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Devoted to Studies on Social Exclusion, Marginalized Social Groups and Inclusive Policies

Caste-based Discrimination in Nepal

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IIDS Objectives

- To conceptualise and theoretically understand social exclusion and discrimination in contemporary world.
- To develop methods and measuring tools for the study of discrimination and exclusions in social, cultural, political and economic spheres of everyday life and their consequences.
- To undertake empirical researches on measuring forms, magnitude and nature of discrimination in multiple spheres.
- To understand the impact of social exclusion and discriminatory practices on inter-group inequalities, poverty, human right violations, inter-group conflicts and economic development of the marginalised social categories;
- To undertake empirical research on the status of different excluded, marginalised and discriminated groups in Indian society *vis-à-vis* their social, cultural, political, and economic situations;
- To propose policy interventions for building an inclusive society through empowerment of the socially excluded groups in India and elsewhere in the world; and
- To provide knowledge support and training to civil society actors.

The IIDS Working Paper Series disseminate the findings of the core research outputs of the Institute to facilitate informed discussions among the civil society, the academia, researchers and also strive to contribute towards policy infusions.

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Indian Institute of Dalit Studies

New Delhi

Foreword

Indian Institute of Dalit Studies (IIDS) has been amongst the first research organizations in India to focus exclusively on development concerns of the marginalized groups and socially excluded communities. Over the last six year, IIDS has carried-out several studies on different aspects of social exclusion and discrimination of the historically marginalized social groups, such as the Scheduled Caste, Schedule Tribes and Religious Minorities in India and other parts of the sub-continent. The Working Paper Series disseminates empirical findings of the ongoing research and conceptual development on issues pertaining to the forms and nature of social exclusion and discrimination. Some of our papers also critically examine inclusive policies for the marginalized social groups.

This Working Paper “Caste Based Discrimination in Nepal” has been taken out from our report on Caste Based Discrimination in South Asia. Drawn from the country report of Nepal, the paper provides insights to a number of historical markers that have been responsible for re-structuring of the State including the practice of caste-based discrimination and untouchability against Dalits in Nepal. This study prominently draws attention to the diverse nature of Dalit population which has to a greater extent revealed the in-depth nature of regional, linguistic, religious, and cultural, gender and class-based discrimination and exclusion. It further provides a detailed study of Constitutional provisions and policies with prior focus on historical discourses and present situation simultaneously; complementing the role of civil society organisations. This foregrounds the study in historical context and also draws relevance in the contemporary scenario; which serves an important indicator to draw new and realistic policies. Discrimination is practiced widely in all spheres and at instances takes violent forms. The study however advocates that Caste-based discrimination, including untouchability, could be eliminated by synchronic concerted efforts from the existing operators in Constitutional, political and cultural matrix.

Indian Institute of Dalit Studies gratefully acknowledges IDSN for funding this study. We hope our Working Papers will be helpful to academics, students, activists, civil society organisations and policymaking bodies.

**Surinder S. Jodhka
Director, IIDS**

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Caste-based Discrimination in Nepal

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1. Introduction

The Dalit population comprises of 12.8 per cent of the total 22.3 million population of Nepal (Census 2001). This statistics is more often contested by researchers according to who the figures are undervalued. Dalits form the groups which have received most inhuman treatment from the ‘high castes’ through caste-based discrimination, including untouchability. In practice, untouchability refers to avoidance of physical contact with persons of lower castes grounded in the caste system of Hinduism that contacts with lower caste people pollute the upper caste people. There is a growing literature on the Dalits in Nepal.¹ Also, an empirical study by a research team of ActionAid Nepal in 2001,² carried out in four Village Development Committees and Municipalities for the first time revealed comprehensively, the extent of caste-based discrimination in Nepal. The need to carry out research on the same in other areas of Nepal with in-depth assessment has evolved out of the the strong practice of untouchability which marks strongly the violation of human rights; indeed. Indeed it challenges all values of human dignity, democracy, equality and social justice.

This paper examines status/conditions of Dalits in Nepal as revealed through various secondary sources and empirical documentation on existing practices of caste-based untouchability. The paper relies heavily on secondary sources and supplement information collected from primary sources, for which the fieldwork was carried out in eight districts of Nepal. Other tools of data collection were focus group discussions, observation, key informant interviews, and case studies.

1.1 Origin and Development of Caste-based Discrimination

A number of historical markers have been responsible for re-structuring of the state including the practice of caste-based discrimination, untouchability and one such important indicator was the promulgation of the *Muluki Ain* (National or Civil Code) of 1854 by the Prime Minister, Junga Bahadur Rana. The National Code had four-fold caste hierarchy: (1) *Tagaddhari* (Sacred thread wearing or Twice-born), including the *Bahun-Chhetris*; (2) *Matawali* (Liquor drinking, i.e. indigenous peoples); (3) *Pani nachalne choi chhito halnu naparne* (Castes from whom water is not acceptable and contact with whom does not require purification by sprinkling of water); and (4) *Pani nachalne choi chito halnu parne* (Castes from whom water is not acceptable and contact with whom requires purification by sprinkling of water), including *Sarki, Damai, Kami, Gaine, Sunar, Badibhad, Cunara, Pode, Hurke* and *Cyamakhalak* (Macdonald 1984:282). These distinctions categorized the communities according to hierarchy that led to the practice of caste-based untouchability and discrimination against Dalits widely common on everyday basis. King Mahendra is often credited for eliminating caste-based untouchability by Amending the National Code in 1963. However, according to Yam Bahadur Viswakarma and Chakraman Viswakarma, he did not abolish it, as he used neutral terms that helped to continue untouchability unabated.³ More recently, the Maoist Movement from 1996 to 2006 has helped reduce caste-based untouchability in certain areas. On 15 January 2007, the Interim Constitution was enacted but unlike the past constitutions, it was positive only to the extent of its neutral provisions as The Interim Constitution is silent on many Dalit issues that seek constitutional provisions.

After postponing the election for the Constituent Assembly twice, election set for 10 April 2008 gained momentum after agreements between the Nepal Government and Madhesi and indigenous peoples of the eastern Hills and the Terai. The 601 elected and nominated members of the Constituent Assembly draft a new constitution “New Nepal.” This new constitution is expected to resolve armed conflicts by initiating the peace process and addressing age-old discriminations based on caste, ethnicity, gender, language, religion, culture, region, age and class.

1.2 Definition, Identification and Recognition of Dalit:

The word ‘Dalit’ is widely used both at national and international level. However, Nepal Government, international aid agencies and academics use

many terms to refer to Dalits. Some terms, such as *paninachalne* (water polluting), *accoot* (untouchables), *doom*, *pariganit*, and *tallojat* (low caste) are derogatory, while other terms, such as *uppechhit* (ignored), *utpidit* (oppressed), *sosit* (exploited), *pachadi pareka* (lagging behind), *bipanna* (downtrodden), *garib* (poor), *nimukha* (helpless), *simantakrit* (marginalised), *subidhabata banchit* (disadvantaged”), *alpasankhyak* (minorities), *banchittikaranma pareka* (excluded), *harijan* (god’s people) are non-derogatory. After initial hesitation and controversy among Dalits and non-Dalits alike, use of the term Dalit gained wider acceptance. Leaders of Dalit movement emphasise that no one should object to the use of the term ‘Dalit’ as it represents a condition that is characterised by caste-based discrimination, including untouchability.

The term ‘Dalit’ represents struggle for equity and equality. It is unanimously agreed that the term ‘Dalit’ must be used as long as caste based discrimination including untouchability continues to exist in Nepal. A DFID and the World Bank report aptly notes, “A lingering hesitation to use the term Dalit or to name caste-based discrimination head-on and a preference for euphemisms only serves to confuse issues pertaining to Dalit rights. The term Dalit need to be accepted universally (World Bank and DFID, 2006). After nationwide consultation, the National Dalit Commission (NDC) defined Dalit community and caste-based untouchability in its Proposed Bill, 2003. NDC defines ‘Dalit community’ as referred to communities documented in Annexure 1, social, economical, educational, political and religious spheres and deprived from human dignity and social justice due to caste based discrimination and untouchability.⁴

According to NDC, caste-based untouchability refers to the discrimination practised toward the communities whose touch is believed to pollute and needs to be purified to the extent of sprinkling water; or any form of discrimination against any community that was identified as untouchable before the promulgation of the New Civil Code, 1963. NDC has tentatively identified 22 Dalit castes - 5 from the Hills and 17 from the Terai. Although 10 castes, including *Badi* and *Musahar*, have single caste-name, 12 castes including *Gandarva* and *Chamar* have multiple caste-names. Some Dait castes such as *Viswakarma Pariyar* and *Sarki* of the Hills and *Chamar* of the Terai have multiple names while some Dalit castes such as *Musahar* and *Bantar* of the Terai have single names; eg, *Viswakarma* has now become a common caste name that refers to *Kami* or *Lohar* or *Sunar* or *Wod* or *Chunara* or *Parki* or *Tamata*. It seems without clear Constitutional and Legal recognition of definition and

identification of Dalits, would be difficult to ensure democracy and development, or rights and services to Dalits in the effectively.

List of 22 Dalit Castes in Nepal

(A) Hill Origin: Gandarva (Gaine), Pariyar (Damai, Darji, Suchikar, Nagarchi, Dholi, Hoodke), Badi, Viswakarma (Kami, Lohar, Sunar, Wod, Chunara, Parki, Tamata), and Sarki (Mijar, Charmakar, Bhool).

(B) Madhesi Origin: Kalar, Kakaihiya, Kori, Khatik, Khatbe (Mandal, Khanka), Chamar (Ram, Mochee, Harijan, Rabidas), Chidimar, Dom (Marik), Tatma (Tanti, Das), Dusadh (Paswan, Hajara), Dhobi (Hindu Rajak), Pattharkatta, Pasi, Bantar, Mushar, Mestar (Halkhor), and Sarvanga (Sarbaraiya).

1.3 Diversity among Dalit Population:

Dalits comprise of a diversified social groups in terms of intensity of practices of caste-based discrimination against them including untouchability and discrimination such as regional, linguistic, religious, cultural, gender and class-based discrimination. The Dalits comprise of two distinct regional groups: the Hill Dalits and the Madhesi Dalits. The lowest number of family names is of *Batar* and highest numbers are of *Pariyar*, *Viswakarma* and *Sarki*. Many family names of Dalits are identical with that of *Bahun-Chhetris* and some are identical with *Vaisya* and some are indigenous peoples. In some regions, districts or villages, non-Dalits do not practice caste-based untouchability against Dalits. For example, caste-based untouchability is non-existent in communities of the mountain region, where they are mostly untouched by the National legal codes and/or the process of Hinduisation and Sanskritisation. In communities affected by caste-based discrimination, including untouchability some non-Dalit communities such as *Sattar/Santhal*, *Jhangad/Dhangad* are treated as untouchables in the Terai region.

The census data does not cover the over-all factual population data of the Dalits because many Dalits tend to hide their identity due to fear of backlash from high caste people, confusion of caste identification due to identical family names, lack of awareness among Dalits about their caste identity, lack of representation of Dalits in technical committees, trainers, supervisors and enumerators in the Central Bureau of Statistics responsible for conducting Census. Some local surveys carried out by Dalit organisations and NGO Federation and NNDSWO, in some selected villages revealed the under-valued representation in the census data of Dalit population less than what they found in their survey.

