

US State Department 2013 Human Rights Report on India – Caste Excerpts

Country Reports on Human Rights Practices for 2013 United States Department of State Bureau of Democracy, Human Rights and Labor: <http://www.state.gov/documents/organization/220604.pdf>

Caste-based discrimination and violence continued, as did discrimination against persons with disabilities and indigenous persons. (pg. 1)

The law prohibits discrimination on the basis of race, gender, disability, language, place of birth, caste, or social status. The government worked with varying degrees of success to enforce these provisions. (pg. 40)

Women in conflict situations, such as in Jammu and Kashmir, and vulnerable women, including lower-caste or tribal women, were often victims of rape or threats of rape. National crime statistics indicated that, compared with other caste affiliations, rape was most highly reported among Dalit women. (pg. 41)

Lack of law enforcement safeguards and pervasive corruption limited the effectiveness of the law. (pg. 41)

“Sumangali schemes” affected an estimated 120,000 young women. These plans, named after the Tamil word for “happily married woman,” were a form of societal abuse and bonded labor in which young women or girls worked to earn money for a dowry, without which they would not be able to marry. The promised lump-sum compensation, ranging from 30,000 to 56,000 rupees (\$488 to \$910), was withheld until the end of three to five years of employment, although such compensation sometimes went partially or entirely unpaid at the end of that term.

During their years of bonded labor, the women were subjected to serious workplace abuses, severe restrictions on freedom of movement and communication, sexual abuse, sexual exploitation, sex trafficking, and death. The majority of sumangali-bonded laborers came from the SCs, and of those, Dalits, the lowest-ranking Arunthathiyars, were subjected to additional abuse. Trade unions were not allowed in sumangali factories, and most sumangali workers did not report abuses due to fear of retribution. (pg. 44)

Some women were pressured into having hysterectomies because of financial incentive structures for health-care workers, and others reported being paid approximately 615 rupees (\$10), which could equal one week’s wages, to undergo sterilization. This pressure often affected poor and lower-caste women disproportionately. (pg. 46)

Many SC members continued to face impediments to the means of social advancement, such as education, jobs, access to justice, freedom of movement, and access to institutions and services. According to the 2011 census, SC members constituted 16.6 percent (approximately 200.9 million persons) of the population. The Ministry of Home Affairs’ 2012-13 annual report noted 33,719 cases of registered crimes against SC members in 2011, compared with 32,712 cases in 2010. (pg. 56)

Although the law protects Dalits, they faced violence and significant discrimination in access to services, such as health care, education, temple attendance, and marriage. Many Dalits were malnourished. Most bonded laborers were Dalits. Dalits who asserted their rights often were attacked, especially in rural areas. As agricultural laborers for higher-caste landowners, Dalits often worked without remuneration. Reports from the UN’s Committee on the Elimination of Racial Discrimination described systematic abuse of Dalits, including extrajudicial killings and sexual violence against Dalit women. Crimes committed by upper-caste Hindus against Dalits often went unpunished, either because authorities failed to prosecute perpetrators or because victims did not report crimes due to fear of retaliation. (pg. 56)

NGOs reported widespread discrimination, including that Dalits were often not permitted to walk on public pathways, wear footwear, access water from public taps in upper-caste neighborhoods, participate in some temple festivals, bathe in public pools, or use some cremation grounds.

NGOs reported that Dalit students were denied admission to certain schools because of their caste or were required to present caste certification prior to admission. During the year there were reports that school officials barred Dalit children from morning prayers, asked Dalit children to sit at the back of the class, or forced Dalit children to clean school toilets while denying them access to the same facilities. There were also reports that teachers refused to correct the homework of Dalit children, refused to provide midday meals to Dalit children, and asked Dalit children to sit separately from children of upper-caste families. (pg. 56)

The federal and state governments continued to implement various programs for SC members to provide better-quality housing, reserved seats in schools, government jobs, and access to subsidized foods, but critics claimed that many of these programs suffered from poor implementation and/or corruption. Manual scavenging, the removal of animal or human waste by Dalits, continued in spite of its prohibition under the law.

On September 7, parliament passed the Prohibition of Employment as Manual Scavengers and their Rehabilitation Bill prohibiting manual scavenging. Minister for Social Justice Kumari Selja stated that the “dehumanizing practice” was “inconsistent with the right to live with dignity,” and India wanted “to remove the stigma and blot on the society.” Public sector Indian Railways, previously the largest employer of manual scavengers, may reduce its extensive use of manual scavengers as a result of the new law. Experts assessed that it would take time to eradicate the practice totally across society.

On January 1, police recovered the bodies of three Dalit youths from a septic tank. They belonged to the manual scavenger community in Ahmednagar District, Maharashtra. One of them allegedly had a relationship with an upper-caste girl against the wishes of her family. A fact-finding report was released on January 30 and sent to NHRC. A week later, police arrested five men under the Prevention of Atrocities against Dalits Act, while the Maharashtra home minister ordered a CID probe of the incident after Dalit activists complained that local police were moving slowly in the case.

On April 7, upper-caste Bharwads (pastoralists), including a village head and five other members of the village council in the Patel-dominated Amamagar village of Rajkot, burned eight Dalit family homes after Dalits used water from a common water source in the village on April 4. Two Dalits were injured.

On June 26, the Bamroli village local council in the state of Gujarat banned the entry of Dalits into the village temple. When a Dalit woman, Meena Shenva, complained to police, the local council allowed Dalits to offer prayers from a small opening in a temple wall, approximately 109 feet away from the main temple entrance. Authorities arrested the temple priest and local council members for violations of the SCs and STs (Prevention of Atrocities) Act (1989) but released them on bail before year’s end.

In July police in Sehore District beat two Dalit youths and paraded them naked in a village while questioning them about a relative who had violated parole two decades previously. Police released them on July 25, after one victim’s wife approached the superintendent of police. After the two youths approached the Madhya Pradesh Human Rights Commission on August 1, police threatened them again.

According to a People’s Union for Civil Liberties fact-finding mission, violence broke out in Marakkanam – a town south of Chennai – between Pattali Makkal Katchi political party members of the Vanniyar community and Dalit villagers. The incident took place in April, on the day the Vanniyar community organized a youth

conference. The youths assaulted Dalit villagers, damaged the housing settlement, and fled. The media alleged that discrimination occurred between prisoners in Tamil Nadu. For example, Dalit prisoners were not furnished basic needs, including drinking water, while non-Dalits were provided drinking water and better care in the Salem prison. (pg. 57-58)