. Therefore, a tension between Dalit and Thakur arose. Then Thakur shot in the heads of Ambedkar statue. When Dalit went to police station to file case against Thakur, police denied to register case.<sup>39</sup>

**Case 2:** In Madiyahu (Jaunpur) a statue of Ambedkar was broken off its head by some so-called miscreants. This incidence occurred on the eve of Ambedkar's birth anniversary. (14<sup>th</sup> Apr 2004) No. Case was filed against anyone.<sup>40</sup>

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<sup>39</sup> Amar Ujjala (Hindi) 23 Apr 04; (in DAG Apr 2004 issue)

<sup>40</sup>Hindustan (Hindi), April 17,2004

**Case 3:** In Lucknow a roof at the top of Ambedkar statue was burnt in the Chihat area of Bihmsen Nagar. Workers of Bhimsena say that it was done on the direction of LDA engineer.

In another incidences of defilement of Ambedkar statue acid was thrown on the face of status. Now, it is rear that Ambedkar statue has symbolized the political assertion of Dalits in the society, therefore the *Savarna* are not willing to tolerate standing status of Ambedkar in Uttar Pradesh. It is interesting to note that their defilement intensified in rule of Mulayam Singh a OBC leader. On the other hand most of people who broke the statue belonged upper castes. And the police hardly take any serious action against the culprit. Therefore it is very clear that there is complete understanding between upper castes and so-called backward castes to contain the politicization of Dalits. So political atrocities are being done by both, *Savarnas* and Backward caste over Dalits.

In other political atrocities killing and beating of Panchayat level Dalit leaders needs special mention; this so because they are the one who face actual hatred of dominant caste at the ground level. Panchayat election has helped in the rise of Dalit leadership at the grass root level. With reservation in the Panchayat both men and women of Dalit community, they are getting opportunity share the political power at the village level. As we know, and Ambedkar said, “Villages are a sink of localism, a den of ignorance, narrow-mindedness and communalism”.<sup>41</sup> The dominant castes of the villages don’t accept the new advance of Dalit in arena of local politics, which had been historically *Savarnas* prerogative. Therefore they

try to suppress the Dalit local leaders with every hooks and crooks. These are certain cases of political atrocities.

**Case 1:** Unnao; the village Pradhan (Dalit women) of Sindhupur in the area of Sadar Kotwali police station and her husband were brutally beaten in a school; in front of several students. Later they were beheaded in the broad daylight.<sup>42</sup>

**Case 2:** A Dalit village Pradhan (Arvind Kumar) of Bartal village, in the Navabganj police station area, was shot dead, when he was going to attend a marriage ceremony of his relatives.<sup>43</sup>

**Case 3:** In another incidence of political atrocity a Dalit women Panchayat member of Chinhat (block), Jagrani Chaudhari was molested and threatens to life if she complains. The culprits belong to dominant castes.<sup>44</sup>

These incidences of political atrocities also show that victims are more of women than men. This so because, upper castes consider them weak and also a symbol Dalit community. So to humiliate Dalits they victimize their women.

There is another several cases of Dalits political atrocities, where Dalits are not being allowed to exercise the political franchise. If they dares they are treated severely. Many time Dalits political procession had been stopped by Savarnas. Sometime Dalit Candidates are forced to withdraw their nominations for elections. The political atrocities are the most recent nature of Dalit atrocity it came only after the politicization of Dalits and formation of political identity in Uttar Pradesh.

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<sup>41</sup> H. D. Malviya, Village Panchayat in India' Eco & Pol. Research Department AIICC, (New Delhi) p.258.

<sup>42</sup> Hindustan 13 July 2003.

<sup>43</sup> Amar Ujjala, 18 Feb 2004.

<sup>44</sup> Hindustan, 16 May 2002

## Intensity of Dalit Atrocities in UP

'Intensity of Dalit atrocity' is the measurement of the strength of any incidence of atrocity. It should not be confused with the magnitude of atrocities. On the one hand 'magnitude' shows the volume of atrocity, on the other hand 'intensity' shows the strength of any atrocity. To make it more clear, let me take one example: single atrocity with different intensity e.g. If a Dalit boy is not allowed to take food in a hotel it is an atrocity, and if a Dalit girl is raped is another incidence of atrocity. In these case the magnitude of the atrocity is same that it 'one incidence of atrocity' but the 'intensity' of the atrocity is different. Rape of a Dalit woman is an incidence of atrocity of higher intensity. This is so because of the strength of the incidence. The rape has higher intensity because it has strength to humiliate the entire community.

**Table: 3.2-Atrocities of higher intensity committed on Dalits of U.P. from 1989-92**

S.No.	Forms of atrocities	1989-90	1990-91	1991-92
1	Murder	268	255	293
2	Rape	175	242	350
3	Beating and injury	625	784	763
4	Property burning	245	291	450
5	Denial of civil rights	235	350	465
6	Registered incidences	3371	4371	8000
7	Unregistered incidences	6708	9978	12000

*Source: Mata Prasad (1995), 'Uttar Pradesh ki Dalit Jatiyon ka Dastvej p-125*

Annexure – III gives the details of similar atrocities for the period 1979-82.

As we empirically show that the data of atrocities are rising up very sharply, in UP more than one Dalit became victim of oppression on everyday. In the last six months, everyday one Dalit has been killed and one Dalit women raped, compared to last year there has been a 15% rise in Dalit oppression. From January to June 30 this year, 194 Dalits have been killed, and 169 Dalit women have raped.<sup>45</sup> This shows that there has been tremendous increase in the number of atrocities as well the nature of atrocity has also changed. To know the magnitude of atrocities the number of incidences are enough, but to know intensity of atrocities other parameters need to be taken into consideration.

The first parameter to know the intensity of Dalit atrocities is to note amount of shift that has taken place from earlier ritual based discrimination to later caste based atrocities; which has more physical violence than ever e.g. rape, murder etc.

Secondly, the intensity of atrocity would be even higher when physical violence's combined with economic violence. e.g. If a person is killed and his house is also set on fire this atrocity is more intense than mere physical violence. It is quite obvious from previous discussions that there has been rise in above kind of atrocities. It implies that the intensity of atrocities is going up.

Thirdly, if above-mentioned two categories of violence gets extended from individual to community. Then the intensity of the atrocities would be even higher.

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<sup>45</sup> DAG, DUCL Pub. Hearing report cites from *Rastriya Sahara* Oct. 29, 2001.

If entire Dalit community in a village is massacred or their properties are burnt, then the intensity of atrocity is higher the previous case. With the political assertion of Dalits in the state communitarian violences are increasing regularly. Therefore we can say that the intensity of Dalit atrocities is rising up.