Table 1: Population of Caste/Ethnicity by Sex

S.N.	Caste/Ethnicity	Male	Female	Total	%
A	Population of Nepal	11,359,378	11,377,556	22,736,934	100.0
a	Dominant Hill Caste	3,464,273	3,558,947	7,023,220	30.89
b	Indigenous Nationalities	4,090,839	4,181,136	8,271,975	36.31
c	Madhesi "High caste"	1,475,884	1,326,303	2,802,187	12.30
d	Muslim	504,325	471,624	975,949	4.29
e	Other	134,767	130,954	265,721	1.16
f	Unidentified caste/ethnic	116,569	115,072	231,641	1.02
g	Dalit	1,356,634	1,393,493	2,751,975	14.99
	Hill Dalit				
1	Kami	432,937	463,017	895,954	3.94
1.1	Sonar	72,331	72,757	145,088	0.64
1.2	Lohar	42,270	40,367	82,637	0.36
2	Damai/Dholi	188,329	201,976	390,305	1.72
3	Sarki	153,681	165,308	318,989	1.40
4	Gaine	2,857	3,030	5,887	0.03
5	Badi	2,152	2,290	4,442	0.02
	Sub-Total	894,557	948,745	1,843,302	7.11
	Madhesi Dalit				
6	Chamar/ Harijan/ Ram	138,878	130,783	269,661	1.19
7	Musahar	88,041	84,393	172,434	0.76
8	Dusadh/Paswan/Pasi*	82,173	76,352	158,525	0.70
9	Tatma	39,606	36,906	76,512	0.34
10	Khatbe	38,643	36,329	74,972	0.33
11	Dhobi	38,350	35,063	73,413	0.32
12	Bantar	18,139	17,700	35,839	0.16
13	Chidimar	6,516	5,780	12,296	0.05
14	Dom	4,631	4,300	8,931	0.04
15	Mestor/Halkhor	1,848	1,773	3,621	0.02
16	Kuswadiya/Patharkatta???	286	266	552	0.00
17	Kakahiya	N/A	N/A	N/A	N/A
18	Kalar?	N/A	N/A	N/A	N/A
19	Khatik	N/A	N/A	N/A	N/A
20	Kori	N/A	N/A	N/A	N/A
21	Pasi*	N/A	N/A	N/A	N/A
22	Sarvanga/Sarbariya?	N/A	N/A	N/A	N/A
	Sub-Total	377,014	356,410	735,272	3.24
	Unidentified Dalit	85,063	88,338	173,401	0.76

Source: *Census of 2001, Table 16: Population by caste/ethnic group and sex (HMG-N 2002:72-3).*

Note: The Census data does not provide separate population data of Pasi, instead it mix up with Dusadh and Paswan but the National Dalit Commission has identified it as a separate Dalit caste.

***** Kuswadia is listed as one of 59 indigenous nationalities of Nepal by the Nepal Government.

o Kalar, Sarvanga and Sarbariya is the same Dalit caste.

The populations of *Viswakarmas*, especially the *Kamis*, *Damais/Dholis* and *Sarkis* are distributed in all 75 districts of Nepal. Among the Madhesi Dalits, unlike other Madhesis Dalit castes, *Dhobis* are the only ones whose population is distributed in 64 districts. *Bantars*, *Mestars/Halkhors* and *Chidimars*, the least among all Dalit castes are distributed in 24, 25 and 28 districts respectively.

2. Policies and Provisions:

The Constitutional provisions and Legislative policies are drawn with a focus on history and present situation simultaneously complementing the role of civil society organisations.

2.1 Constitutional Provisions:

The Constitutional history of Nepal begins from 1948. Presently, Nepal is governed by the Interim Constitution of Nepal, 2007 promulgated on January 14, 2007. The source of this Constitution is the Nepalese people prior to which it was the King. The Constitution promulgated before 1990 had no meaningful provisions for elimination of caste based discrimination. The Constitution of the Kingdom of Nepal, 1990 was the product of the People's Movement that reinstated democracy in Nepal. The sub-Article 4, focused on Dalits as it ensured that no one shall be discriminated on the basis of caste and creed in public, and in the use of public properties; indeed violators shall be punishable by law. However, Article 19 prohibited change of religion, implying an imposition that Dalits should continue to be Hindus. The historic People's Movement of April 2006, gave several Mandates including Sovereignty and State Power to the Nepalese people and restructuring of the State in an inclusive way through Constituent Assembly. The Interim Constitution will continue until new Constitution is made by the Constituent Assembly, which is expected to complete in two years period. It has positive provisions addressing the issues and concerns of the Dalits. Article 14 states: (i) none shall be discriminated based on caste, lineage, community or occupation with any form of untouchability and caste discrimination; such practice of discrimination shall be punishable and the victim shall be compensated as defined by law; (ii) none shall be deprived from the public services, facilities or public facilities or public places or entering religious places and religious functions/performances; (iii) while producing and distributing any goods, services or facilities, it shall not be limited only for the people of certain caste to buy or sell or distribute such goods, services and facilities; (iv) the feeling and practices of belonging to

“higher” caste and demeaning other to “lower” caste or origin, ideas justifying caste based social discrimination, publicity on caste superiority or hatred shall be strongly discouraged; and (v) the practices against above mentioned points shall be punishable. It needs to be mentioned here that some major issues of Dalits have been addressed in the Interim Constitution ofcourse many are left out. Article 33 (D) of the Interim Constitution 2007 was Amended for proportional share to marginalized groups - Madhesis, Dalits, indigenous peoples, women, labourers, peasants, disabled and the backward classes and regions. It marked significant representation of Dalits in the Constituent Assembly; unfortunately these representatives are made to follow their respective party policies rather than the issues of the Dalit movement.

2.2 Legislation and Policies:

After the Restoration of democracy in 1990, the Constitution of the Kingdom of Nepal, 1990, adopted Parliamentary system. The Parliament with the House of Representatives and the National Assembly was responsible for making laws. No Dalit was elected as a member of the House of Representative but a few Dalits were nominated as members of National Assembly by the political parties. Some of the failed efforts related to legislation on Dalit issues include a Dalit Bill Tables by MP Pari Thapa, “Dalit Upliftment and Protection Bill” of 2002 prepared by the Nepal Dalit Association, “National Dalit Commission Act” of 2003 prepared by the National Dalit Commission (NDC), On behalf of Dalit civil society, “Constitution of Kingdom of Nepal 1990 first Amendment Act Bill” and “Reservation Act Bill” of 2005 prepared by the Dalit NGO Federation (DNF), and “Caste based Untouchability Crime Act” of 2006 prepared by the Lawyers National Campaign Against Untouchability (LANCAU). Exclusion of Dalits continues because none of the Parliament members has shown sensitivity towards problems and issues of the Dalits. During 1950-1957, 1957-1960, 1960-1990 and 1990-2002 there were only 3, 1, 5 and 9 members in the Parliament respectively. In the twelve years old history of the Parliament, only one Dalit was elected as a member of the House of Representative (“Lower House”) and 8 Dalits were nominated as the members of the National Assembly (“Upper House”) of the 8 members, 2 members were nominated by the King. Out of these 18 Dalit Parliamentarians, none was a Dalit woman and only 2 were from Terai Dalits. A Dalit Member of Parliament representing Communist Party of Nepal (United Marxist Leninist) became Vice-Chairperson of the National Assembly.

**Table 2: Representation of Dalits in the Legislature-Parliament
 by Sex and Region (1950 to 2002+)**

S.N.	Sex and Region	1950-1990	1990-2002	2002 onwards	Total
		(%) N = 9	(%) N = 9	(%) N = 18	(%) N = 36
Sex					
1.	Men	100	100	66.7	83.3
2.	Women	0	0	33.3	16.7
	Total	100	100	100	100
Region					
1.	Hill Dalits	88.9	88.9	77.8	83.3
2.	Terai Dalit	11.1	11.1	22.2	16.7
	Total	100	100	100	100

Source: *Jana Utthan Magazine*, issue 53 February 2006, *Jana Utthan Prathisthan*.

It is not only the legislative body but Executive body has also shown apathy to Dalit issues. None of the governments, neither past nor of the present initiated any efforts to make laws against caste-based discrimination through the Legislative body. One of the reasons for such apathy is negligible representation of Dalits in the Executive Body. Out of the 7 Ministers, a Dalit became Minister three times in 1974, 1975 and 1984 during the Party-less *Panchayat System*, 5 Dalits became Ministers after 2002 and a Dalit is a Minister in the current Interim Council of Ministers. Among these only 2 were State Minister and the remaining were Assistant Ministers; even during the democratic Parliamentarian System from 1990 to 2002, none became a Minister. From the 7 Ministers from Dalit community, there was no Dalit woman and also no representation from the Terai Dalit community. In the Council of Ministers formed after the election of the Constituent Assembly, no Dalit has been represented.

The types of cases dealt by DNF are mostly verbal abuse, and domestic violence, also cases related to marriage, relationship and divorce, conflict on land or partition and birth registration, rape or attempt to rape, accusation of theft/fraud and murder or attempted murder (Table 3). From the 19 cases filed by DNF, 42% cases had positive and 21% negative decisions (Table 4). The Court made decisions on 12 cases filed by LANCAU, of which two-third had positive results.

Dalit scholars have identified 58 laws that are discriminatory in nature against Dalits in terms of exclusion, untouchability, restriction and segregation (Tamrakar, 2005). Frustration is widespread as far as enforcement of the existing laws related to Dalits is concerned. Dalit Human Rights Organization (DHRO) carried out a sample base line survey in the year 2005 to understand

trends of offence of untouchability taken up by the police administration. The report revealed that about 46% of the total respondents were not aware about legal provisions on caste-based untouchability; 48 % respondents opined that law enforcement officials ignored offence against Dalits due to their prejudices; 74 % of the respondents had no idea about the procedure and where to approach for justice; 4.3% of the respondents said that they go to police administration; and one-third of the respondents of the eastern parts of Nepal and 14.3% of the western parts of Nepal took initiative by collecting First Information Report (FIR) from the police. The survey findings revealed that no charge sheet was lodged by the police at the Office of District Attorney (DHRO, 2005).

Table 3: Number and Nature of Cases Dealt by DNF (2004-2006)

S.N.	Cases	Year			Total	
		2004	2005	2006	Number	%
1	Beating/Discrimination such as verbal Abuse, domestic violence	25	23	85	133	38.3
2	Conflict on land/partition/birth registration	25	5	22	52	15.0
3	Marriage/Relationship/Divorces	17	7	9	33	9.5
4	Rape/Attempt	3	4	25	32	9.3
5	Accusation of theft/ fraud	-	4	25	29	8.4
6	Attempt murder/murder	-	3	25	28	8.1
7	<i>Haliya</i> (A form of bounded labor)	-	-	7	7	2.0
8	Citizenship issue	-	-	4	4	1.1
9	Adoption/ Ageing care	2	-	-	2	0.4
10	Writ petition against the incident of dismissing from the job	1	-	-	1	0.2
11	Trafficking	1	-	-	1	0.2
12	Other(property issues)	8	9	9	26	7.5
	Total	82	55	211	348	100.0

Source: DNF-Nepal Office Record, 2007

2.3 Human Rights:

Nepal is a Signatory State to a number of International Instruments of Human Rights, including International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), and International Convention on the Elimination of All Forms of Racial Discrimination (ICEARD), that are relevant to the Dalits. Nepal is very keen in ratifying international instruments of Human Rights but it needs to implement them effectively. Hence, violation of human rights, including Dalits' human rights,

is rampant in Nepal. For example, out of total 238 recorded incidents, about one fourth (22.7%) of the cases were related to killings. The incidents of beating, threats and injury were 23.2% and abduction included 7.1%; 9.24% were of detentions or tortures. Of the total cases of the incidents of untouchability and discrimination, inter-caste marriage was 71.%, untouchability was 12.6%, discrimination against Dalit women was 12.6% and displacement/social boycott was 5.4% (Table 4). Out of the total incidents in the year 2003, about 38% were of social and 62% of political nature.

Table 4: Per Incidents of Dalits' Rights Violation by Development Regions and Violators

Types of violation	Regions and Violators															Total	% %		
	Eastern				Central				Western			MW			FW				
	G	M	B	T	G	M	O	T	G	M	T	G	M	T	G	M	T		
Killing	7	5	2	14	12	2	2	16	3	1	4	7	4	11	5	4	9	54	22.7
Disappearance/abduction	1	2	0	3	3	3	0	6	3	-	3	1	4	5	-	-	NA	17	7.1
Detention /torture	10	-	-	10	9	-	-	9	-	-	3	-	-	NA	-	-	NA	22	9.3
Beating/threats/injury	-	-	-	24	10	-	-	10	-	-	4	-	-	8	-	-	9	55	23.2
Inter caste marriage	-	-	-	5	-	-	-	6	-	-	2	-	-	2	-	-	2	17	7.1
Unsociability	-	-	-	5	-	-	-	5	-	-	10	-	-	1	-	-	9	30	12.6
Discrimination against Dalit Women	-	-	-	13	-	-	-	7	-	-	2	-	-	3	-	-	5	30	12.6
Displacement/boycott	-	-	-	4	-	-	-	3	-	-	3	-	-	3	-	-	NA	13	5.4
Total	-	-	-	78	-	-	-	62	-	-	31	-	-	33	-	-	34	238	100

Source: *Jana Utthan Pratisthan , 2004*

Note: G = By government, M= By CPN-Maoist, B = By both, i.e. cross fire, O = By others, T = Total, N/A = Not Available

According to National Human Rights Commission's (NHRC) Annual Report 2005/06, out of the total 2,331 petitions that were registered at the commission, 72 were on economical and social rights, including 5 on discrimination and violation of religious rights. During that year, NDC had adopted positive discrimination by reserving 5 seats as quotas for Dalit candidates to fill in the vacant positions. According to INSEC year book of 2007, 189 incidents of untouchability and caste based discrimination were recorded out of which the incidents of caste based untouchability was 85%, prohibition to enter public places was 7.5%, inter caste marriages was 5.0%, and firing from jobs was 2.5%. Table 5 clearly shows that number of practices of untouchability is high in spite of measures taken by the government and Dalit rights movement against its elimination.

