

Research Article

Insights of Human Rights Violations against Scheduled Castes

Dr. Neelam

Associate Professor, Department of Political Science

Hindu Girls College, Sonapat-131001, Haryana-India

Abstract: Despite constitutional guarantees and a robust legal framework, Scheduled Castes (SCs) in India continue to endure systemic and pervasive human rights violations. This paper encompasses the empirical patterns to examine the nature, causes, and consequences of violations against SC communities. It further investigates the spectrum of crimes and abuses against SCs under Indian Penal Code, Special laws and SC/ST Prevention of Atrocities Act over the past decade. The analysis highlights implementation gaps, institutional bias, and entrenched social norms as the persistent barriers. It concludes by proposing a multi-faceted strategy that amalgamates legal reform, preventative measures, accountability, and social transformation.

Key Keywords: Scheduled Castes, Human rights, Dalits, Violations, Abuses, India

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1. Introduction

Caste remains a formidable axis of social stratification in India. Scheduled Castes (SCs), historically marginalized as “untouchables,” continue to face violations that contravene constitutional guarantees of equality, dignity, and non-discrimination. While legal reforms have ostensibly broadened their rights, yet Scheduled Castes (SCs) are among the most underprivileged socio-economic groups in India. They suffer from extreme social, educational, and economic backwardness arising out of age-old practice of untouchability.[1]

The term, ‘Scheduled Caste’ was first enshrined in the Government of India Act of 1935 and a schedule was added to incorporate a list of various marginalized sections of the society. The rationale behind classification of castes as Scheduled Castes is to safeguard the interest of those who are victims of caste-based discrimination and to bestow upon them special rights so they may join hand with the rest of the population in the process of development.

The people from Scheduled Castes are also referred as Dalit, which means “downtrodden”. This term was popularized by Dr. B. R. Ambedkar. Dalits are persons who are socially excluded in India. Due to their poverty, lack of education, and low status in Hindu society, they experience social and physical alienation from the broader populace. Mahatma Gandhi called them ‘Harijan’, the children of God. Religious books of the Hindus called them ‘Sudras’; Ambedkar called them ‘Dalits’. Dalit is a Marathi word first used by Mahatma Jotiba Phule, a social reformer who led a movement for the upliftment of untouchables.

Caste-based exclusion historically restricted them from land ownership, access to education, water sources, and public spaces. Occupational segregation confined many SCs to stigmatized, hazardous, or bonded labour. The people of Scheduled Castes were deprived of equivalent status & rights like other castes in India. They have usually been poor, deprived of basic human rights and treated as social inferiors in India. They still face economic, social, cultural, and political discrimination in the name of caste.[2,3] Crimes against the historically marginalized Scheduled Castes by the upper castes in India epitomize an extreme manifestation of prejudice and discrimination.

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REVIEW OF LITERATURE

The crimes against Scheduled Castes remain under-researched. They are being abused, unlawfully detained, tortured, raped, killed and their homes being burned in caste violence. Atrocities against Scheduled Castes comprises rape of women, abuse by police personnel, harassment, illegal land encroachments, forced evictions and so on.

Literature survey [4-7] reveals that despite over sixty years of enactment of various laws and measures, atrocities against Dalits continue to escalate. Artatrana Gochhayat [8] attempted to highlight on the theoretical analysis of the violation of human rights of Dalits particularly in Odisha, elucidating how the human rights of such people are being violated despite comprehensive constitutional and legal protections against such violations.

Discrimination against Dalits is inherently political in nature. Often their right to vote is taken away through violent means. In a review, S. Saikia highlighted that how state failed in its duty to eliminate caste discrimination. [9] Author observed that majority of the cases were registered under IPC sections, with a mere 1 per cent falling under the Protection of Civil Rights Act, 1955. Moreover, the conviction rate of cases under the SC/ST Act anguished at a dismal 3.3 percent.

The status report [10] on Atrocities on Dalits in Rajasthan under SC & ST (Prevention of Atrocities) Amendment Act 2015 also revealed that Government machinery, law enforcement agencies and judiciary all have conspicuously failed to safeguard the rights of Dalit communities. The legislations and acts are not implemented in true spirit. S. Prabhu [11] carried out a qualitative case study analysis of Human Rights violations of Dalits in the state of Tamilnadu State, concluding that both Government of India and Tamilnadu have been failed to check and ensure the human rights accountability measures of Dalits.