Looking into the reasons why there is so many rises in the intensity of Dalit atrocity. Two reasons are evident, Firstly the rising socio-economic political consciousness among Dalits which helps them to come out of historic suppressed position and challenge the dominant castes to get their due share. Secondly steps taken by the govt. to bring them up through various policies i.e. Reservation, and land reforms, and proletarian of their rights through various laws. It has helped to come out and demand their share in political power. Since these changes are irresistible to dominant caste, Dalits fall victims of their hatred.

## CHAPTER FOUR

### **Response Of The State To Dalit Atrocities**

Dalits are a grouping of some 150 million people who belong to particular castes at the very bottom of Indian society and had faced one of the most pernicious form of subordination to be encountered anywhere in the world. This chapter is oriented towards the study of legislation related to the 'violence' that has surrounded the former untouchables and today's Dalits. Such 'violence' has largely changed with changing socio-economic and political conditions of these people. In this context, it is necessary to discuss, how the discrimination based on ritual untouchability has been largely replaced by caste based atrocities i.e., Murder, Rape and burning of houses and properties. It is not only the nature of crime against Dalits has changed, but statistics tells the graph of atrocities has also gone up sharply in 1980s.

**Table: 4.1 Total cases on atrocities committed on SCs during 1955 - 1992**

Period	Total registered cases	Increase(+)/ decrease(--) of cases over preceding period	% increase(+)/ decrease(--) over preceding period
1955-60	2911		
1961-65	4,693	(+)1,782	(+)61.2
1966-70	5,113	(+)420	(+)8.9
1971-75	10,426	(+)5,313	(+)103.9
1976-80	20,115	(+)9,689	(+)92.9
1981-85	75,681	(+)55,566	(+)276.2
1986-90	48,950	(-- )26,713	(-- )35.3
1991-92	28,796	(-- )20,154	(-- )41.2
Total	196,685	(+)25,885	(+)13.2

*Source: Nandu Ram's book "Beyond Ambedkar, p.274*

Therefore, the govt. of India has passed many legislations and made rules for their effective implementation. Legal Action of state had been dynamic, to cope with the changing nature of violence. With period of time violence against Dalits had become heinous, so the laws were also made more stringent. Therefore the task ahead is to evaluate and analyse the success and failure of such laws in the changing context. It shall be done by grouping them into five categories of state's legal actions regarding the 'violence' against 'scheduled castes'. These five categories shall be called as five modes of legislation henceforth. These Five Models are as follows:

1. State supportive to Domination and Oppression: During British rule
2. Piece meal withdrawal of support: before independence.
3. Constitutional provisions and Abolition of untouchability: At Independence.
4. Mild crime legislation: Parliamentary Acts of 1955 and 1976.
5. Hard crime legislation: Parliamentary Acts of 1989 and Rules of 1995.

#### **1. STATE SUPPORTIVE TO DOMINATION AND OPPRESSION: DURING BRITISH RULE**

Legal system of British India supported the subordination of untouchables, by supporting certain aspect of caste order. Courts granted injunctions to restrain members of particular castes from entering temples. Sometimes damage were



awarded for purification ceremonies necessitated by pollution caused by the presence of lower castes i.e., *Andrav Bhikaji Phadke Vs. Shankar Dajicharya* (1883)<sup>1</sup>. In *Sankaralinga Nandan Vs. Raja Rajeswara Dorai* (1908) the Privy council upheld the exclusion of *Shanars* from temples and granted damage for its purification after a careful scrutiny of their social standing.<sup>2</sup>

Indian criminal law was extraordinarily solicitous to religious sensibilities. *Atmaram Vs King-Emperor* (1924) cited a case decided in 1880, when an untouchable Mahar who entered the enclosure on the ground that “where custom..... Ordains that an untouchable whose very touch is in the opinion of devout Hindu is a pollution, should not enter the enclosure surrounding the shrine of Hindu God”<sup>3</sup> such entry is a defilement in violation of section 295 of the Penal Code. These cases reveals a judicial notion of single articulated Hindu community in which there were authoritative opinion supplied by custom and accepted text.<sup>4</sup> The second variety of judicial support is found in instances where members of higher castes undertook themselves to “enforce” their prerogative against lower castes and later responded by attempting to invoke judicial protection. It is clear that courts were reluctant to interpret the law so as to provide remedies against such self help. Those parts of the criminal laws protecting religious sensibilities

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<sup>1</sup> Marc Galanter (1972) “The abolition of disabilities untouchability and the law”, in J Michall Mahar (ed) *The untouchables in contemporary India*. The University of Arizona Press, Tucson, Arizpna, p.229.

<sup>2</sup> *ibid*, p. 228

<sup>3</sup> *ibid*, p. 228

<sup>4</sup> *ibid*, p.230

did not serve to protect lower castes from enforcement of higher castes.<sup>5</sup>

In Oudh., where the Brahmins tore the sacred thread from the neck of an 'Ahir' 'Sheoshankar,' who had lately taken to wearing it. He went to the court, and in *Sheoshankar Vs Emperor*, the court ruled that since he was a Sudra, the wearing of it was not "part of his religion" vis-à-vis other Hindu. To them it was an assertion of a claim to higher rank. Therefore, the injury was not an offence to his religious susceptibilities but only to his dignity. Had it been torn by non-Hindus, it might have been an insult to his religion itself.<sup>6</sup> Therefore, I conclude that, to a great extent the legal system of British India supported caste hierarchy and did not try to protect the depressed from hierarchical oppression by upper castes.

#### **PIECE MEAL WITHDRAWAL OF SUPPORT: BEFORE INDEPENDENCE**

It was only after 1909 that fear of diminished Hindu majorities, and proposal for special legislative representation for "untouchables" propelled "Untouchability" from the realm of philanthropy into the political arena.<sup>7</sup> In 1917 the Indian National Congress reversed its long-standing policy of excluding "social reform" from its program to pass a hesitant anti-disabilities resolution. It said "The Congress urges upon the people of India the necessity, Justice and righteousness of removing all disabilities imposed by custom on the depressed

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<sup>5</sup> Marc Galante, (1972), op. cit. p.233

<sup>6</sup> ibid, p.233

<sup>7</sup> ibid, p.237

classes; the disabilities being of a most vexatious and oppressive character subjecting those classes to considerable hardship and inconvenience".<sup>8</sup> Similar resolution was passed by Bombay legislation assembly. Anti disabilities bill was brought in central legislative assembly in 1932-33, Madras legislative assembly brought a similar bill in 1938 and ultimately Madras temple entry authorization Act was passed in 1947.<sup>9</sup> Similarly, almost all the provinces passed Acts, though these acts did not bring revolutionary change in social life of untouchables but to some extent it stopped the legal support to caste-based oppression.