Table 5: Number of Incidents and Affected Persons by Types of Violation

Types of violation	No. of Incident	%	Number of affected persons			Total	
			Men	Women	Unidentified	No	%
Prohibited entering public places	3	7.5	5	3	1	9	4.8
Inter caste marriage	2	5.0	2	N/A	7	9	4.8
Dismissed from job	1	2.5	1	N/A	N/A	1	0.5
Caste untouchability	34	85.0	33	15	122	170	89.9
Total	40	100	41	18	130	189	100.0

Source: Adopted from INSEC, 2007, Annex 1.1

3. Nature of Caste-based Untouchability and Discrimination

ActionAid, Nepal revealed that existing practices of caste-based discrimination in Nepal are related to denial of entry of Dalits by higher caste into their houses, temples, hotels and restaurants, teashops, work places, food factories, dairy farms and milk collection centres, etc. Non-Dalits deny providing services related to milk, health, credit, training, religion and food and drink. High caste people deny Dalits the access to common resources including drinking water sources, community forests, and crematory. Also, high caste people do not enter into kinship and other relationships including inter-caste marriages. Dalits commonly face caste-based discrimination by high caste people on feasts, during festivals, marriage processions and funerals. There are two areas of caste-based untouchability that makes it complicated: one front is practice of untouchability by non-Dalits against all Dalits, which is indeed binary; and the other front is practice of untouchability by high caste Dalits against low caste Dalits. It is complicated as the *Kami* occupy higher position among the Dalit caste hierarchy; hence, they are not treated as untouchables by other Dalits. *Doms* are at the bottom of the internal caste hierarchy; hence *Doms* are victimized by higher castes as well as the Dalits

3.1 Religious and Socio-cultural Sites:

The data reveals that current practices of caste-based untouchability are concentrated mostly at the religious and socio-cultural sites in the form of denial of entry into Hindu temples, and eating food during festivals and wedding parties and intercaste marriages between non-dalits and Dalits and high and low caste Dalits. During fieldwork, Dalits reported that 14 castes still experience denial of inter-caste marriages and face humiliation during wedding parties as they have to eat separately and at a distance from high caste people. Also,

Dalits belonging to 6-7 Dalit castes experience denial of entry into the temples for performing worship and to receive *prasads* (offering). One of the key demands of the Dalit movement in the last five decades has been the right to entry into the temples.

3.2 Public Drinking Water Source and Health Services:

Untouchability is widely practised about the concept of pollution of water and use of public drinking water source. Respondents belonging to 17 of the 18 Dalit castes interviewed said that if they touch water collected by non-Dalits, they throw it; except *Bantar* caste. Respondents belonging to very few Dalit castes 5 to 7 reported that they should leave and stand afar when non-Dalits fetch water. They are not allowed to touch taps and wells when non-Dalits are in queue, and can fetch water after non-Dalits finish drawing water. Respondents belonging to *Damai, Khatik, Chidimar, Dusadh/Paswan, Mushar, Dom* and *Khatbe* castes reported that Dalits belonging to higher Dalit castes practice untouchability against them at the public drinking water sources. However, whether non-Dalits practice caste-based untouchability by not allowing *Dusdah/Paswan* and *Musahar* to touch water tap and well is ambiguous. Also, whether Dalits practice caste-based untouchability against *Tatma* by throwing water if touched is also unclear. Majority of Dalits cannot afford health services provided by private sector. They cannot easily use low cost health services provided by the government due to caste-based untouchability practiced by non-Dalits against them. The data indicates that practice of untouchability is on the decline in the health sector but it has yet to be eliminated as Dalits belonging to few Dalit castes are still experiencing it. Non-Dalits practice caste-based untouchability against *Sarki, Kami* and *Dom* in health services. *Dom* is the only Dalit caste that faces discrimination within Dalit community

3.3 Economic Activities and Public Property:

Traditionally, caste-based discrimination and untouchability has had very strong ties because of occupational division of caste groups. For instance, prestigious economic activities were monopolised by high caste peoples and degrading menial works were given to the Dalits. Due to growing market economy in urban centres and intensified efforts by the Dalit movement, caste-based untouchability is declining but has not yet been eliminated. One of the issues raised by the Dalit movement is that the milk collection centres should accept milk sold by Dalits. Data shows that respondents belonging to 11 Dalit castes still experience problems. Similarly, practice of untouchability in hotels and restaurants are also declining but it has yet to be eliminated completely. Respondents belonging to three Dalit castes reported that the restaurant staff

parctice untouchability against them in local restaurants but this is not the case when they eat out in restaurants in other places. Respondents belonging to one Dalit caste reported that they do not get loans if they need to buy cows, or incase they may think to run tea stalls, which is basically the caste-based practices of untouchability.

3.4 Discrimination at Settlement/Community Sites:

Settlement and community are other sites where caste-based untouchability is praticed on everyday basis. Dalits live both in a mixed and also as segregated community in the urban as well as rural areas. During fieldwork for this study, respondents reported that Dalits belonging to 13 Dalit castes experience excessive caste-based untouchability by non-Dalits. Respondents mentioned that Dalits belonging to 13 Dalit castes are “prohibited” to migrate near the non-Dalits’ settlements..Respondents reported that around 12 Dalit castes reported that *Bahun-Chhetris*, the dominant caste group, practice caste-based untouchability more than *Vaishyas*, indigenous peoples and Muslims. Respondents reported that Dalit women of 12 castes experience caste-based untouchability more against them as compared to Dalit males by non-Dalits.

During the fieldwork for this study, respondents reported that Dalits experience untouhcability in health services, especially by non-Dalit health workers, and also by “high caste” Dalit health workers. Practices of caste based untouchability continue because of traditional concept of purity and pollution of bodies. Inter-caste marriages, especially with Dalits, continue to be problematic. One of the solutions suggested by the state and both Dalit and non-Dalit leaders is to encourage inter-caste marriages with Dalits. Non-Dalit boys are discriminated by their parents and relatives when they get married with Dalit girls. It is practiced in twelve of the eighteen Dalit castes. ‘High’ caste Dalit boys are discriminated by their parents and relatives when they get married with ‘low’ caste Dalit girls. It is practiced in seven of the eighteen Dalit castes. Social boycott, denial of entry and deprivation from parental property are practiced more by non-Dalits against Dalits than by Dalits against Dalits.

4. Policy and Institutional Initiatives by National and International Actors:

The State, international donors working in Nepal, and civil society organizations have taken some initiatives to change the policies in favor of Dalits, and also to protect and secure Dalits’ human rights. These initiatives are necessary, but inadequate to eliminate caste-based untouchability and other forms of discrimination.

4.1 Initiatives of the State:

Before 1947 there was no organized initiative against caste based discrimination from neither the State nor the civil society. The Ninth Plan (1997-2002) and Tenth-Plan (2003-2007) contained a Dalit targeted plan outlining the objectives, policies, strategies and programmes for Dalits and other disadvantaged groups. Dalit targeted policies, strategies and programs of the plan were confined to paper work only as most of the plans were never implemented. The Poverty Alleviation Fund (PAF) was established in 2004 for what Dalit community has been one of the target groups. During the Tenth-Plan period, Dalit upliftment activities received about INR. 500 million from the PAF. As opposed to the traditional modality of implementation the Fund intends to implement activities through community based organizations. Also, line Ministries and the local bodies have been working, though nominally, for uplifting of the Dalits. Development agencies; bi-lateral/multilateral, I/NGOs and the human rights organizations are also increasingly engaged for the rights and development of the Dalits. Political parties' fraternal and sister organizations are also contributing to some extent in elimination of caste based discrimination. Lack of sufficient commitment, working capacities, political will power and the resources have prevented most of them to contribute effectively.

4.2 Nepal Excluded, Oppressed and Dalit Class Development Committee:

The Government of Nepal formed the Committee in 1997, under the Ministry of Local Development. The Committee is entrusted with the responsibility of implementing some of Dalit specific government funded activities. This committee implements scholarship programmes for secondary and higher education. Funds are also provided to Dalits for income generation activities. The Committee also runs a radio programme and other sensitization programmes to increase public awareness on caste discrimination. It has established a library with resources on Dalit related reference materials and these are accessible to all.. Activities pertaining to education, income generation and advocacy are limited in their coverage largely due to budgetary constraints as well as low capacity of the Committee to plan and implement activities. The Committee is unstable; frequent changes occur among the Board and Staff members, which in effect is due to frequent changes in the government set-up.

4.3 National Dalit Commission:

The National Dalit Commission (NDC) was established in March 2002. The Dalit Movement of Nepal has been demanding for a Constitutional, Independent/

Autonomous, resourceful Commission with semi-judicial roles. It was formed by a Cabinet decision and works as a section under the Ministry of Local Development. Political intervention has created instability in its character. During change in government, the Board members appointed by previous government resign and the new Minister for Local Development generally does not appoint any new Board members. The Commission's Mandate includes creating an environment in which Dalit groups would be able to enjoy their rights without any obstacles, recommending timely Amendments of existing legal provisions and HMG's policies and regulations to allow it to perform the above functions, formulating policies and strategies for the implementation of international covenants and conventions against racial discrimination and other human rights instruments and to recommend to the government; and formulating activities to eliminate untouchability and other forms of social discrimination and traditional customs and ideologies associated with such discriminations and to implement them through NGOs.

4.4 Initiatives of International Donors:

DANIDA is the first bilateral agency to work with Dalit NGOs, the Human Rights and Good Governance Advisory Unit (HUGOU) in Nepal has been supporting Dalit NGOs. DANIDA has now inclusion component to support on Dalit issues. DFID's Enabling State Programme (ESP) implemented Dalit Empowerment and Inclusion Project (DEIP) from 2003 to 2006 to provide support to Dalit Empowerment. Among INGOs, OXFAM-GB, MS Nepal, Action Aid-Nepal, Lutheran World Federation, CARE Nepal, Save the Children US, and International Dalit Solidarity Network are the names that have taken up the Dalit issues.

4.5 Initiatives of Civil Society Organizations:

Human Rights Treaty Monitoring Coordination Committee, Informal Service Center (INSEC), and Sustainable Livelihood Forum (SLF) are some of the NGOs working for empowerment of Dalits.

4.6 Initiatives of Dalits' Organizations:

There are many Dalit NGOs working for elimination of caste based discrimination. These NGOs include, Dalit NGO Federation (DNF), Nepal National Dalit Social Welfare Organization (NNDSWO), Feminist Dalit Organisation (FEDO), Dalit Welfare Organisation (DWO), Lawyers National Campaign Against Untouchability (LANCAW), Jana Utthan Pratishtan (JUP), Jagaran Media Center (JMC), Social Awareness For Education (SAFE), and Equality Development Center (EDC). Also, some major political parties have their fraternal or sister

organizations such as Society for Liberation of Oppressed Community of CPN-UML, Nepal Dalit Association of NC, Dalit Liberation Front of CPN-Maoist, Nepal Dalit Association of NC-D, and Nepal Dalit Upliftment Forum of Nepal Sadbavana Party-Anadadevi (NSP-A). These all are platforms for political participation of Dalits. However, national level Dalit civil society organizations representing the Terai Dalits are fewer in number and Terai Dalits show very thin presence in the national level Dalit civil society organizations in Kathmandu.

5. Economic and Social Status of Dalits *vis-à-vis* Other Castes:

This section focuses on socio-economic conditions of the Dalits, human development index, lower access to capital assets (land and livestock), wage labour and economic, market and labor, labor market and factor market discrimination. Data and information about socio-economic conditions and human development are available to some extent. However, published or unpublished books, articles and reports on housing, labour and labour market, discrimination in consumer markets, factor markets etc. are not available.

5.1 Socio-Economic Conditions and Discrimination against the Dalits:

Respondents of focus group discussions and key informants mentioned about socio-economic conditions of the Dalits in Nepal. The socio-economic status/ condition of Dalits is low as compared to other caste and ethnic groups, that socio-economic conditions of women and girls is worse than that of male counterparts, socio-economic status/condition of Madhesi (Terai) Dalit is even worse than that of Hill Dalits. Among all Dalit caste groups, *Kami*, *Damai* and *Sarki* are relatively better off than other Dalit caste groups; however, 65-68% of *Kami*, *Damai* and *Sarki* each live below poverty line, that means consuming less than 2,200 calories of food in a day. Illiteracy is rampant and very few receive higher education.