Vengateshwaran and Velusamy [12] studied that Dalits are constant victims to atrocities, violence, discrimination, and exclusion. J. Singh and G. Vashishtha [13] studied the status of Dalit women in India, revealing that they are still facing the discrimination in all spheres. A. Seilan [14] observed that social exclusion is the denial of equal opportunities. Dalits in rural India are engaged in agricultural and non-agricultural labour activities in the rural sector. They are still poor and facing discrimination. Bagde [15] also observed that violence against Indian Dalits in present time is no way less rampant and horrible than reported in the past. Kundan Welfare Society [16] conducted a research study on the violence against women in Rajasthan and observed that lack of education and weak economic condition are primary contributors to the violence perpetrated against Dalit women in the region.

OBJECTIVE OF THE STUDY

Every day, numerous incidents of crimes against SCs are being reported in newspapers, social media platforms, and other print media. Despite, numerous commissions have also been set up by the central as well as state governments and a huge number of non-government organizations (NGOs) are working to stop such violations, yet such violations are neither abated nor stopped. This manuscript endeavours to highlight such abuses and crimes against SCs in India over the past decade spanning from 2011 to 2020. It also aims to provide insight into the issues that the deprived class has faced over time.

RESEARCH METHODOLOGY

The requisite information pertaining to abuses, violations, and crimes against Scheduled Castes (SCs) in India has been meticulously compiled from a variety of secondary sources. The demographic data concerning SCs was sourced from the web portal of the Registrar General and Census Commissioner of India. Statistical information regarding

crimes perpetrated against SCs has been procured from the National Crime Records Bureau, under the Ministry of Home Affairs, Government of India. The analysis and discourse of this research are predicated upon the amassed information. This manuscript endeavours to provide a comprehensive, data-driven examination of crimes against SCs in India, seamlessly integrating statistical rigor with socio-legal insights. It aims to serve as a valuable resource for researchers as well as administrative entities, facilitating the formulation of policies and the implementation of appropriate preventive measures to mitigate these violations against SCs.

RESULTS AND DISCUSSION

Human rights violations encompass a myriad of actions or omissions that infringe upon fundamental civil, political, economic, social, cultural, or environmental rights. These violations include discrimination, violence, forced labor, and the denial of essential services. The offenses perpetrated against individuals belonging to Scheduled Castes are primarily categorized into two overarching classifications: Crimes under the Indian Penal Code (IPC) and Crimes under Special Laws (SL). Special Laws (SL) are instituted to combat various social practices that contravene legal statutes, such as prohibiting Dalits from gaining entry into places of recreation and worship, educational institutions, and healthcare facilities; obstructing their access to water sources; unlawfully occupying land owned by Scheduled Castes and Scheduled Tribes; subjecting them to public humiliation; perpetuating the practice of untouchability; and coercing them into bonded labour or scavenging tasks, among others. The crimes under Special Laws are incorporated under 'The Protection of Civil Rights Act, 1955' and 'The SCs and the STs (Prevention of Atrocities) Act, 1989'.

Population Size, Crime Incidence, and Crime Rate against SCs

The Scheduled Castes constitute approximately 16.6% of India's population, according to the 2011 Census. The mid-year population of Scheduled Castes in India was recorded at 2013.78 lakh in the 2011 Census, which subsequently escalated to 2220.22 lakh by 2020. The incidence of crime against Scheduled Castes escalated from 33,719 in 2011 to 50,291 in 2020. National statistics indicate that the frequency of such crimes nearly doubled over the past decade. The crime rate in India surged from 16.74 in 2011 to 22.65 in 2020.

Variation of Crime Rate against SCs over the past 10 Years (2011 to 2020)

The incidence of crimes perpetrated against individuals belonging to Scheduled Castes was meticulously scrutinized through a comprehensive analysis of total offenses recorded under the Indian Penal Code (IPC) as well as various Special Laws over the preceding decade, spanning from 2011 to 2020. Table 1 delineates the data pertaining to the total crimes against Scheduled Castes, accompanied by the crime rate per lakh of population. The projected demographic figures for Scheduled Castes were derived from the Census of India. The crime rate is defined as the total number of crimes per lakh of the populace.