### **CONSTITUTIONAL PROVISIONS AND ABOLITION OF UNTOUCHABILITY**

The new Indian constitution abolished untouchability with a stroke of pen through Art 17. "Untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability, arising out of 'untouchability,'<sup>10</sup> shall be an offence punishable in accordance with law. Parliament is authorized to make a law prescribing a punishment for this offence (Art 35) and in exercise of this power parliament enacted the untouchability (offence) Act 1955. The constitution go beyond that it refused to recognize not only "untouchability" but also discrimination based on caste, race, religion, sex or place of birth. Art 19(5) says that scheduled castes have every right to purchase property anywhere and

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<sup>8</sup> (Cited in Mark Galanter), op. cit, p.237

<sup>9</sup> ibid, pp.238-241

<sup>10</sup> K.D.Purane, (2000), "*Untouchability and the Law: The ground reality*" Gyan Publishing House, New Delhi P.41

also to settle down and carry out any trade or business in the way they like and there shall be no restrictions on their legal occupations and movement.<sup>11</sup>

Art 25 provides “The Hindu religious institutions of a public charter will be thrown open to all classes and sections of Hindus”.<sup>12</sup> In the provision of Art 29 of the constitution, it was stated that admission to a scheduled caste student to state run, managed or assisted educational institution should not be denied on the basis of caste, creed or religion.<sup>13</sup> By Art 330 and 334, seats have been reserved for the ‘SC’, candidate in state legislature and also in parliament. Art 16 and 335 provides for the obligation of the state to consider their claims in the making of appointment to public services and reservation for them in case of inadequate representation.<sup>14</sup> Art 338 and 5<sup>th</sup> schedule to the constitution say that for looking after their interest and welfare special officers will be appointed and special department will be opened.<sup>15</sup> Since, constitutional safeguards was not enough to control the offences therefore, the untouchability (offence) Act 1955 was passed.

#### **MILD CRIME MODEL LEGISLATIONS: PARLIAMENTARY ACTS OF 1955 AND 1976**

The untouchability (offence) Act 1955 and protection of Civil Right Act, 1976 has been categorised into ‘Mild Crime Model’ because of two reasons,

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<sup>11</sup> *ibid*, p. 41

<sup>12</sup> India, (1976), Research and Reference Division, Ministry of Information & Broadcasting, Govt. of India, p.103

<sup>13</sup> *ibid*, p.103

<sup>14</sup> *ibid*, p.104

<sup>15</sup> *ibid*, p.104

Firstly the 'offences' incorporated here are mild and they emerge out of social disabilities only; secondly, the punishment prescribed for these crimes are not so severe in nature. Now, let us look at the untouchability (offence) Act 1955.

### **THE UNTOUCHABILITY (OFFENCES) ACT 1955**

The act declares certain acts as offences, and when done on the ground of "untouchability". It prescribes punishment for:

1. Refusing admission to any person to public institution.
2. Preventing any person from worshipping in public temple.
3. Disability of access to any shop, sources of water, place services etc.

The Act says that molesting, ensuring, annoying a person, organizing a boycott or taking part in the ex-communication of a person who has exercised rights accorded to him as a result of the abolition of untouchability are offence. Further, the Act provided that, the imposition of disabilities is made crime punishable by a fine up to Rs. 5001, or imprisonment for a period of six month or both. Higher penalty has been prescribed for subsequent offence. The act contain one further novel and notable feature that is, the burden of proof lies on the accused and not with prosecution.<sup>16</sup>

An explanation was added to section 50 making a public servant who willfully neglects investigation of offence, liable for punishment as an abettor.

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<sup>16</sup> K.D. Purane, op.cit, p.44

Section 7A was added making unlawful compulsory labour on the ground of untouchability an offence.<sup>17</sup>

#### **An Experience of Untouchability (offence) Act 1955 :**

This Act came into force from June 1, 1955. The experience of implementation of the untouchability (offence) Act 1955, showed that there were certain loopholes which made the implementation of the Act difficult. On the other hand the graph of offence had also gone up sharply after the implementation of this Act. National Commission for SCs and STs in its 6<sup>th</sup> Report of 1956-57, for the first time reported on 'complaints of offences'. In that report the commissioner provided six examples of what he considered to be justified complaints, he also included five cases where the facts were 'exaggerated and distorted'. The commission reported 203 cases of violence in its 1968 report. In 203 cases of incidences 35 convicted, 39 acquitted and 52 were compromised. Thus it is apparent that the rate of conviction was very low and the no. of offence has gone up from 11 in 1956 to 203 in 1968.

Secondly, severity of crime had also increased, because, total number of murder of SCs in 3 years of 1967, 68 and 69 was 1112 for the whole country and 556 in UP and M.P. only. By the time of twenty first report of the National Commission (1971-73) the perception had changed so much that a larger complaints section was restyled as "cases of atrocities and Harassment"; and term "Harijan Atrocity" become the part of vernacular news paper. In this context the govt. of India (Department of Social Security) constituted under chairmanship of

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<sup>17</sup> *ibid*, p.44

L. Elayaperumal to study “the various aspects of untouchability in particular the working of the untouchability (offence) Act 1955”.

#### **ELAYAPERUMAL COMMITTEE REPORT 1969**

The observation of the Elayaperumal committee were that “we are constrained to point out that during the course of our tour, we came to know that copies of the act were not even available to many of the districts offices and that many govt. officials had no knowledge of the provisions of this Act.”<sup>18</sup> The report said that the Act was not properly and effectively working because of many loopholes, such as:

1. 1955 Act does not define the term “Untouchability”.
2. The Act forbids the denial of facilities and services on the ground of untouchability. But it is necessary to prove that the denial of facilities and services is preceded by specific intention. It is difficult to obtain convictions since state of mind are difficult to prove.<sup>19</sup>
3. The Act is equivalent in its coverage of facilities which are used by public and are not technically “Public”.
4. The offences Under this Act are treated compounded i.e., they can be settled by a compromise between the parties concerned. This provision reduced the effectiveness of the Act because the Scheduled Caste person

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<sup>18</sup> *ibid*, pp. 45-48

<sup>19</sup> *ibid*, p.46

has to live in a village, where he or she is a minority and poor, and the caste Hindus, by exercising undue pressure or threat, see that a “compromise” is reached. Therefore, it was necessary to amend, the untouchability (offence) Act 1955.<sup>20</sup>