Human Development Index: According to the human development index prepared by Nepal South Asia Center (NESAC) for the United Nations development Program (UNDP) in 1998, Dalits stand not only far below average but also below the average of other caste and ethnic groups in each of the indicators of human development and human development index (Table 6 and 7). Exceptionally, Dalits are a little better off than Muslims in life expectancy and adult literacy ratio. Human development index of Nepal is 0.325 and highest is of *Brahmans* with 0.441 and the lowest of the Dalits with 0.239 (Table 6). Per capita income is highest of the *Newars* followed by *Brahmans* with US \$ 1,848 and US \$ 1,533 respectively (Table 6). It is only US \$ 764 of the Dalits, which is the lowest among different caste and ethnic groups. The ratio to national HDI

of Dalits is 1:0.7 as against 1:1.4 of the *Newars* and 1:1.3 of the *Brahmans* (Table 6).

Table 6: Human Development by Caste and Ethnicity, 1996

Caste & Ethnicity	Life Expectancy 1996	Adult literacy ratio (%) 1996	Mean years of schooling 1996	Per capita income (NRs.) 1996	Per capita income (US \$) 1996	Life Expectancy index	Educational Attainment Index	Income Index	HDI	Ratio to national HDI Nepal =100
Nepal	55.0	36.72	2.254	7,673	1,186	0.500	0.295	0.179	0.325	100.0
Brahmin	60.8	58.00	4,647	9,921	1,533	0.597	0.490	0.237	0.441	135.87
Chhetri	56.3	42.00	2,786	7,744	1,197	0.522	0.342	0.181	0.348	107.31
Newar	62.2	54.80	4,370	11,958	1,848	0.620	0.462	0.289	0.457	140.73
Gurung, Magar, Sherpa, Rai, Limbu	53.0	35.20	2,021	6,607	1,021	0.467	0.280	0.152	0.299	92.21
Muslim	48.7	22.10	1,358	6,336	979	0.395	0.178	0.145	0.239	73.67
Rajbansi, Yadav, Tharu, Ahir	58.4	27.50	1,700	6,911	1,068	0.557	0.221	0.160	0.313	96.28
Occupational castes*	50.3	23.80	1,228	4,940	764	0.422	0.186	0.110	0.239	73.62
Other	54.4	27.60	1,880	7,312	1,130	0.490	0.226	0.170	0.295	90.94

**"Occupational castes" mostly include the "untouchables" of the Hills and the Terai.

Source: Annex 3.7 in NESAC 1998:266.

Table 7: Incidence of Poverty, 1996

	Social Group	Proportion below poverty line (%)	Rank	Traditional occupation
A. Caste Group				
1 Bahun		34	II	Priestly/Politics
2 Yadav		40	IV	Farming/Herding
3 Chhetri		50	VII	Farming/Soldiery
4 Sarki (Dalit)		65	XI	Artisan (Leather)
5 Damai (Dalit)		67	XII	Artisan (Cloth)
6 Kami (Dalit)		68	XIII	Artisan (Metal)
B. Language Group				
7 Newar		25	I	Trade
C. Religious Group				
8 Muslim		38	III	Various Skills
D. Hill Ethnics (Janajati)				
9 Gurung		45	V	Farming/Army
10 Tharu		48	VI	Farming
11 Rai		56	VIII	Farming/Army
12 Magar		58	IX	Farming/Army
13 Tamang		59	X	Farming/Portering
14 Limbu		71	XIV	Farming/Army
E. Others		37		
Nepal		42.6		

Source: Table 7 in Gurung (2003:7)

The incidence of poverty is very high among the Dalits. In 1996, 42.6% of the Nepalese people were living below the poverty line. About 68% of *Kamis*, 67% of *Damais* and 66% of *Sarkis* lived below poverty line (Table 7). Also about 71% of *Limbus* lived below poverty line, which is highest among different caste and ethnic groups.

Lower Access to Capital Assets: Land is considered as the main capital asset in Nepal. Landlessness is high among the Dalits. Dr. Shiva Sharma, an expert on labour, estimated that 85 to 90% of *Madhesi* Dalits are landless. Among the *Musahar*, only 3 to 5% may hold a piece of land. Hill Dalits have some piece of land, Migrant Dalits, who have settled at the sides of the highways, including highways in the *Terai*, have been able to acquire some land due to, their connection with administrators. (Dr. Shiva Sharma,, (Personal communication). Althoguh Hill Dalits have access to land but it has not helped them much due to low quality of these lands.

Ownership of both irrigable and dry land is highest among the “high caste” (5.63 Ropanis of irrigable and 6.64 Ropanis of dry land) and least by the Dalits (2.05 Ropanis of irrigable and 4.76 Ropanis of dry land) (Table 8). The percentage of Dalits who own less than 3 Ropanis of irrigable land is 70% in the mountain, 77% in the Hills and 100% in the Terai. Dalits who own less than 3 Ropanis of dry land is 54% in the mountain, 54% in the Hills and none in Terai (Team Consult 1999:178). The data on land ownership provided by Tek Tamrakar, a leading Dalit scholar, suggests 44.2% of *Dom* are landless, followed by *Gandarva* with 41.2%, and *Dusadh* and *Dhobi* with 33.3% each (Team Consult 1999:178). The percentages of landless *Sarkis* (7.6%) and *Kamis* (11.2%) are very low.

Table 8: Dalit’s Access to Land

S.N.	Caste	Landless	Less than 5 Ropani (%)	6 to 10 Ropani (%)	11 to 20 Ropani (%)	More than 21 Ropani
HILL DALITS						
1	Kami	11.2	46.5	18.8	17.1	6.5
2	Damai	28.8	55.1	19.1	3.2	1.3
3	Sarki	7.6	47.8	24.2	16.7	3.6
4	Gaine	41.2	45.1	1.4	3.1	-
MADHESI DALITS						
5	Badi	21.0	31.1	13.0	4.3	4.3
6	Dhobi	33.3	66.7	-	-	-
7	Doom	44.2	11.8	-	-	-
8	Dusadh	33.3	55.6	-	11.1	-

Source: Table number 6 in Tamrakar (2006:65).

Note: Data on *Hudke*, *Kasai* and *Pode* have not been included here as the NDC has taken them out from the list of Dalit castes.

Until recently, land ownership was the basic requirement to get citizenship certificates and those who have no citizenship certificates are not eligible for any benefits from the state. (NDC Field Survey). Out of 39,660 Dalit population belonging to all 22 Dalit castes, 14,056 (35.4%) did not have citizenship certificates (NDC 2005: 24).

A survey study done by the National Dalit Commission among the Dalits in six districts shows that 74.14% of Dalit households do not own land. The percentages among Dalit households in *Dhanusha*, *Saptari*, and *Mahottari* range from 51.21% to 63.13% and the percentages of Dalit households with no ownership of land is lowest in *Kailali* with 22.54%, followed by *Banke* with 37.66% (Table9).

Table 9: Percentage Distribution of Dalit Households by Landownership Status by Sample Districts

S. N.	Districts	Landownership		Total N = 11,605
		Yes N = 5,452	No N = 6,153	
1	Kailali	77.46	22.54	100.00
2	Banke	62.34	37.66	100.00
3	Mahottari	48.79	51.21	100.00
4	Dhanusha	36.87	63.13	100.00
5	Shiraha	25.86	74.14	100.00
6	Saptari	46.38	53.62	100.00
	Average	46.97	53.03	100.00

Source: Adapted from Table 2.8 of NDC 2005: 18.

Dalit households who live on government land, popularly known as *Ailani jagga*, (“public land”) is highest in *Kailali* with 50.03% and lowest in *Mahottari* with 19.36% (Table 10).

A study done by the Team found that majority of Dalit households have food deficiency. The percentage is highest in mountain with 89.66%, followed by 56.73% in the Hills and 53.61% in the Terai (Table 11). The same study revealed that the percentages of Dalit households with food sufficiency are 10.34% in mountain, 43.27% in the Hills and 46.39% in the Terai region.

Livestock is the second most important capital asset in rural Nepal, indeed both livestock and land are tied up. Dalits who have no land cannot afford to have the livestock. According to Dr. Shiva Sharma, “community or social forestry has totally gone against *Madhesi* Dalits as it has been destroyed by “higher caste” usage, who live within 5 k.m. range of the forest and Dalits who live beyond are not allowed to use it” (Personal communication).

Table 10: Percentage Distribution of Households by Status of Landownership by Reasons, 2004

S.N.	Reasons	Districts					
		Kailali	Banke	Mahottari	Dhanusha	Shiraha	Saptari
1	Government/ <i>Aailani</i> ("public") land	50.63	42.09	19.36	34.07	21.91	40.18
2	Low level of economic status/ Landless	26.27	2.45	8.23	18.53	40.22	10.28
3	Settlement in other's lands	8.23	14.48	25.23	17.33	15.43	20.18
4	Lack of partition	4.11	11.14	4.57	6.59	2.68	2.39
5	Bought but not registered	1.90	0.67	0.91	0.65	3.79	0.92
6	Not matured	1.27	0.00	0.61	0.85	2.94	0.18
7	Cases on court	0.00	0.00	1.07	0.00	0.00	9.17
8	Lack of dual ownership	2.22	1.34	0.23	0.50	0.39	0.18
9	Others	5.38	27.84	39.79	21.48	12.62	16.51
	Total	100.00 N = 316	100.00 N = 449	100.00 N = 1,312	100.00 N = 2,002	100.00 N = 1,529	100.00 N = 545

Source: Adapted from Table 2.9 of NDC 2005: 19.

Table 11: Percentages of Food Sufficiency Households by Caste/Ethnic Groups and Eco-Regions

Caste/Ethnicity	Physiographic Regions				Total N=5,162
	Mountain	Hill	Terai		
Food sufficient					N=3,745
Tagadhari	10.40	46.8	42.9		100.00 N=1,173
Matwali	57.0	52.7	41.7		100.00 N=509
<i>Untouchable</i>	10.3	42.4	47.2		100.00 N=1,871
Other	0.00	57.0	94.3		100.00 N=192
Food not sufficient					N=1,417
Tagadhari	9.97	47.21	42.82		100.00 N=1,163
Matwali	5.91	52.76	41.34		100.00 N=508
<i>Untouchable</i>	10.34	43.27	46.39		100.00 N=1,826
Other	0.00	5.88	94.12		100.00 N=3,686

Source: Adapted from Table A6. 8a. Frequency of Responses on Food Sufficiency by Ethnic Groups and Physiographic Region in Team Consult 1999: 4285

Note: out of 5,181 respondents, 5162 respondents answered question on food sufficiency/deficiency, of which 28.59% reported food sufficiency and remaining 71.41% (i.e. 3,686 households) reported food deficiency.

Wage Labour and Wage Earnings: A report prepared by the Team Consult revealed that 60.4% of wage labourers comprise Dalits and percentages of *Bahun-Chhetris (Tagadhari)* and indigenous peoples (*Matwali*) is quite low. (Table 12).

Table 12: Frequency of Households Reporting Income from Wage Labour by Caste/Ethnic Categories

Caste/Ethnic Groups	Percentage
Tagadhari	20.6
Matwali	13.3
<i>Untouchable</i>	60.4
Other	5.74
Total	100.00 N=2,491

Source: Adapted from table 6.7 see Team Consult (1999:60).

Given the traditional divisions of caste by occupation and lack of its modernisation, landlessness and illiteracy, Dalits participation in wage labour is high and they continue to experience discrimination in wage earnings for being Dalits in the case of male Dalits and Dalit as well as women in the case of Dalit women. According to ILO study (2005:40), "...Dalits received on average Rs 96 (about US\$1.28) for a day's work. The mean wage for a female worker was Rs 78 (about US\$1.04) as compared to Rs 99 for a male worker. The mean market wage for the same kind of job was Rs105: Rs 88 for a female and Rs111 for a male worker."

Wage earning is low in mountain and the Hills and a little high in the Terai region. Team Consult study revealed that annual household income from wage labour by Dalits is Nep. Rs. 13,100 in mountain, Nep. Rs. 13,920 in the Hills and Nep. Rs. 18,870 in the Terai region (Table 13).

Table 13: Mean Annual Household Income from Wage Labour by Caste/Ethnicity and Eco-Regions

In rs. '000.

Caste/Ethnicity	Physiographic Regions			
	Mountain	Hill	Terai	Total N=2,491
Tagadhari	13.64	15.98	17.52	16.71
Matwali	12.83	16.16	14.44	15.13
<i>Untouchable</i>	13.1	13.92	18.87	16.4
Other	-	7.5	8.35	25.09

Source: Adapted from Table 6.6 in Team Consult (1999:59).