Table 1. Total Crimes against SCs under IPC and Special Law.

Year	Mid-Year SC Population (lacs)*	Crime Incidence	Crime Rate
2011	2013.78	33719	16.74

2012	2036.72	33655	16.52
2013	2059.66	39408	19.13
2014	2082.60	47064	22.60
2015	2105.54	45003	21.37
2016	2128.48	40801	19.17
2017	2151.42	43203	20.08
2018	2174.36	42793	19.68
2019	2197.30	45935	20.91
2020	2220.20	50291	22.65

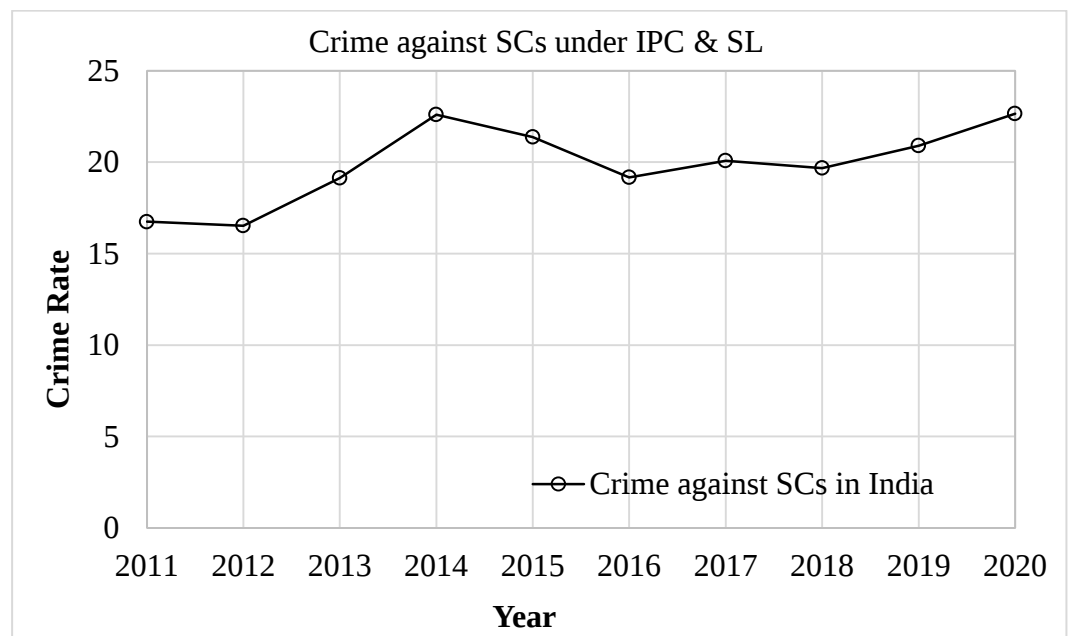


Fig. 1. Crimes rate against SCs from 2011 to 2020.

It is evident from Figure 1 that the crime rate increased from 16.74 to 22.65 in India over the past 10 years. Notably, there was a discernible decline in the crime rate from 2014 to 2016.

IPC Crimes against SCs from 2011 to 2020

The incidence of IPC crimes against individuals belonging to Scheduled Castes surged from 22,310 in 2011 to 45,995 in 2020 in India. Table 2 delineates the statistics pertaining to IPC crimes against SCs, alongside the crime rate per lakh of population.

Table 2. Total Crimes against SCs under Indian penal Code (IPC) only.