### **PROTECTION OF CIVIL RIGHT ACT (1976)**

Based on the recommendations of Elayaperumal committee report, A bill to amend the untouchability (offence) Act was passed by parliament and assented by the President in Sept. 1976. This act called the "protection of Civil Right Act, 1955", extends to the whole territory of India. This Act provided elaborate definition of the terms used in it, unless the context otherwise require i.e., “Civil Right” means any right occurring to a person by reason of abolition of ‘Untouchability’ by Art 17; “Hotel” including a refreshment room, a boarding house, a lodging house, a coffee house and a café, similarly it defined the place of public worship, shop etc.<sup>21</sup>

This Act provided elaborate description of all kind of disabilities and prescribed punishment for enforcing them i.e. Punishment for enforcing religious disabilities was imprisonment for a term of not less than six months, and along with time not less than one hundred rupees and not more than five hundred rupees. Similar punishment was prescribed for enforcing social disabilities

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<sup>20</sup> *ibid*, p.47

<sup>21</sup> *ibid*, pp.154-157



prohibition regarding access to shops, public restaurants, Dharmshala, hospitals, and other offences arising out of 'untouchability'.<sup>22</sup>

Whoever prevents any person from exercising any right occurring to him by reason of the abolition of 'untouchability' under Art 17 of the constitution, or injuring or boycotting, insult or attempt to insult, refuse to permit such person to use, or occupy any houses or land and refuse to deal with, shall be punished. who ever commits an offence out of revenge for a person having exercised any right occurring to him by reason of abolition of 'Untouchability'. Here the punishment shall not be less than an imprisonment of 2 years and also with fine. Unlawful compulsory labour deemed to be a practice of 'Untouchability'.<sup>23</sup>

Apart from penalty and imprisonment there were other punishments i.e., cancellation or suspension of licenses in certain cases likes trade and profession. Resumption or suspension of grants made by government to manage place of Public Worship. State governments were given power to impose collective fine and there was provision for enhanced penalty on subsequent conviction. This Act also says that it shall be duty of state governments to provide free legal aid to victims, appointment of special official and special courts and to carryout periodic survey about the implementation of these laws. Therefore, the objective of this Act was to remove all kinds of social disabilities and rebuild a healthy social structure.

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<sup>22</sup> *ibid*, pp.154-157

<sup>23</sup> *ibid*, p.154-161

### **An Experience of the Protection of Civil Rights Act 1976:**

After implementation of Act, there has been a tremendous increase in the number of atrocities. In fact, it is empirically evident that in the 1980s, the highest atrocities were recorded.

**Table 4.2 :Comparative analysis of Protection of Civil Rights Act. Cases registered in 1980 & 1981.**

S.No.	States	1980	1981	% Increase/Decrease over 1980	1982	% Increase or Decrease over 1981
1	A. P	168	228	+ 41.67	263	+10.50
2	Gujrat	408	281	- 31.13	347	+23.49
3	Karnatka	448	581	+1906	674	+1601
4	M.P	247	237	- 405	337	+42.19
5	U.P	191	224	+17.28	186	-16.196

*Source : 5<sup>th</sup> report of SCs/STs commission 1982 – 83 p.11*

Table 4.2 suggests that in Uttar Pradesh, in 1980-81, there has been 17.28% increase in the number of cases registered under the Protection of Civil Rights Act. In the subsequent year, there has been a decrease of 16.196%. This ups and downs make a point to doubt upon the capacity of this Act to protect the Civil Rights of Dailits. It can be logically said that a many cases of atrocities remained unregistered during 1881-82. According to 6<sup>th</sup> report of the Commission for SCs and STs, 1984, “most of the cases registered under the Protection of Civil Rights Act do not end in conviction. Many cases are discharged for want of

evidence. The acquittal were 69.34% in 1980, 62.54% in 1981, 89.14% in 1982 and 8.54% in 1983. Commission described the following reasons for high rate of acquittals:

1. Witnesses turning hostile;
2. Witnesses are won over by the influential and powerful activists;
3. Complaining parties themselves, out of fear or inducement, do not support the prosecution.
4. Since the imprisonment is compulsory under the PCR Act. The accused often arrives at a compromise with the complainant as a result of which the witness turn hostile and do not support the prosecution;
5. Most of the SCs worked under non SCs and as such, they are pressurized not to support the prosecution; and
6. Delay in the disposal of cases in the courts.<sup>24</sup>

Another reason behind the rising atrocities is that by this time Indian society witnessed a great change in socio-economic and political condition of scheduled castes which led to a change in the dimensions of violence against them. I have already discussed the phenomena of changing ritual untouchability to caste based atrocities in the previous two chapters. When we look at the *Report of National Commission for SCs and STs* we find that highest no. of atrocities had taken place in 1980s. Compared to 1968 report when 203 cases were recorded; in 1981-14,847 cases were recorded. In 1984-16,586 and in 1987 alone U.P. and M.P. witnessed 10328 cases of atrocities against 'scheduled castes'.

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<sup>24</sup> Bhagwan Das, (1995) "Socio-Economic Problems of Dalits" in James Massey and Bhagwan Das (ed.) *Dalit Solidarity*, ISPCK, Delhi, p.55

An average 15000 incidences of atrocities occurred through out 1980s. Not only the volume of incidences had gone up but also nature of atrocities has changed significantly. National commission in its report of April 1990 found major reasons for atrocities since the 1980s are economic and political rather than purely social and cultural.

Uttar Pradesh has shown an steady rise in the caste based atrocities against scheduled caste. Let us look at statistics of atrocities in U.P. TABLE 4.3 given below show the rising number of atrocities on SCs from 1981 to 1992. According to National Commission For Scheduled castes and Scheduled Tribes, this period shows these communities has experienced the highest atrocities due to rapid economic and political change taking place in the country.

**TABLE: 4.3 Incidences of atrocities on SCs in UP,From 1981 to 1992**

Year (1)	No. of Incidence (2)
1981	3825
1982	3977
1983	3851
1984	4200
1985	4135
1986	4697
1989	5195
1990	5670
1991	4778
1992	4891

*Sources : (Reports of National Commission for SCs/STs from 1981-1993)*

Among this incidence, Dalit killings included, 1989-267, 91-255, 92-293. Rape 1989-175, 1991-242, 1992-350 property burning – 1989-245, 1991-291, 1992-450. Total number of registered incidences in 1992 was 8000. It also reported that around 12000 cased incidences remain unregistered that year. As we see there is two fold increases in the incidences of Rape and property burning; within a very short period of 3 years.

**Table: 4. 4. Cases of atrocities received in the SC/ ST commission in the year 1980-81**

S.No.	State	Murders	Assaults	Rape	Arson	Others	Total
1	Andhra Pradesh	2	-	1	1	-	4
2	Bihar	17	9	6	2	1	35
3	Gujrat	3	-	1	-	-	4
4	M.P	3	4	12	1	4	24
5	U.P	10	9	5	2	35	61

*Source: Report of the Commission for SCs/STs (3<sup>rd</sup> report, April, 1980-81), p.147*

For more details of all States see Annexure – II

With the changing nature of crime and tremendous increase in the number of incidence, it became inevitable to bring new legislations which is why 'The scheduled caste and scheduled tribe prevention of atrocity Act, 1989 was passed by parliament and subsequently the SCs/STs (Prevention of Atrocities) Rule 1995 was made. I shall discuss then two legislations into a category called hard crime model legislations.