During fieldwork for this study, respondents reported that Dalit women belonging to 8 Dalit castes are discriminated and exploited by non-Dalits by paying them low wages. Respondents from *Chidimar* community reported about sexual abuse of Dalit women labourers.

5.2 Economic Discrimination against Dalits:

During fieldwork, Dalit and non-Dalit respondents mentioned that Dalits are discriminated by non-Dalits in economic fields. As most of the Dalits are poor, Dalits do not discriminate against Dalits in this field. Dalit women belonging to 8 Dalit castes experience discrimination in agriculture labour as they are paid less than their male and non-Dalit counterparts. Respondents mentioned that non-Dalits give heavy and dirty works to Dalits belonging to four Dalit castes. Dalits are discriminated in production market and resources. Respondents belonging to 8 Dalit castes do not get support from the government to form co-operatives and 7 Dalit castes are ignored by the government in providing them with the modern skills. About 6 Dalit castes are not allowed to participate and represent in user's groups and management committees formed for the protection, promotion and proper utilization of natural resources, including forest and water.

5.3 Labour Market Discrimination:

Division of labour is discriminatory against Dalit women. Both "high" and "low" caste/Dalit women work in family farms and are engaged with domestic works as well, so they spend more time than their male counterparts (Cameron 2005:93). Also, Dalit women spend more time as compared to their 'high' caste women counterparts. Cameron's study reveals that 'low' caste people or Dalits do most of the agricultural works. Dalit women are mostly involved in weeding and digging the fields, carrying manures (fertilizers), and transplanting seedlings (Cameron 2005:100). Dalit men mostly do ploughing and sowing fields, and digging canals. About one thirds of respondents belonging to 'high' caste perform works such as digging canals, transplanting seedlings and carrying fertilizers.

Discrimination in Irrigation and Land: Rural financial market is land based. Land is necessary to get credit and basic education is needed to make use of micro-credits. Dalits living in rural areas are mostly landless and lack basic education. Hence they have no access to financial market. Dalits who go to Punjab in India for seasonal labour work, take credit from local money lenders in Nepalese rupees and after their return payback in Indian currency. It means they pay 60% of interest in just 3 months, which is indeed highly exploitative and regressive. As most of the Dalits are landless, irrigation is irrelevant to them.

Bonded Labour: Caste-based untouchability and division of labour, illiteracy, landlessness, semi-feudal system etc. are responsible for perpetuation of discriminatory labour practices such as *Bista*, *Balighare*, *Haliya* etc. In *Bista* and *Balighare* practices, each Dalit household has a non-Dalit patron and provide their labour throughout the year and get rewards in kind once in a year during harvest. A report prepared by the Center for Human Rights and Global Justice states, “Such discrimination is intentionally designed to keep alive a system of debt bondage and free farmlands for cultivation of “upper caste” lands (Goyal 2005: 11). According to Robertson and Mishra (1997:vi), “Although there has been no survey of the number of people affected by debt bondage, it is estimated that they run into hundreds of thousands: men and women who have mortgaged their working life in lieu of interest on a loan they will never be able to repay. It is ironic that in many cases the original debt may amount to no more than the average family in the industrialized world would spend on a restaurant meal.” Robertson and Mishra (1997:1) states, “The powerful custom demands that only untouchable castes or low status ethnic groups plough the land as *Haliya*.”

An overwhelming majority of Dalits’ socio-economic condition is poor by any standard. Nepal’s poverty will not be eliminated without eliminating poverty of Dalits and which inturn would not be eliminated unless caste-based discrimination is eliminated. Hence, addressing Dalits issues in Poverty Reduction Strategy Paper (PRSP) is essentail. As international donors, play key role in providing technical and financial support in PRSP process, they can play key role to ensure that Dalit issues are duly addressed in such processes. One of the key advocacy issues that need to be raised very strongly by the Dalit Movement and International Advocacy Organizations is the issue of land rights to landless Dalits.

6. Discrimination in Political Sphere:

This section focuses on participation of Dalits in the political process, rights and local governance, Dalits’ participation in development and discrimination against Dalits in politics.. Dalits’ problems would not be possible to be addressed without Dalits’ participation in political sphere. The available data and information suggests that Dalits are discriminated in political sphere.

6.1 Participation of Dalits in the Political Process:

The opportunity for political participation was considerably enhanced for all after the promulgation of the 1990 Constitution. For example, there were 89 Dalit candidates of which 66 were from the political parties, that is 4% of the

total candidates. During the general election of 1991, only one Dalit candidate made history by winning the election. In the subsequent elections none of the parties put forth Dalit candidate from any constituency with a party stronghold (Gurung *et.al.*, 2001:26-27). These are indeed direct instances of the political discrimination against the Dalits.

6.2 Caste and Ethnic Composition in the Political Parties:

Three general elections of HoR were completed after restoration of democracy in 1990. In the first General Election, out of the total 1,345 candidates for 205 seats of HoR, 18 (1.33%) candidates were Dalits. Only one (0.48%) Dalit candidate won the election (Table 14). In mid-term election in 1994, out of the total 1,442 candidates, 19 (1.31%) Dalit candidates contested the election; none of the Dalit candidate won the election.

Table 14: Participation and Representation of Dalits in the HoR

Year	Candidates			Elected			
	Total	Number	%	Total	Number	%	
1991	1345	(17P* and 11I*)	18	1.3	205	1	0.48
1994	1442	(9 P* and 10 I*)	19	1.3	205	0	0
1999	2238	(66P*and 23 I*)	89	4	205	0	0
Total	5025		126	2.5	615	1	0.16

Source: Election Commission, 2005.

Note: P: from party and I: Independent

In General Election of 1999, Dalit candidates comprised 4% of the total candidates but again none of them won the election. Clearly, insignificant number of Dalit candidates contesting election from party tickets and independent Dalit candidates comprising 27% of Dalit candidates is discouraging. It is evident that political parties are not willing to provide tickets to the Dalit political leaders/workers.

Table 15: Percentages of Caste/Ethnic Composition of the House of Representatives with 205 Members by Years.

Caste /ethnicity of members of the House of Representatives	Year 1991	Year 1994	Year 1999
Bahun/chhetri	56.7 (37.6/ 19.1)	61.7 (42.0/19.5)	58.1 (37.6/20.5)
Newar	06.8	06.3	06.8
Hill ethnic groups	15.2	12.2	14.7
Tarai communities	21.0	20.0	19.5
Others	2.9	2.0	2.5
Total	100	100	100

Source: IIDS. 2000.

Bahun/Chhetri comprised 56.7%, 61.7% and 58.1% of the 205 elected members of HoR in the years 1991, 1994 and 1999 respectively. Table 15. Dalits are invisible in the Parliament; except a Dalit member of HoR in 1991, there was always a zero representation of Dalits in the HoR in General Elections of 1994 and 1999.

Table 16: Representation of Various Castes and Ethnic Groups in Cabinet from 1951 to 2005

Caste/Ethnic groups	Cabinet		Percent of total population in 2001	Proportional share Index (PSI)
	No. of Ministers.	Percent		
Brahmins	352	27.0	12.7	2.13
Chhetris/Thakuris	366	28.1	17.3	1.62
Newars	131	10.1	5.5	1.84
Brahmins/Chhetri/Newars	849	65.2	35.5	1.84
Madhesis	198	15.2	22.0	0.46
Hill Social Groups (HSGs)	227	17.4	29.0	0.60
Others	28	2.2	2.5	0.88
Madhesis/HSGs/Others	453	34.8	64.5	0.54
TOTAL	1302	100.0	100.0	

Source: *Nepal Center for Contemporary Studies (NCCS), 2005*

Dalits representation in Executive body of the state is not better than in the Legislative body. The data of cabinet members from 1951 to 2005 reveals that out of the total 1,302 cabinet Ministers, *Bahun/Chhetri/Newar* were predominantly represented (65.2%) and *Madhesis*, Hill Social Groups and Others remaining 34.8%. Table 16. The latter groups' population, according to the census data, is 64.5%. After the People's Movement of 2006, 3 Dalits became Ministers (2 Full Ministers and 1 Minister of State) in the Interim Government. In the current Interim Government, out of 21 Ministers 2 (9%) Ministers are Dalits. It is an encouraging sign for the Dalits. Dalits have zero representation in administrative leadership positions. *Bahun/Chhetri* and *Newar* monopolize (93.6%) of CDOs, Secretaries and senior officials. Table 17.

Table 17: Caste/Ethnic Composition of the CDOs, Secretaries and Senior Officials (1999)

Year	Caste/Ethnic Groups						
	Bahun/Chhetri	Mongol/Kirant	Madhisi	Dalit	Newar	Others	Total
1995	28 (65.1)	7 (16.2)	3 (6.9)	0 (0)	5 (11.6)	0 (0)	43 (100)
1999	90 (81.8)	1 (0.9)	6 (5.4)	0 (0)	13 (11.8)	0 (0)	110 (100)
Difference (%)	+16.7	-15.3	-1.5	0	+0.2	0	100

Source: Adapted from Neupane, 2000

Figures in parentheses are percentages

Dalits are invisible in integrated index of governance (Table 18). As is evident, of the total 1,011 leadership positions in Judiciary, Constitutional Bodies and Commissions, Council of Ministers, Public Administration, Legislature-Parliament, Political Parties, DDC Presidents, Municipality Industry and Trade, Education, Culture, Science and Technology, Civil Society Sector; Dalits representation is 0.3%. All these institutions are important as they play crucial role in the decision-making and implementation of plans and programmes from national to local levels.

Table 18: Integrated National Caste/Ethnic Index of Governance (1999)

Organization	Caste/Ethnic Groups						
	Bahun/Chhetri	Mongol/Kirant	Madhisi	Dalit	Newar	Others	Total
Judiciary							
Constitutional Body and Commission	181	4	18	0	32	0	235
Council of Ministers	14	2	3	0	6	0	25
Public Administration	20	4	5	0	3	0	32
Legislature	159	36	46	4*	20	0	265
Leadership of Political Parties	97	25	26	0	18	0	165
DDC President, Municipality Mayor, Vice-Mayor	106	23	31	0	30	0	191
Leadership in Industry and trade sector	7	0	15	0	20	0	42
Academic and Professional Leadership in the education sector	75	2	7	1	11	1	97
Academic and Professional Leadership in the cultural sector	85	6	0	0	22	0	113
Science and Technology	36	2	6	0	18	0	62
Leadership in the Civil society sector	41	1	4	0	18	0	62
Total	1011	108	170	5	231	0	1520
Percentage	66.5	7.1	11.2	0.3	15.2	1	100
Percent of the Population of Nepal	31.6	22.2***	30.9	8.7**	5.6	0.1	100
Difference (%)	+34.9	-15.1	-19.7	-8.4	+9.6	-1.0	

Source: Neupane, 2000

*Nominated members of the Upper house. **Includes hill Dalits only. ***Not inclusive of all indigenous or ethnic groups

Dalits are invisible in central committees of political parties comprising 1.35% of the total members. Table 19. The presence of Dalit leaders in the central committee of major parties is only 1.8%; whereas Bahuns comprise 38%

(Hachhetu 2006). The recent records reveal that Dalit representation in the central committees of parties are 2.7% in NC, 1.7% in NCP-UML, 2.2% in NC-D, and 3.0% in CPN-Maoist. Dalits representation is 4% in district chapters of political parties. Table 20.

Table 19: Caste/Ethnic Composition of Central Committee Member

Caste/Ethnic/ Regional Groups	Major Political Parties							Total	%
	NC	NC (Democratic)	CPN (UML)	RPP	People's Front	NWPP	NSP		
Hill caste									
Bahun	18	9	30	9	17	2	0	85	38.3
Chhetri/Thakuri	3	12	2	10	3	2	0	32	14.4
Sanyasi	0	1	0	0	3	0	0	4	1.8
Newar	1	2	6	3	4	5	0	21	9.4
Hill ethnic	4	5	4	7	8	0	0	28	12.7
Terai communities	3	7	1	5	2	0	31	49	22.1
Dalit	0	1	0	0	2	0	0	3	1.3
Total	29	37	43	34	39	9	31	222	100.0

Source: Adapted from IIDS. 2000. The Fourth Parliament Election, Kathmandu: Institute for Integrated Development Studies.