Year	Mid-Year SC Population (lacs)*	Crime Incidence	Crime Rate
2011	2013.78	22310	11.08
2012	2036.72	21017	10.32
2013	2059.66	25371	12.32
2014	2082.60	38076	18.28
2015	2105.54	38892	18.47
2016	2128.48	35719	16.78
2017	2151.42	37194	17.29
2018	2174.36	38327	17.63
2019	2197.30	41793	19.02
2020	2220.20	45995	20.72

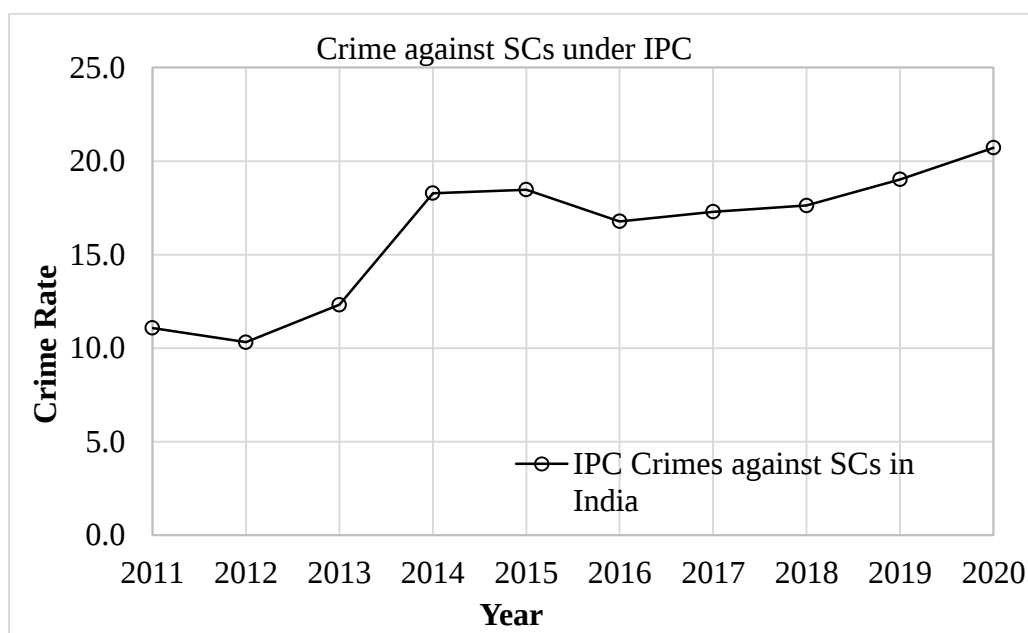


Fig. 2. IPC Crimes rate against SCs from year 2011 to 2020 in India.

Figure 2 illustrates a notable escalation in the IPC crime rate, which has surged from 11.08 in 2011 to 20.72 in 2020 at the national level. A decline in the crime rate was observed between 2014 and 2016, as depicted in Figure 2.

Crimes against SCs under Special Laws from year 2011 to 2020

The offenses perpetrated against persons belonging to SCs under Special Laws have markedly diminished from 11,409 to 4,296 over the past decade in India. Table 3 depicts the statistics pertaining to crimes against SCs under Special Laws, accompanied by the corresponding crime rates per lakh population. The visual representation of these offenses against SCs under Special Laws is illustrated in Figure 3. The crime rate under Special Laws has experienced a staggering reduction from 5.67 to 1.93 across India.

Table 3. Total Crimes against SCs under Special Laws only.

Year	Mid-Year SC Population (lacs)*	Crime Incidence	Crime Rate
2011	2013.78	11409	5.67
2012	2036.72	12638	6.21
2013	2059.66	14037	6.82
2014	2082.60	8988	4.32
2015	2105.54	6111	2.90
2016	2128.48	5082	2.39
2017	2151.42	6009	2.79
2018	2174.36	4466	2.05
2019	2197.30	4142	1.89
2020	2220.20	4296	1.93