## **HARD CRIME MODEL LEGISLATIONS: PARLIAMENTARY ACT OF 1989 AND RULES OF 1995.**

Act govt. of India made rules in March 1995. These two legislations has

4.4 : Cases of Atrocities received in the SCs/STs commission from in the year 1980 to 1981 been called as hard crime model legislation because of severity of punishment. Certain behavior which were no offence up to the passing this legislation, were made offence with severe punishment provisions were also made for enhancement of punishment for some offence, denial of anticipatory bail and extermment of potential offenders etc; which is why, I but these legislation into a particular category.

While introducing the bill in Lok Sabha, then minister of state of the ministry of welfare, Dr. Rajendra Kumari Bajpai said, "I have had occasion to tell this house regarding the recent trend in the increase of such offence against members of SCs and ST. we are witnessing today the sign of fruits of development reaching the SC and STs. But it is not all. With the greater spread of education and with the socio-economic condition improving, the relations in society sometimes come under tension as a result of this change. Higher caste groups sometimes do not like this change, and still they are not going to tolerate the growth and development of those who were till now working under them. Sometimes tension erupts in locality; in such situation atrocities and variety of offences are committed on member of SCs&STs. The bill is intended to prevent

then atrocities”.<sup>25</sup> Let us look at some important features of this Act.

Chapter one of the Act defines atrocity as “Forcing a member of the SCs/STs to drink or eat any inedible substance as the human excreta or acting with intention to cause injury, insulting a annoying by dumping excreta carcasses and other similar items in their locality, taking their cloths forcibly particularly of the women folk, forcibly dispossessing them of their land and keeping them as bonded labour and forcing them to do beggar, interfering in the rights guaranteed to them for representation in public bodies, through elections, utilizing legal process for causing harassment and injury by instituting false, malicious or vexatious suits or legal proceedings against them and subjecting their women folk to assault and sexual exploitation by person in position to dominate their will”<sup>26</sup>

This Act identified 15 kinds of atrocities and prescribed punishment with imprisonment for a term which shall not be less than six for a term which shall not be less than six months but which may extend to 5 years and with fine. If a person gives false evidences which leads to the conviction of an innocent SC/ST, for life imprisonment or capital punishment. The person who gives or fabricates such false evidence shall be punished with death.<sup>27</sup>

- If a person commits mischief by fire or an explosive substance intending to cause damage to any property belonging to SC/ST is punishable with imprisonment for a term which shall not be less than

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<sup>25</sup> Lok Sabha Debate, vol. LI.NO.21, Wednesday, August 16, 1989. p.60

<sup>26</sup> K.D. Purane op.cit., p.174

<sup>27</sup> T.R. Naval, (2001), “Law of Prevention of Atrocities on the SCs and STs” , Concept Publishing Co., New Delhi, pp.113-124.

six months but may extend to 7 years and with fine. If the property is a building which is ordinarily used as place of worship or human dwelling the punishment is life imprisonment with fine.

- Being a public servant, commits any offence under this section shall be punishable with imprisonment for a term which shall not be less than one year but it may extend to the punishment provided for that offence.
- Punishment for neglect of duties is imprisonment for not to be less than six month but which may extend to one year.
- Enhanced punishment for subsequent conviction.
- Forfeiture of property of certain persons.
- Presumption as to offence.
- Removal of person likely to commit offence.
- Special courts for speedy trials.
- Special public prosecutor.

After implementation of this Act, and rising political consciousness among the Dalits of Uttar Pradesh, there has been tremendous rise in the number of atrocities against Dalits. Table 4.5 clearly shows that Uttar Pradesh with highest 4892.01 numbers of atrocities in total population, ranks on the top list among the seven states given below:



**Table 4.5 : Ranking of states in terms of crime against SCs during 1992**

SL. No	State/UT	No of cases per one lakh population	Total no of crime in total population
1	Skkim	87.19	20.92
2	Gujarat	50.97	1559.68
3	Madhya pradesh	47.48	4570.89
4	Rajasthan	28.97	2204.63
5	Kerala	24.35	702.98
6	Chandigarh	18.87	20.00
7	Uttar pardesh	16.71	4892.01
All India	-----	13.27	-----

*Source: 1. Annual report 1993-94'National commission for SCs\ST.p.156-157*

**2. India-2004**

Therefore, to increase the efficiency of this Act, and in the exercise of above power conferred by sub-section (i) of section 23 of the SCs/STs (Prevention of atrocities) Act 1989 central govt. made following rules on 31<sup>st</sup> March 1995.

**THE SCs/STs (PREVENTION OF ATROCITIES)-RULE, 1995**

Some of the important features of rules are as follows:

- Precautionary and preventive measures by state govt.

- State government should order District Magistrate and Superintendent of Police to review the situation.
- Administration should take necessary steps i.e., seize of fire arms.
- Supervision of prosecution and submission of report by a panel of senior advocate in the district about the performance of special courts.
- Information to police officer about any offence, if given orally, shall be reduced to writing and shall be entered into book to be maintained by that police station. A free copy of such information shall be given to informant.
- Spot inspection by officer not below the rank of DM, SDM, SP or DSP.
- The investigating officer should not below the rank of DSP appointed by state govt. /DGP.
- Setting of up the SC/ST protection cell.
- Appointment of special officers.
- Travelling allowance, daily allowance, maintenance, expenses and transport facilities to the victim of atrocity, his or her dependent and witness.
- Constitution of state level vigilance and monitoring committee. 25 member committee including, CM, HM, Scheduled Caste MPs, Chief Secretary.
- Constitution of District-level vigilance and monitoring committee.
- Material for Annual report—the state shall every year before 1<sup>st</sup> July, forward the report to central govt. about the measures taken for implementing the provision of the Act and various schemes/plans framed by it during the previous calendar year.

It is utterly transparent that violence done to 'Dalits' is a serious dimension of social life in India today. From the analysis of this chapter it is apparent that Dalits are not suffering the violence as the eternal victims of caste Hindu society. The phenomenon is more complex than this. Nonetheless it is true that the changing character of 'Dalit' consciousness, that lies behind the increased incidences of violence since independence. It is also true that the institution (state) has also tried to cope with these changes by bringing necessary legislation to curb down the violence against Dalits. But the effort has been proved insufficient; this is largely because of the lack of political will to implement such laws effectively. Therefore, I conclude in following words "After all, there is only one thing worse than injustice, and that is justice without her sword in her hand."