Table 20: Parties' District Level Committees and Representation of Dalit

Caste/ Ethnic	Name of Parties										Total	
	CPN(UML)		Nepali Congress		N. Janmorch		CPN(ML)		RRP			
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Brahmin	17	85.0	6	35.20	5	29.41	7	70.0	4	36.66	39	52.0
Chhetri	2	10.0	5	29.41	7	41.17	1	10.0	3	27.27	18	24.0
Mager	0	0.0	6	35.30	3	17.64	0	0.0	4	36.36	13	17.33
Newar	0	0.0	0	0.0	1	5.88	1	10.0	0	0.0	2	2.66
Dalit	1	5.0	0	0.0	1	5.88	1	10.0	0	0.0	3	4
Total	20	100.0	17	100.0	17	99.98	10	100.0	11	99.99	75	99.99

Source: Sunar, 2002

Existing problems: According to Bidhyanath Koirala, the main problems of lower participation of Dalits in politics include predominant control of political parties by “upper” caste people; lack of initiatives by political parties to increase participation and representation of the Dalits; lack of unity among Dalits, social issues occupying least priority from the political parties; predominance of Brahmanism in all political institutions; lack of political will for substantial social change; and political parties trying to keep Dalit Movements within their control. Similarly Sunar (2002) has also pointed out that poor economic status of the Dalits, discriminatory caste system, prejudiced mindset of non-Dalits, elite control in decision making process, poor educational

status of Dalits, lack of awareness among Dalits, heavy expenditures to be incurred, are main problems that the Dalits face.

6.3 Rights and Local Governance:

The Local Self -Governance Act of 1999 makes commitment in its Preamble to increase the participation of Dalits, indigenous nationalities and economically backward classes, and mobilisation and equal distribution resources for balanced development, and to bring social equality through institutionalisation of developmental processes. According to the Act, DDCs, Municipalities and VDCs are Local Bodies and their representatives are elected by the people. Most of the provisions of the Act concerning Dalits are either ambiguous or very limited in its nature and scope. As a result, often non-Dalits reap the benefits by limited Dalit participation due to ambiguous legal provisions. The Act has no encouragement to enhance participation and representation of Dalit in planning, implementation, and monitoring. The Act has given Semi-Judiciary role to the local bodies that includes punishment to persons who attempt to enter or forcefully enters in others' house. If Dalits enter a house including hotel, restaurant to stand against untouchability, the act may be punishable.. Although this Act tries to decentralize power and increase people's participation in political and development processes but it is not sensitive enough for inclusion of Dalits and enhancement of their participation in the political sphere.

Nepal has shown its commitment for Millennium Development Goals (MDGs). Nepal's plans, polices and programs are geared to achieve these goals. The Nepal Living Standard Survey II (2003/04) shows that the national average poverty rate is 31% but it is 47% for the Dalits (The World Bank & DFID, 2006). The Dalit Movement of Nepal is demanding institutional and special measures for their participation and representation in education, employment and development programmes. The dominant groups deliberately exclude Dalits from participation, involvement and representation. Dalits have little access to decision making process, information, resources, services and assets. UNESCO stated in 1998, "One of the great dangers the world is facing today, is the growing number of persons who are excluded from meaningful participation in the economical, social, political and cultural life of the communities" (ESP 2001).

Dalits face discrimination in community leadership as well. Representation in the community organizations is one of the best indicators of participation in the development process. During the fieldwork, respondents reported that 9 of the 18 Dalit castes are showcased in community organizations and are not

given any role in its decision making. The Dalit leadership is not accepted in the community organizations of 7 Dalit castes. Also, non-Dalits do not accept instructions of Dalit leaders of 3 Dalit castes. This data reveals the prevailing practices of caste based discrimination against Dalits in community based organizations, consumer groups, management committees, and mother groups. Dalits representation in political sphere is negligible. Without their participation in politics from local to national level, neither Nepal could become a democratic country nor could Dalits enjoy their equal rights. Democratisation of political parties, proportional representation of Dalits at all levels and special rights for Dalits are essential for development of Dalits in particular and of Nepal in general.

7. Discrimination in Education:

This section focuses on enrollments, dropouts, discrimination by peers, teachers and management, and discrimination in curriculum. Government initiatives, including scholarships, for the development of Dalits in education are also discussed towards the end.

The literacy rate of Dalit was 17% in the census of 1991 and it has doubled to 33.8% in the census of 2001 (Table 21). Though doubled, it is less than the National Literacy Rate of 53.7% and far less than literacy rates of *Bahun* (74.9%), *Chhetri* (60.1%), *Newar* (71.2), *Baniya* (67.5), *Kayastha* (82.0) and *Thakali* (75.6). Literacy rate of Terai Dalit is even more miserable than of the Hill Dalits as it is only 21.1% (Sherpa, 2006).

Table 21: Literacy Rate and Education by Caste/Ethnicity

Caste/ethnicity	Literacy rate (above 6 years)	S.L.C. and above	Bachelor and above
Nepal	53.7	17.6	3.4
Brahaman/Chetri	67.5	24.7	5.4
Terai	41.7	16.7	2.7
Dalit	33.8	3.8	0.4
Ethnic groups	53.6	12.9	2.0
Religious minority	34.5	9.0	1.6

Source: NLSS- II, 2004, GASE Report 2005.

As the pool of literacy is low, the number of Dalits who have passed S.L.C. and above is even lesser. The National Average of S.L.C. education and higher education is 17.6% but Dalits's average is 3.8% only. National Average of Bachelor and above degree is 3.4% but incase of Dalits it is 0.4%.

Table 22: Percentage of Educational Status by Dalit Caste Groups by Sex

Dalit Caste groups	6 years & above of schooling			Bachelor & above		
	Men	Women	Both	Men	Women	Both
Dalit	43.7	24.2	33.8	0.5	0.7	0.8
Hill Dalit (1-5)	52.9	31.4	41.9	0.5	0.4	0.5
2. Kami	53.1	31.4	41.8	0.5	0.1	0.4
3. Damai	55.0	35.0	44.6	0.4	0.1	0.3
4. Sarki	49.9	28.8	38.9	0.3	0.1	0.2
5. Badi	47.1	32.0	39.2	0	0	0
6. Gaine	62.3	32.1	47.5	0	1.1	0.5
Terai Dalit	30.1	11.5	21.1	0.7	0.3	0.6
1. Chamar	27.9	9.0	18.9	0	0	0
2. Musahar	9.8	3.8	6.9	0.3	0.3	0.3
3. Dusadh	28.5	8.6	19.1	0	0	0.2
4. Tatma	33.0	10.2	22.2	2	0	1.6
5. Khatwe	26.4	7.2	17.2	0.6	0	0.5
5. Bantar	35.9	10.2	23.4	0.2	0	0
7. Dom	14.9	5.2	10.3	0	0	0
8. Chidimar	34.0	14.9	25.1	0.2	0.6	0.3
9. Dhobi	46.5	19.1	33.6	2.1	0.9	1.8
10 Halkhor	38.1	21.7	30.1	0	0	0
11. Unidentified Dalits	47.6	23.9	35.5	0.7	0.2	0.6

Source: Adapted from Susan Acharya's report submitted to UNESCO, Nepal, 2007

Educational development of different Dalit castes varies enormously. Literacy rate of the Hill Dalits is 41.9% but of Terai Dalits is 21.1% (Table 22). It is not only among Dalit castes but among all caste and ethnic groups. The literacy rate of *Musahar* is the lowest with 6.9%. The percentage of most of the Dalit caste groups is below 1. Dalits with B.A. and above degree is less than 1%, except *Tatma* with 1.6% and *Dhobi* with 1.8%. The percentages of *Badi*, *Chamar*, *Bantar*, *Halkhor* with B.A. and above degree is zero. Dalit women literacy rate and education is lesser than that of Dalit men.

The Government has brought some special measures targeting Dalits but these are not sufficient to address the magnitude of educational marginalization of the Dalits. Dr. Bidhyanath Koirala, an expert of education and Dalits, categorized discrimination against Dalits in four categories, namely structural, silent, direct and pedagogical discrimination.⁵

7.1 Enrollment:

There is a significant gap between the share of population of Dalit in relation to their school going age population and enrollment (Table 23). This explains why a significant number of children of Dalit community are outside the school system (DoE, 2004).

Table 23: Percentage of Population and Enrollment by Dalit and Janjati, 2004

	Share in population (5-9 years)		Share in enrollment		Gap (Population and enrollment)	
	Dalit	Janjati	Dalit	Janjati	Dalit	Janjati
Nepal	13.3	43.7	8.7	25.8	4.7	17.9
Mountains	9.0	30.6	1.9	16.5	7.2	14.1
Hills	14.1	37.3	7.3	17.5	6.8	19.7
Tarai	14.4	52.2	12.5	37.7	1.9	14.5
Valley	2.4	24.5	1.9	18.7	0.6	5.8

Source: School level Educational Statistics of Nepal: Flash Report 2004

Note: Janjati = Indigenous Peoples

The share of enrollment of Dalit and indigenous peoples is lower than their population size. The Dalit share of population (Age 10-12 years) is 8% but enrollment of the Dalit is 6.8%. Dalits and indigenous peoples comprise approximately 57% of the total population of Nepal but their children's representation in primary school is 34%. Only 15% of the total Dalit population has educational attainment, which is almost half of the National Average. The Hill Dalits fare relatively better in education than *Terai* Dalits. Education of *Terai* Dalits such as *Chamar*, *Khatwe*, *Dushad* is very poor but that of *Mushahar* is almost none.

Table 24: Comparison of Enrollment of the Dalit and Indigenous Peoples (Janjati) Students

Level	2004		2005		Girls	Boys
	Girls	Boys	Girls	Boys		
Nepal						
Primary	1865012	2165033	1638484	1856016	2188130	2408249
Lower Secondary	653159	791838	482961	600791	572375	682678
Secondary	260472	327094	204675	254264	245751	296876
Dalit						
Primary	194392	227213	262486	213169	355815	402576
Lower Secondary	41923	56210	35502	51517	46717	64422
Secondary	20601	27248	9229	14614	12593	19095
Janajati						
Primary	455792	597080	704085	772876	854705	911590
Lower Secondary	193082	224274	201981	237041	245794	278628
Secondary	81414	96017	76 83	91821	95434	111383

Source: Flash Report II, 2004-05 & 2005-06

In primary level, the enrollment rate of Dalit students in the year 2005 increased by 12.8% than that of the year 2004 (Table 24). Enrollment rate decreased in

lower secondary level and secondary level to 11.3% and 50.1% respectively. The rates of enrollment increased to 59.4% in primary level, 27.1% in lower secondary and 32.9% in secondary level. The positive perception of parents toward their children education and government incentives including scholarship have made a positively impact in the school enrollment of Dalit children, yet many Dalit children at school going age are still out of schools. The Government and other non-governmental organisations are working for the improvement of Dalit education, a substantial number of Dalit children are still out of the schools. Dalits lag behind in education as compared to other caste groups in Nepal.

7.2 Dropouts:

Repetition and dropout rates are high, especially in Grade 1st, and the completion rate is low in primary schools (Table 25). Completion rate has improved from 41% in the year 1999 to 50% in the year 2003. About a half of the children enrolled in schools do not finish primary education. Except in grade 4th, Dalit girls' dropout rate is high in all grades [New ERA, 2005]. Dropout rates are high and the quality of education continues to remain poor in public schools. Private schools have better quality and performance but these are unaffordable by the poor, including Dalits (New ERA, 2005).

According to a survey report of NNDSWO, one of the reasons for not attending school by Dalits of *Terai* is poverty. More than 50% of literate Dalits in Surkhet and Baitadi districts reported that they were not allowed to go to schools but in Gulmi district poverty is reported to be the major reason for not attending schools by Dalits (NNDSWO, 2004).

Table 25: Percentages of Enrollment Gaps in Primary and Secondary Schools

Levels	Population	Enrollment	Gap
Primary level enrollment (5-9 years)	13.3	8.7	4.6
Lower secondary level (10-12 years)	8.0	6.8	1.2
Total	21.8	15.5	6.3

Source: *Source: School Level Educational Statistics of Nepal: Flash Report 2004*

Many Dalit students dropout from schools and there are various reasons for doing so. Some Dalit students' dropout from schools is due to discrimination. Generally schools and colleges are located far from the Dalit settlements; wherever renting the rooms without caste based discrimination is difficult, Dalit students feel depressed and frustrated and discontinue schools. Most of Dalit children dropout as their parents force them to do household chore, take care of their younger siblings. The blanket approach of development is another cause of dropout of Dalit students.