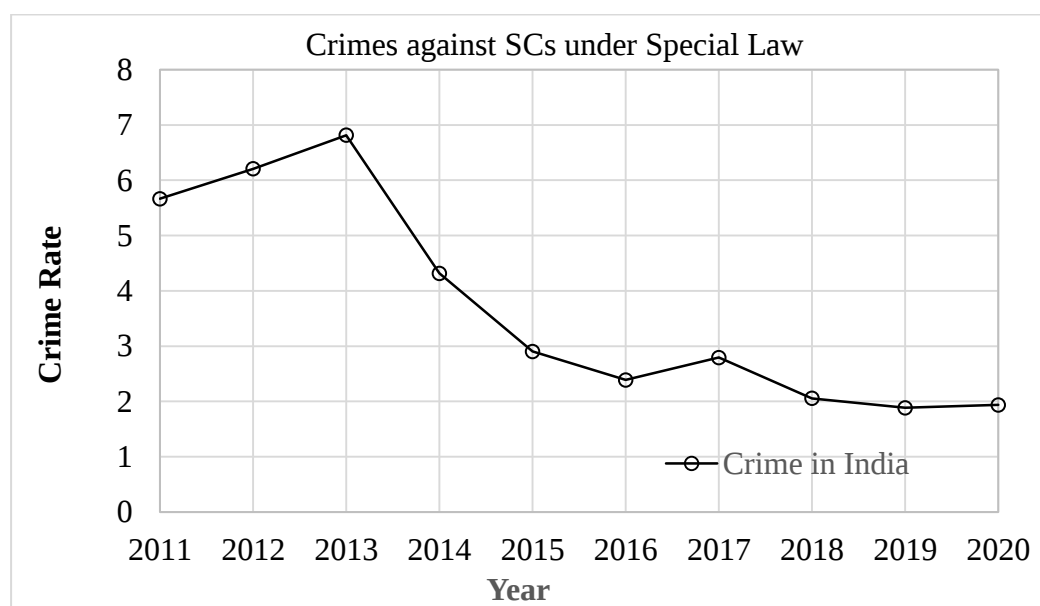


Fig. 3. Crimes Rate against SCs under Special Laws.

Crimes against SCs under SC/ST Prevention of Atrocities Act

The crimes against persons of Scheduled Castes under SC/ST Prevention of Atrocities Act in India decreased from 11342 in year 2011 to 50268 in year 2020. Table 4 presents the data on the crimes against SCs under SC/ST Prevention of Atrocities Act only along with crime rate per lac population and is presented in the Figure 4. The crime rate increased

drastically from 5.63 to 22.64 in India. This alarming trend indicates a significant rise in violations of the Prevention of Atrocities Act; thus, need urgent attention to address this pressing issue.

Table 4. Total Crimes against SCs under SC/ST Prevention of Atrocities Act only.

Year	Mid-Year SC Population (lacs)*	Crime Incidence	Crime Rate
2011	2013.78	11342	5.63
2012	2036.72	12576	6.17
2013	2059.66	13975	6.79
2014	2082.60	40300	19.35
2015	2105.54	40129	19.06
2016	2128.48	40774	19.16
2017	2151.42	42969	19.97
2018	2174.36	42539	19.56
2019	2197.30	45922	20.90
2020	2220.20	50268	22.64

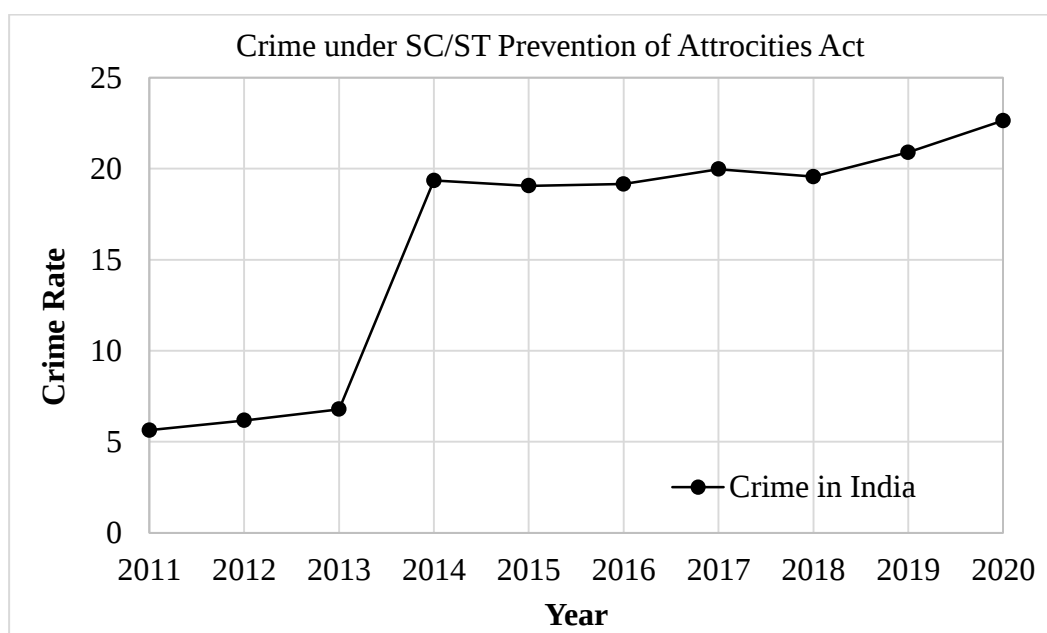


Fig. 4. Crimes Rate against SCs under SC/ST Prevention of Atrocities Act.