## **CHAPTER FIVE**

### **CONCLUSION**

The analysis of Dalit atrocities in Uttar Pradesh reveals the fact that there has been a remarkable change in the nature and intensity of atrocities. Old forms are still continuing and new forms of atrocities are being invented every day. Ritual untouchability, which was an everyday phenomenon in the life of Dalits before Independence is still continuing. In the many of the cases mentioned in the chapter two and three shows that Dalits in Uttar Pradesh still don't have equal access to religious places, bathing Ghats common dining, and other social assets. Dalits in Uttar Pradesh are still forced to carry dead cattle's a duty assigned by Brahminical system. Burning alive of 11 Dalit for refusing to carry dead cattle in Raibareli and killing of Dalit women for entering a temple in district Sahjahanpur mentioned in chapter three shows that old ritual form of atrocities are still continuing.

This continuity of ritual untouchables contained a change within. There are two kinds of change taking place, Firstly, the number of cases of ritual untouchability is going down, this is so because the Industrialization has opened new avenues of appointment in the cities. The Dalit youths today are migrating to get employment as well to get rid of the untouchability, which is rampantly prevalent in the villages. Secondly, the continuing ritual untouchables today manifest itself in form of atrocities'. Older punishments for defying socio-religious norms are gone today. Today, when Dalits defy ritual principle the punishment amounts to the 'death' of the Dalit. This severity of punishment has

never existed before. The reason behind this change is the assertions of Dalits in the every sphere of life in Uttar Pradesh. They are not today a passive receiver of oppression on the other hand they are asserting their, social, economic and political rights. Therefore, 'resistance' and 'assertion' are the forces behind change from ritual untouchability of low intensity punishment to 'Dalit atrocities' of high intensity punishment. 'Resistance' and 'Assertion' of Dalits in Uttar Pradesh is the product of various socio-Economic change that has taken place in the state.

The analysis of these changes in the chapter two of this dissertation shows that it is an on going process which began with Bhakti movements and today continuing with politicization and mobilization of Dalits in today's democratic set up. In the conclusive remark on the various stages of these developments; I can say Firstly, when Dalits asserted in Socio-religious sphere of Hinduism in the Bhakti movement they faced atrocities for the first time. This assertion was rather weak, in the sense that, either. It was co-opted by Hinduism or it was suppressed violently. Still it was significant enough to be regarded as the first revolt of Dalits against Brahminical oppression. Lessons taught by Bhakti leaders and threat to mass conversion to Islam and Christianity compelled the Hindu protagonists in the colonial period to bring reform within Hinduism. Arya Samaj was a product of this. It worked for the amelioration of the status of Dalits in Uttar Pradesh. The process of Sanskritisation and Westernisation also added to this phenomenon. All these process in Uttar Pradesh brought an upward mobility of Dalits in the religious sphere, creating a social tension leading to Dalit atrocities.

Secondly, the most important change which has taken place in the life of Dalits in UP is economic. The material life of Dalits as well as 'other' has undergone a tremendous change. The support of the state to improve socio-economic condition of Dalits has created an enmity among upper caste on one hand, and on the other the struggle for material benefits has created a tension between Dalits and others. It has led to the change in nature of Dalit atrocities. Today, atrocities are of more economic nature than previous ritualistic nature.

The economic change in the Uttar Pradesh started with the rise of new industrial cities of Kanpur and Agra in the colonial period. It gave lot of employment opportunities to Dalits in leather industries. In post colonial period economic change is largely attributed to state actions in the form of land distribution to Dalits and reservation in government jobs. Economically well off Dalits now aspire for equal social status. This is creating new tension within the old hierarchical social structure of Uttar Pradesh. *Savarnas* who had earlier monopoly over high social status are being challenged from the Dalits. They are not ready to open high social space for Dalits. To suppress this aspiration of Dalits they are adopting several violent ways. Rape of Dalit is one of it.

According to Nandu Ram, "the atrocities have also been contributed negatively even by the limited benefits of reservation policy adopted for the betterment of the scheduled castes. In such situation, those castes and communities that have become socially and economically mobile in the recent times are more involved in social

conflicts, atrocities and collective violence than those who are otherwise. In the other words, the form and the magnitudes of atrocities are more subtle in cases of those scheduled castes who have successfully improved their socio-economic position but more crude and naked in those cases where they are backward and yet, with some amount of social consciousness and mobilization, they try to improve their lots.<sup>1</sup>

Along with the social and economic change in the life of Dalits and the similar change in the life of 'others' especially of landed backward class like Yadav and Kurmis have also contributed to Dalit atrocities in Uttar Pradesh. From 1975 onwards, the general rate of economic growth in UP has been higher than the national average in both agriculture and industry. UP rank third in industrialization among the states. UP produces 20:3 percent of nation's food grains and rank first among the states. It is the largest producer of potato and oil seeds. Net irrigated area as percentage of total cropped area in 1988 was 57 percent as against the national average of 32.5 percent. All these changes brought a tremendous change in the economic life of show called backward castes who, own land in a fair amount. Thus UP is no longer a stagnant state; economic growth and modernization has been rapid in recent years. This factor underlines the caste-based mobilization of OBCs and SCs into politics and the increase in caste conflict.<sup>2</sup> These conflict results into numerous atrocities on Dalits of different nature.

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<sup>1</sup> Nandu Ram, (1995), "Beyond Ambedkar Essays On Dalits in India", Har-Anand Publications New Delhi, p 297

<sup>2</sup> Sudha Pai, (2000), " Changing Socio-Eco and Pol. Profile of SC in UP," in *Journal of Indian School of Political Economy* Vol. XII Nos-3 & 4 July – Dec-2000 special issue of SCs, p 308

Political assertion of Dalits and OBCs in Uttar Pradesh has brought a new dimension to Dalit atrocities in the state. By the early 1990s, Dalits and OBCs has emerged as 'competing' force in the state. In UP, both of them are attempting to mobilize different sections of the same majority community. There have been about 60 clashes involving the backward and Dalits in the first half of first coalition government of OBC and Dalits in 1993. In these clashes, 21 SCs and 3 OBCs were killed, the most important being the clashes at Meerut in March 1994.<sup>3</sup>

These changes in UP society has led to the rise in number and intensity of Dalit atrocities of following nature:

1. The atrocities of religious nature are going down in its magnitude but in terms of intensity it is going up.
2. Atrocities of socio-cultural nature still continuing with higher intensity.
3. There has been tremendous increase in Dalit atrocities of Economic Nature. It constitutes the largest number of atrocities in Uttar Pradesh.
4. Dalit atrocities of Political nature are a recent trend in Uttar Pradesh, which can be identified by its peculiar form of collective violence. Political atrocities targets the newly politicized Dalit community to intimidate them from taking their due share in political power. It has received more intensity when Dalits considered 'Political Power' to be their prime goal. So the increased visibility of Dalits in political space has increased castes conflicts, leading to atrocities over poor, illiterate politicized masses. The intensity of this atrocity is ever higher than any

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<sup>3</sup> (ibid-318)



other. The economic atrocities are going up in comparison to other atrocities. Now it is a new tool in the hands of *Sarvarnas* to hamper Dalits struggle for equality.