During field work, respondents reported that teachers use and/or pass derogatory remarks or proverbs or examples against Dalits in the class. Students belonging to six Dalit castes have become the victims. Respondents reported that teachers force Dalit students to sit separately on back benches, deprive them from using educational materials and equipment, and to participate in sports and extra-curricular activities, no greeting by non-Dalit students and disobedience to Dalit teachers are experienced by Dalits belonging to one caste each. None of the respondent reported about discrimination against Dalit students by teachers about home and class work.

7.3 Discrimination by School Management Committee:

Dalits are least represented in School Management Committees (SMCs). The selection process of SMC members is confined to the head teacher, chairperson of the Ward where the school is located, and the chairperson of the VDC. The lack of Dalits in teaching profession and their inability to win elections prevents them from being its members. (Koirala, 1996). The ‘high’ caste people who hold the position in school SMCs restrict Dalits to hold its candidature. During fieldwork, respondents mentioned that SMC has not prevented practices of untouchability in schools against Dalits belonging to three to four Dalit castes. A news report indicates that SMC members, teachers and education officers are involved in corruption of Dalit scholarships in many schools. Such corruption could be stopped and Dalit students could benefit, if Dalits should be represented in SMCs.

7.4 Discrimination in Curriculum and Dalit Scholarship:

NDC’s review and study on the “Perspectives of Dalit in Curriculum and Teachers Guide” revealed the following major weakness in 6 major subjects of school level curriculums (NDC 2004; 2005/6). For example, curriculums do not mention about Dalits’ traditional professional tools, such as hammer, ring and shoes. Life stories of Dalit social workers, scientist, historical personality, singer, poets, and political leaders are not included in school level curriculums. Curriculums do not contain any text and materials directed to elimination of caste-based discrimination and untouchability. Dalits’ historic contributions are not mentioned in lower secondary level curriculums. Dalit contribution is not introduced positively in the curriculums. There are no teaching materials to pass on the message of eliminating caste-based discrimination and untouchability or giving importance of Dalit traditional profession and stories to unite Nepalese people. Curriculums present negative portrayal of the Dalits, and contain discriminatory words and phrases. There is a lack of relevant teaching and learning materials to discourage the discrimination and

untouchability. There are some inadequate and ineffective policies initiated by the government in favour of the Dalits. These include Education Act 1971 (8th Amendment), Education bylaws 2002, and inclusive provision in Annual Strategic Implementation Plan (ASIP) 2006-07.

Dalit scholarship is one of the major visible components of the Government program to support education of the Dalits. The Government has some provisions for school level scholarships such as primary education scholarship, secondary level education scholarship, and higher education scholarship. Though inadequate, some progress has been achieved in the education of the Dalit children. Increased tendency of school participation of Dalit children is visible at present, but these improvements are still limited in the sense that 30% of the children of school going age are still out of schools (Baseline Survey, 2001). The facts and evidences show that the level of Dalit enrollment in schools is increasing but there is still a big challenge of retention in and stop dropouts of Dalit children from schools.

8. Multiple Discrimination against Dalit Women:

After the “Territorial Integration” of Nepal in 1769, the Nepalese peoples experienced exclusionary democracy twice. Once it was in 1959-60; then in 1990-2002; and lately since April 2006. Nepal had ratified CEDAW, that is, Convention on the Elimination of All Forms of Discrimination against Women, in 1991 but its effective implementation is conspicuously lacking. Therefore, in general, there is no democracy for women at the public sphere (Bhattachan and Manandhar 2001). For some women, there has been no democracy at the private sphere; whereas for non-sacred sisters and non-dangerous wives there has been a partial democracy at private sphere. Gender issues of the past and present remains mostly the same. Most of the gender issues have been kept in the deep freeze of state, society and market.

8.1 Democracy and Women:

Nepalese women are not a homogenous group. They form a heterogeneous group therefore, democratic practices in private sphere and forms and intensity of discrimination and inequality at private and public spheres vary enormously from one group of women to another. Generally, women become victims of gender discrimination. Women usually are victims at different levels.

- *Bahun-Chhetri* women are single victim of gender discrimination only;
- Hill Dalit women are double victims- one of gender discrimination and other of caste-based untouchability;

- Madhesi Dalit women are multiple victims of gender, caste, language, cultural and regional discrimination as being Madhesi;
- So-called “High caste” and Muslim Madhesi women are also triple victims of gender, language and regional discrimination.
- Mountain and Hill indigenous women are multiple victims- gender, ethnicity, language, religion and culture;
- Madhesi indigenous women are multiple victims of gender, ethnicity, language, religion, culture and region;

Poverty is one of the serious issues in Nepal. MDGs goal of poverty reduction by the year 2015 appears nearly impossible in Nepal. The Ninth and the Tenth Five-Year Plans were Poverty Reduction Strategy Papers but both plans did not succeed in poverty reduction as planned. Poverty in Nepal has multiple dimensions. With due consideration from gender perspective, it is clear that women are relatively poorer than their men counterpart. There is a great diversity in poverty among women as:

- All women, including Dalit women, suffer from “feminisation of poverty”;
- Dalit women suffer from “Dalitisation of poverty”;
- Indigenous women suffer from “indigenisation of poverty”;
- Madhesi women suffer from “regionalisation of poverty”; and
- Rural women suffer from “ruralisation of poverty.”

Nepalese women’s status or positions and roles or functions are not generally based on ascription and/or achievement as imagined by sociologists. Instead, it is mostly based on prescription by patriarchy rooted in religion and culture. Among the dominant caste group some *Bahun-Chhetri* women, and among indigenous peoples the *Newar* women have relatively better access to public sphere. Except in the Constituent Assembly, women’s representation at all levels in public sphere, including Executive, Legislature, Judiciary and Political, in the past continues to be nominal at all levels. Though nominal, *Bahun, Chhetri* and *Newar* women are over-represented and women belonging to Dalits, indigenous peoples and Madhesi continue to be excluded.

Some indigenous women have relatively better access to control resources at the private sphere and they also have better social mobility; but this is more

true to non-Hinduised or non-Sanskritised than Hinduised or Sanskritised indigenous peoples. In most of the user's groups and community based organizations such as community forests, water user's groups, savings and credit groups, self-help groups, 'high caste' women have more access to and control over resources. Dalit women are either excluded or even if they are included they are dominated by the "high caste" women in such groups. In practice, *Bahun-Chhetri* women are treated as "temporary untouchables,"; whereas Dalit women (and also men) are treated as "permanent untouchables." The *Chaupadi* system in the mid and far-western Hills resembles to solo "concentration camp." *Chaupadi* is a system in which women family member(s) must live in a hut near their house during menstruation and they are not allowed to enter their house. The women are also trafficked having no control over their own bodies. The number of trafficking women is high among indigenous and Dalit communities. From gender perspective, it is for sure that Democracy in Nepal would exist as a myth

- as long as women's identity and rights are denied,
- as long as women are treated like second-class citizens,
- as long as women are dominated, subjugated and exploited or oppressed.

Also, from sociological perspective, it is for sure that Democracy in Nepal would exist as a myth

- as long as Dalit women's (and men's) rights are denied;
- as long as indigenous women's (and men's) rights are denied,
- as long as linguistic rights of mother tongue speakers, including those of Madhesi Dalit women (and men), are denied,
- as long as religious rights are denied;
- as long as cultural rights are denied, and
- as long as regional rights of the Madhesi's are denied.

Nepal's Women's Rights Movement and International donors' gender mainstreaming programs would be more effective and more meaningful

- if it could spread to embrace women belonging to Dalits, Madhesi, indigenous nationalities, religious and linguistic groups;

- if women's rights movements from national to grassroots level merge;
- if women's rights movement and international donors could supplement and complement by raising issues of women belonging to Dalits, Madhesi, indigenous nationalities, religious and linguistic groups; and
- if women's rights movement and international donors could forge alliances with other Movements, namely, Dalit Movement, Madhesi Movement, Indigenous People's Movement, Equal Language Rights Movement and Movement for Secularism.

The situation must change for creation of gender and caste/ethnic equity and equality.

8.2 Discrimination against Dalit Women:

In Nepal neither women nor Dalit are homogenous categories. Instead both are characterised by diversity. Nepal is rich in both bio-diversity and socio-cultural diversity. The main elements of socio-cultural diversity are race, including caste and ethnicity, language, religion, culture, region and class. A little more than half of the 22.5 million total population of Nepal comprise women. The extent of discrimination towards women is on various fronts, such as:

- Female Dalits face gender discrimination from their male counterparts, both non-Dalit and Dalit men.
- Madhesi Dalit women face additional region-based discrimination from the Hill people, including the Hill Dalits.
- Non-Hindu Dalit women face additional religious discrimination from the Hindus.
- Non-Khas-Nepali language speaking Dalit women face additional discrimination from Khas Nepali language speaking people.
- Lower class Dalit women face additional discrimination from middle and upper class people.

Caste based Discrimination, including Untouchability, against Dalit Women as Dalits: Non-Dalits practice caste-based discrimination, including untouchability, against Dalits, both women and men. Dalit women experience caste based discrimination, including untouchability, from the non-Dalits. Dalit women and men are denied entry into non-Dalits' houses and public places such as water sources, temples, tea shops and are majorly discriminated in wages through *Haliya*, *Bali Ghare*, and *Bista* systems.

Table 26: Levels of Discrimination against Dalit Women by Categories of Dalits and Sex

Categories of Dalits	Sex	Levels of Discrimination						
		As Dalits		As regional, linguistic and religious groups			As women	
		By Non-Dalits	By Dalits	By Hill Peoples	By Khas-Nepali Language Speakers	By Non-Dalit Hindu Religious Groups	By Non-Dalit men	By Dalit Men
Hill Dalit	Men	/	/					
	Women	/	/				/	/
Madhesi Dalit	Men	/	/	/	/			
	Women	/	/	/	/		/	/
Non-Hindu Dalit	Men					/		
	women					/	/	/
Mother tongue speakers	Men				/		-	-
	Women				/		/	/

Gender Discrimination against Dalit Women and Girls: Dalit women and girls experience gender discrimination within, from their men and boys, both non-Dalits and Dalit, counterparts. Gender discrimination, when compared with indigenous society and culture, is severe in Hindu society and culture due to patriarchy. Both non-Dalit and Dalit men and boys discriminate against Dalit women and girls in both private and public spheres in performing triple roles, namely reproductive, productive and community roles. Dalit women are confined to performing domestic works and child bearing and caring. They have limited or no access to and control over resources such as land, house, jewelery, and cash. Unlike non-Dalit women, especially *Bahun-Chhetri* women, Dalit women have social mobility, though limited, and engage in labour or wage earnings.

Unfortunately, Dalit women and girls experience violence including physical and psychological such as battering, rape and verbal abuse. A study done by SAATHI revealed that about 21% Dalit women is vulnerable to rapes as against 6% of *Bahun-Chherti* women. Similarly, a report prepared by the NEW ERA revealed that the number of trafficking of women is highest among indigenous women/girls followed by Dalit women/girls. Also, in mid- and far-west, Dalit women are sexually exploited by non-Dalit men and in case of pregnancy, they are either forced to carry unsafe abortion or marry arbitrarily with some person who is given money to agree to get into the marital relation with such woman. (Bhattachan *et al.* 2003). Gender discrimination in Madhesi community is even more severe than among the women belonging to Hill castes, including Hill Dalits. *Ghumto* (“shawl”) system is still prevalent in Madhesi community. It means Madhesi women cover their head by shawls when they see males,

including family members, neighbours and strangers. Although such practices are disappearing, yet gender discrimination against Madhesis women, including Madhesi Dalit women, is still more severe than in the Hill communities.

According to a Report prepared by the Human Rights Watch in 1999:

“In *Nepal*, Dalit women are economically marginalized and exploited, both within and outside their families. As the largest group of those engaged in manual labor and agricultural production, their jobs often include waste disposal, clearing carcasses, and doing leatherwork. Despite their grueling tasks and long hours, exploitative wages ensure that Dalit women are unable to earn a subsistence living. In some rural areas Dalit women scarcely earn ten to twenty kilograms of food grain a year, barely enough to sustain a family. Many have been driven to prostitution. One caste in particular, known as *[B]adi* caste, is trafficked for sex-work into Indian brothels.”

(Quoted by CHRGJ 2005:13)

Dalit scholars see contradiction in presentation of data by the NEW ERA and the Human Rights Watch. The NEW ERA mentions that the number of trafficked Dalit women is second highest but the Human Rights Watch mentions that one caste in particular *Badi* are trafficked into sex work.⁶ It is indeed a bitter fact that the number of Dalit women belonging to different Dalit castes trafficked for sex work is indeed high. Such women become victim of trafficking due to many factors including poverty, illiteracy, unemployment and lack of awareness.