Figure 4 depicts that the atrocities against persons of Scheduled Castes have been quite insignificant during 2011 to 2013 but thereafter it increased sharply and consistently.

Causes of Crime against Scheduled Castes

The predominant factors contributing to crimes against Scheduled Castes include inadequate access to justice, pervasive poverty, rampant illiteracy, and the intimidation exerted by dominant castes. Notwithstanding the existence of stringent legislation and amendments to the law, numerous issues and violations continue to elude attention and redress. The protracted delays in the judicial process, the staggering volume of pending cases, dismally low conviction rates, the absence of a robust witness protection framework, deficiencies within the judiciary, the lack of accessible legal aid, and the dominance of higher castes are some of the major barriers to justice.

Most of the victims of rape, sexual violence, hurt, kidnapping and abduction and other atrocities face difficulties in accessing the justice because most of such crimes are committed by the persons of dominant castes. Further, in many cases people from dominant castes also interfere with the justice process using their economic, social and political powers to threaten, intimidate and coerce the victims asking them to stay silent or refrain from judicial approach. Victims have to make compromises under pressure and thus they live in fear and face discrimination at almost all the levels.

Moreover, administration agencies are also sometimes insensitive in the cases of violence or atrocities against the Dalits. Even if the case is registered, the police fail to investigate it in an impartial manner. There are reports that police officials routinely demand bribes, intimidate witnesses, cover up evidence, and beat up the person of weaker sections.

Recommendations

The major recommendations for the improvement of police, medical system, legal aid and judicial system so as safeguard the rights of Scheduled Castes are as follows:

- 1) The institutions dedicated to human rights ought to be endowed with distinctive powers to establish an autonomous mechanism for complaints and monitoring, aimed at addressing discrimination, violence, or atrocities perpetrated against Scheduled Castes.
- 2) SC/ST (Prevention of Atrocities) Act, 1989, and the Protection of Civil Rights Act, 1955, must be rigorously enforced to ensure their efficacy.
- 3) Police must be held more answerable to protect victims and witnesses.
- 4) Judicial systems must operate with greater generosity and accountability in addressing instances of human rights violations against Scheduled Castes.
- 5) Law enforcement agencies must be attuned to the concerns of Scheduled Castes.
- 6) Free legal aid to fight the cases of Scheduled Castes must be reviewed and implemented in true spirit.
- 7) Ensure equitable representation of individuals from Scheduled Castes in local governance.
- 8) National as well as State level Commission for Scheduled Castes must play more responsible role in identifying the causes for violations and take remedial action accordingly.
- 9) NGOs must come forward to fight against any sort of violation, oppression, discrimination or atrocities against Scheduled Castes. It is strongly believed that the community awareness may help to reduce the socio-economic inequalities, exploitation of poor by rich, oppression of lower castes by higher castes to some extent.

CONCLUSIONS

This manuscript provides comprehensive analysis of crimes against Scheduled Castes with a view to understand the gap between upper and lower castes in India. Despite all the Constitutional safeguards, policies and strict enactments to ensure social equality, there is hardly any impact on the mindset of upper castes. The persons of Scheduled Castes are more vulnerable to discrimination, assault, murder, rape and

sexual harassment. Although the incidence of such crimes is generally treated as a law & order problem but more broadly it is a matter of social justice. There is ample evidence that suggests that upper castes use and justify various forms of violence as tools to ensure adherence to caste-based norms and traditions by the lower castes.

This study suggests that even though affirmative action has led to noticeable changes in some spheres of economic conditions of Scheduled Castes, they have not been truly empowered since concepts of caste hierarchies remain deeply rooted in the society.

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