The analysis of Dalit atrocities in chapter there clearly suggests that there have been changes in the nature of Dalit atrocities since Independence and its intensity has also gone up. Owing to these change, government of India has come up with several legislations to curve the menace of atrocities. Apart from constitutional provisions to safe guard Dalits from oppression. Government of India passes untouchability (Offence) Act 1955 and Protection of Civil Right Act, 1976. The Act of 1955 was targeting mainly ritual atrocities looking into the inadequacy of the law from protecting Dalits from changing nature of atrocities. Government of India passed Civil Rights Act, 1976. This act recognized all ritual disabilities as a hindrance to the civil rights of Dalits. It elaborately defined the term 'civil rights'. It made laws more stringent for the protection of civil right. But instead of decreasing the number of atrocities went up. Its nature also diversified and intensity increased.

Most of the cases registered under the Protection of Civil Rights Act 1976 do not end in conviction. Many cases are discharged fro want of evidence. The acquittals were 69.34% in 1980, 62.58% in 1981, 89.14% in 1982 and 8.5% in 1983.<sup>4</sup> The major reasons behind this high rate of acquittals where witnesses turning hostile; witnesses are won over by the influential and powerful accused; Complaining parties themselves, out of fear

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<sup>4</sup> Bhagwan Das, (1995), "Socio-Economic Problems of Dalits", in Massey & Dass (ed.) *Dalit Solidarity*. ISPCK, Delhi

or inducement do not support the prosecution; sometimes complaining parties turn hostile because their pressurized. Another most important reason high rate of acquittals is the delay in the disposal of cases in the courts.

Keeping in view of rising number of atrocities and the high rate of acquittals of convicts the Government of India passed another legislation popularly known as Prevention of Atrocities Act, 1989 and to implement in prevention of atrocities rule 1995 was made. This Act was designed to curtail the changing nature of Dalit atrocities. It has failed miserably to do so. Every day in Uttar Pradesh, a Dalit woman is raped and everyday a Dalit man is murdered. It gives empirical evidence to call this legislation failure on the part of state. Police, *Savarna* nexus has made this legislation void. Police system in dealing with cases of atrocities allows numerous opportunities to offenders for their self-defense. Slow going process of justice is unaffordable to Dalits, the *Savarnas* get benefit out of this conditions of judicial and police system.

Examining to an overview of this dissertation it appears to be true that in Uttar Pradesh there has been rise in the socio-economic and political consciousness among Dalits, this rising consciousness has led to increase in the magnitude and intensity of Dalit atrocities in the state. These changing natures of atrocities and politic-legal nexus with upper castes have led to the failure of all legislature and administrative measures taken by the states. Therefore, there is an urgent need to rectify the politico legal system.

Therefore, in a conclusive remark, I can say that the two hypothesis which I have proposed in the beginning:

**First:** “The rising socio-economic and political consciousness among Dalits has led to the increase in magnitude and intensity of Dalit atrocities”.

**Second:** “The changing nature of Dalit atrocities has led to the failure of the state in Prevention of Dalit atrocities”

Are proved to be true and it has been fully justified in this dissertation.

**ANNEXURE-I**

**Socio-economic development and atrocities committed on the Scheduled Castes during 1981 to 1991**

Sl.	State/UT	Socio-economic Development										Atrocities(%) in	
		Literacy rate in				Workers(%) in				Per capita income		1981	1991
		1981		1991		1981		1991		1974-1975	1982-1983		
		Total	SC	Total	SC	Total	SC	Total	SC				
1.	Andhra Pradesh	35.7	20.92	44.1	31.59	42.26	54.26	37.46	51.08	877	1955	1.4	3.0
2.	Arunachal Pradesh	25.6	45.85	44.6	57.27	*	45.74	46.24	44.27	*	*	*	*
3.	Assam	+	+	52.89	53.94	+	+	39.09	34.40	776	1762	*	0.1
4.	Bihar	32.1	12.84	38.5	19.49	29.68	39.45	32.16	37.40	718	1174	14.2	3.6
5.	Goa	65.7	42.69	75.5	58.73	30.59	40.0	35.28	38.07	*	*	*	0.03
6.	Gujarat	52.2	48.04	61.3	61.07	32.22	36.05	40.23	37.61	1036	2795	4.6	8.6
7.	Haryana	43.9	25.01	55.8	39.22	28.35	32.51	31.0	30.97	*	3647	0.6	0.4
8.	Himachal Pradesh	51.2	38.26	63.9	53.20	34.36	43.62	42.83	43.44	1037	2230	0.5	0.2
9.	J&K	26.67	27.97	+	+	30.37	45.02	+	+	708	1820	0.9	0.2
10.	Karnataka	46.2	25.11	56.0	38.06	36.76	44.90	41.99	44.66	786	1957	2.8	3.7
11.	Kerala	81.6	64.78	89.8	79.66	26.68	42.10	31.43	41.21	785	1761	1.8	4.2
12.	Madhya Pradesh	34.2	23.43	44.2	35.08	38.41	45.04	42.82	43.42	794	1636	28.2	34.1
13.	Maharashtra	55.8	42.47	64.9	56.46	38.71	44.41	42.97	42.82	1251	*	4.9	3.6
14.	Manipur	49.7	40.97	59.2	56.44	40.35	45.53	42.18	48.96	*	1673	*	*
15.	Meghalaya	42.0	30.0	49.1	44.27	43.44	34.80	42.67	35.71	*	1483	*	*
16.	Mizoram	74.3	89.76	82.3	77.92	*	82.22	48.91	79.16	*	*	*	*
17.	Nagaland	50.3	-	61.5	-	47.53	-	42.68	-	*	*	-	-
18.	Orissa	41.0	26.76	49.1	36.78	32.75	42.02	37.53	39.26	690	*	0.6	2.4
19.	Punjab	48.2	29.0	51.5	41.09	29.35	32.39	30.88	30.71	1386	3691	0.4	0.2
20.	Rajasthan	30.1	17.52	38.6	26.29	30.48	43.98	38.87	39.26	819	1881	10.9	13.3
21.	Sikkim	41.6	34.78	56.9	51.03	46.60	43.95	41.51	38.55	*	1300	*	0.2
22.	Tamil Nadu	54.4	34.23	62.7	46.74	39.30	49.09	43.31	48.43	942	1327	1.4	3.5
23.	Tripura	50.1	40.80	60.4	56.66	29.60	29.84	31.14	28.69	*	*	0.1	*
24.	Uttar Pradesh	33.4	18.48	41.6	26.85	29.22	33.67	32.20	35.29	812	1567	26.7	30.4
25.	West Bengal	48.6	29.68	57.7	42.21	28.26	31.64	32.19	33.31	1065	2237	0.2	0.1
	INDIA	43.7	25.83	52.2	37.41	36.70	36.13	37.46	39.25	343	2201	100.0	100.0

Source: Nandu Ram, "Beyond Ambedkar....." p.291-92

\* UTs has been excluded from the original table.

**ANNEXURE - II**

*Crime-wise classification of atrocity cases reported against Scheduled Castes during 1979-1980*

Name of States/UTs	Total number of cases reported										%increase in 1980 over 1979				
	Murder		Rape		Grievous hurt		Arson		Other Cases		Murder	Rape	Grievous hurt	Arson	Other cases
	1979	1980	1979	1980	1979	1980	1979	1980	1979	1980					
Andhra Pradesh	13	14	14	23	4	4	5	7	56	104	(+)7.69	(+)64.29	-	(+)40.00	(+)85.71
Assam	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bihar	48	57	79	89	185	178	337	296	1053	1270	(+)18.75	(+)12.66	(-)3.78	(-) 12.17	(-) 15.50
Gujarat	13	11	4	10	49	55	18	21	391	401	(-)15.38	(+)150.00	(+)12.24	(+)16.67	(+)2.56
Haryana	-	5	20	19	26	24	3	2	31	28	(+)-	(-) 5.00	(-)7.69	(-) 33.33	-9.68
Himachal Pradesh	1	-	6	-	4	4	1	4	71	60	(-)-	-	-	(+)300.00	-15.49
Karnataka	15	18	5	8	20	10	15	32	445	309	(+)20.00	(+)60.00	(-)50.00	(+)113.33	-30.56
Kerala	5	6	10	3	38	18	25	18	809	433	(+)20.00	(-) 70.00	(-)52.63	(-) 28.00	-46.48
Madhya Pradesh	54	68	96	123	394	351	178	207	3144	3128	(+)25.93	(+)28.13	(-)10.91	(+)16.29	-0.51
Maharashtra	12	23	19	25	57	51	35	28	380	391	(+)91.67	(+)31.58	(-)10.53	(-) 20.00	+2.89
Orissa	3	3	1	10	1	10	7	11	31	46	(+)-	(+)900.00	(+)900.00	(+)57.14	+49.39
Punjab	18	10	14	10	33	25	3	1	103	33	(-)44.44	(-) 28.57	(-)24.24	(-) 66.67	-67.96
Rajasthan	11	35	34	63	124	168	58	67	533	847	(+)218.18	(+)91.18	(+)35.48	(+)15.52	+58.91
Tamil Nadu	2	1	-	2	1	4	-	8	112	124	(-)50.00	(+)-	(+)300.00	(+)-	+10.71
Uttar Pradesh	191	236	122	149	487	489	326	282	2976	3123	(+)23.56	(+)22.13	(+)0.41	(-) 13.50	+4.94
West Bengal	1	9	-	8	-	2	-	6	1	8	(+)800.00	(+)-	(+)-	(+)-	+700.00
Arunachal Pradesh	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-
Delhi	-	-	-	1	-	-	-	-	3	2	-	-	-	-	-33.33
Goa, Daman & Diu	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-
Pondicherry	-	-	-	1	-	-	-	-	19	15	-	-	-	-	21.05
<b>Total</b>	<b>387</b>	<b>496</b>	<b>424</b>	<b>544</b>	<b>1423</b>	<b>1393</b>	<b>1011</b>	<b>990</b>	<b>10616</b>	<b>10,332</b>	<b>(+)2.33</b>	<b>(+)28.30</b>	<b>(-)2.11</b>	<b>(-)2.8</b>	<b>(-)2.12</b>

Source : Third report of National Commission for SCs/STs (1980-81) p. 161

**ANNEXURE-III**

**Statement showing the number and % of cases of atrocities on the member of SCs reported during 1979,1980,1981 and 1982 according to the nature of crime**

Nature of crime	Number of cases and % reported during							
	1979	%	1980	%	1981	%	1982	%
1.	2	3	4	5	6	7	8	9
Murder	388	2.78	500	3.61	493	3.45	514	3.41
Grievous Hurt	1,441	10.31	1411	10.18	1492	10.43	1429	9.49
Rape	430	3.08	551	3.97	604	4.22	635	4.22
Arson	1,013	7.25	991	7.14	1,245	8.70	1,035	6.98
Other Offences	10,703	76.58	10,413	75.10	10,474	73.20	11,441	75.90
Total	13,975	100.00	13,866	100.0	14,308	100.0	15,054	100.0

The statistics are on the basis of available figures reports from some states where either not available or incomplete

Source: 5<sup>th</sup> report of national commission for SCs/STs (1982-83) p. 120

**ANNEXURE-IV**

**Comparative statement showing state-wise break-up of atrocity cases committed on SCs during 1979, 1980, 1981 and 1982**

State/ Union Territories	Number of cases reported during			
	1979	1980	1981	1982
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
Andhra Pradesh	92	152	206	213
Assam	03	Nil	Nil	Nil
Bihar	2,152	1,890	1,983	2,073
Gujarat	475	498	654	455
Himachal Pradesh	83	68	69	73
Haryana	80	78	74	144
Jammu & Kashmir	114	120	124	45
Karnataka	500	377	397	363
Madhya Pradesh	3,866	3,877	4,033	4,749
Karela	887	478	260	145
Maharashtra	503	518	695	680
Orissa	43	80	80	150
Punjab	171	79	51	73
Rajasthan	760	1,180	1,562	1,731
Tamil Nadu	115	140	199	153
Tripura		Nil	18	3
Uttar Pradesh	4,102	4,279	3,865	3,977
West Bangal	02	33	23	17
Delhi	03	03	06	01
Goa, Daman & Diu	03	Nil	01	02
Arunachal Pradesh	02	Nil	Nil	Nil
Pondicherry	19	16	08	07
<b>Total</b>	<b>13,975</b>	<b>13,866</b>	<b>14,308</b>	<b>15,054</b>

*Statistics about other states are nil.*

Source: Fifth report of National Commission for SCs/STs (1982-83) p. 118

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