Regional Discrimination against Hill Dalit Women and Girls: All Madhesis are discriminated by the Hill people on regional grounds because the Hill people, particularly, *Bahun-Chhetris*, have control over the State machinery since 1769. All Madhesis are treated like second-class citizens and often treated like non-Nepalese. Prior to 1950, Madhesis needed permission for enter into the Kathmandu Valley. The Nepal Sadabana Party and Madhesi leaders claim that 4 million Madhesis were deprived from citizenship certificates out of which almost all Madhesi Dalits were deprived from it. As half of the population is of women and girls, obviously almost all Madhesi women have been deprived from the citizenship certificates. The Nepal Government has made a political decision to distribute citizenship certificates at the doorsteps, all Dalit women and men are expected to get it but poverty, illiteracy and lack of awareness may deprive some Madhesi Dalits from getting it.

Linguistic Discrimination against Non-Khas Nepali Language speaking Dalit Women and Girls: Hill Dalits, like Hill *Bahun* and *Chhetris*, speak *Khas* Nepali language, which is the only official language of Nepal and also is considered as

“*lingua franca*” in Nepal, especially in the Hills. Indigenous peoples and Madhesi have their own languages, which comprise more than 125 languages and dialects. Madhesi Brahman, Kshyatriya, Vaishya and Dalit speak languages including Maithili, Awadhi, Bhojpuri, and Dehati. Some Madhesi political leaders and activists consider Hindi as the *lingua franca* in the Terai region but many oppose such view..

The Dalit Movement and its leaders did not pay attention to linguistic issue and it was never a demand of the movement until the beginning of the 21st century. The main reason to overlook it was that the Dalit Movement was mostly led by Hill Dalits and there was no overt issue of language as they spoke *Khas Nepali*. As Madhesi Dalits also came forward in the movement, though in small numbers, they raised issues including linguistic rights. Given the low literacy rate among the Madhesi Dalits and lowest in Nepal being the *Musahar*, imposition of *Khas Nepali* language in the offices, education, media and development programs; Madhesi Dalits could avail least chances to be literate, getting formal education, including basic and primary, school and higher education, and semi-skilled and skilled jobs. From gender perspective, women suffered more, than their men counterpart, for maintaining their mother tongues and cultures due to restricted mobility of and access to and control over resources by women.

Religious Discrimination against Hindu and non-Hindu Dalit Women and Girls: Caste based discrimination, including untouchability against Dalit women and girls continue to be optimum. Many Dalits in Nepal have adopted other religions to get rid of caste-based discrimination in Hinduism. However, practices of caste based discrimination against Dalit women and girls are found, though low, in varying degrees in other religious communities, such as Buddhism and Christianity. The top-most positions within the Church are monopolized by *Bahun-Chhetris*. They are liberal in many ways but tend to practice caste-based discrimination as far as marriage of their children with Dalits and Dalit's entry in their houses are concerned. Other examples of such practices include Dalit women and girls not allowed to be priests, *Aanis* (“female monk”) in Buddhist religion; whereas “upper caste” women and indigenous women are allowed to be *Aani*. Dalit women who have adopted Christianity are also discriminated to some extent by non-Dalit Christians. “High caste” Christians discourage inter-caste marriage of their sons and daughters especially with Dalits.

8.3 Violence against Dalit Women:

- Girls/women belonging to indigenous nationalities and Dalits are the main victims of trafficking into Indian brothels. Min Viswakarma has

listed some of its reasons that include push factors such as poverty and illiteracy and pull factors such as enticement for employment and fake-inter-caste marriages (Viswakarma, Min 2005: 44).

- Min Viswakarma has mentioned problems related to two types of inter-caste marriage (a) between Dalit girls and non-Dalit boy, and (b) Dalit girl and Dalit boy (Viswakarma, Min 2006:44-45). The main problems in inter-caste marriage between Dalit girl and non-Dalit boy include abandoning girl after having sexual satiation, abandon wife on the very first day of wedding, refuse to accept bride by the boy's family and parents, deprivation from inheritance rights, boycott the couple by the community people, take legal actions to null and void the marriage, ensure needless torture and hardship to the girl, and demote boy's caste. Similarly, main problems in inter-caste marriage between Dalit girl and Dalit boy include obstruction before marriage, mental torture to girls and boys, fake legal charges, police custody, null and void marriage through intimidation, battering, and expulsion from the community.
- Dowry is popular in the Madhesi communities, including Madhesi Dalits (Paswan, Nirmala 2006: 67-68). Dalit brides suffer from both physical and mental torture and sometimes problems related to dowry end in the death. Since almost all Madhesi Dalits are poor, dowry is indeed a big problem to any Madhesi Dalit girl and her parents.
- It is customary to cover face/head of women family members by their shawls (Paswan, Nirmala 2006:66-67) Women are not supposed to talk directly with men showing their faces. Such a practice has a lot of negative impacts on feminine personality development, mobility, education and participation in public sphere.
- At times in the villages, especially in the Terai, Dalit women are charged as witches when some misfortune happens to non-Dalits (Paswan, Nirmala 2006:67; (Viswakarma, Min 2005:45). Dalit women who are charged as witches are battered by the non-Dalits.
- During armed conflict between the government security forces and the Maoists, many Dalit women were victims of sexual violence. According to a Report of the Center for Human Rights and Global Justice, "Late night intrusion into Dalit homes and sexual abuse by intoxicated police officers was a common experience for many Dalit women even before the Maoist activities were officially declared. The burgeoning presence of the police and army in the villages since the

Movement and the subsequent power of the security forces to detain, question, and intimidate rural villagers at will has led to even greater sexual abuse and exploitation. In the wake of State resistance to the Movement, armed forces are unrestrained in entering Dalit homes and victimizing Dalit women. According to a 2005 Amnesty International Report, there has been reportage of security forces raping girls during “search operations” in villagers’ homes. Girls belonging to marginalized communities are particularly vulnerable to attack by the “upper-caste” members of the security forces.” (CHRGJ 2005: 35-36).

8.4 Dalit Women Empowerment:

Empowerment, Inclusion and Integration are the three most important efforts made by the Dalit Movement and Donor’s support for the movement. Women’s empowerment and mainstreaming gender has been the two most important efforts by Women’s Rights Movement. Of these ‘empowerment’ is one of the most important concepts, which has not been widespread and not understood as it is on its terms. Dalit women’s access to financial, natural and community resources are lowest compared to other “high caste” women and males. Women’s empowerment or gender mainstreaming programmes also give more access to “high caste” women and girls and outrightly exclude Dalit women and girls. Also, programmes for marginalized or disadvantaged or excluded or deprived or “backward” groups or communities also provide least opportunity to Dalits in accessing resources. Similarly, Dalit targeted programs including Dalit programmes also give better access to Dalit men and boys than to Dalit women and girls.

Differential Empowerment:

Different categories of Dalit women need different types of empowerment. These are as follows:

- Dalit women’s empowerment to fight against forms of caste-based discrimination by non-Dalits.
- Dalit women’s empowerment to fight against forms of gender-based discrimination.
- Madhesi Dalit women’s empowerment to fight against forms of regional and linguistic discrimination.
- So-called “lower caste” Dalit women’s empowerment to fight against all forms of internal caste-based discrimination.

Also, the following categories of people need to do the following if Dalit women should be empowered and get due equity and equal rights in community and society:

- Non-Dalit women's empowerment not to practice any form of caste-based discrimination against Dalit women (and men).
- So-called "high caste" Dalit women's empowerment not to practice any form of internal caste-based discrimination against "low caste" Dalit women (and men).
- Non-Dalit men's and Dalit men's empowerment not to practice any form of gender-based discrimination against Dalit women/girls.
- Hill non-Dalit men's and Dalit men's empowerment not to practice any form of regional and linguistic discrimination against Madhesi Dalit women (and men).
- Dalit women's empowerment in constitutional/legal, economical, educational, political, socio-cultural, psychological/emotional, spiritual, religious fields.

Priority areas for Empowerment: Dalit women's priority areas are as follows:

1. Human resource development or capacity building (education, knowledge, skill, information, voice, organisation and health).
2. Increasing capacity to use politics for achieving human rights;
3. Awareness to enrich capacity to critically challenge against all forms of discrimination, including caste-based discrimination (of Dalits in general, Hindu non-Dalits, indigenous peoples, women and Madhesi in general); and
4. Access to, control of and benefit from resources.

To conclude, violence against Dalit women and double discrimination against them also should be eliminated. Both national and international actors could play significant role in such endeavours.

9. Conclusion

Nepal is going through a peace process and democratic transition since the April Movement, 2006. The election for 575 members of the Constituent Assembly was successfully held on April 10, 2008 and nomination of 26 members of the Constituent Assembly was complete. The Nepal Communist Party -Maoist became the largest party followed by the Nepali Congress, Nepal Communist Party-UML and Madhesi Jana Adhikar Forum. The first meeting of the Constituent Assembly held on May 28, 2008 implemented Secular, Federal

Democratic Republic by eliminating institution of Monarchy for good. The Constituent Assembly has a Mandate to prepare a new Inclusive Constitution within two to two and half years. Caste-based discrimination, including untouchability, could be eliminated by synchronic concerted efforts from all stakeholders, including the Nepal Government, political parties, media, civil society organisations, Dalits' Rights Movement, the United Nations, Multi-lateral and Bilateral Organizations, INGOs and Advocacy Organizations.

Endnotes

1. Scholars like Dilliram Dahal, Bidhyanath Koirala, Khagendra Sharma, Gyanu Chhetri, Hari Bansha Jha, Jasmine Rajbhandary, Gita Karki, Yogendra Bahadur Gurung, Subas Risal, Ranju Thakur, and Krishna B. Bhattachan have contributed in social and economic aspects of the Dalits, including untouchability. Prominent researchers on Dalit issues include Hira Viswakarma, Chakraman Viswakarma, Yam Bahadur Kisan, Bimal Viswakarma, Lumasingh Viswakarma, Ratna Bahadur Bagchand, Tek Tamrakar, Purna Nepali, Kamla Hemchuri, Durga Sob, Ambika Gajmer, Ganesh V.K., and Pabitra Sunar. A. W. McDonald, Carol Tingey, Mary M. Cameron and International social scientists have also contributed researches on Dalit study.
- 2 . For details see Action Aid Nepal (2003, Existing Practices of Caste-Based Untouchability in Nepal and Strategy for a Campaign for its Elimination)
- 3 They provided this information during a National Conference of Dalits, organised in Godavari in Kathmandu by Dalit Civil Society Organisations with Constitutional Advisory Support Unit (CASU) of UNDP in 2007.
- 4 Annexure-1 refers to the Annex of the Draft Bill.
- 5 This information is based on personal communication with Dr. Koirala on 1 Feb 2007.
- 6 Comments made by Hira Viswakarma during a book launching program organized by DNF Nepal and NNDSWO in Kathmandu in November 2008.

References

- Bhattachan, Krishna B., Kamala Hemchuri, Yogendra Gurung, and Chakra Man Viswakarma. 2003. *Existing Practices of Caste-based Untouchability in Nepal and Strategy for a Campaign for Its Elimination*, Kathmandu: Actionaid-Nepal.
- Bhattachan, Krishna B. and Laxmi Keshari Manandhar (Eds.) 2001. *Gender and Democracy*. Kathmandu: Central Department of Home Science—Women's Studies Program, Tribhuvan University in cooperation with Friedrich-Ebert-Stiftung.
- Cameron, Mary M. 2005. *On the Edge of the Auspicious. Gender and Caste in Nepal*, Urbana and Chicago: University of Illinois Press and Kathmandu: Mandala Publications. (Reprinted in Nepal).
- Center for Human Rights Global Justice. 2005. *The Missing Piece of The Puzzle Caste Discrimination and the Conflict in Nepal*, New York University School of Law, New York, USA
- Central Bureau of Statistics. 2004. "Nepal Living Standard Survey", Statistics Report, Vol I & II, Central Bureau of Statistics, Kathmandu, Nepal.
- Dahal, Dilli Ram *et al.* 2002. *Rastriya Dalit Rananiti Pratibedan*, "National Dalit Strategy Report", Kathmandu: Action Aid Nepal, Care Nepal and Save the Children (US).
- Enabling State Programme (ESP)/DFID. 2001. *Pro-Poor Governance Assessment Nepal*. Kathmandu: Enabling State Programme.
- Gurung, Harka. 2003. *From Exclusion to Inclusion Socio-Political Agenda for Nepal*, Social Inclusion Research Fund, Lalitpur, Kathmandu Nepal.
- HMG-N, 2002. *Population Census, 2001. National Report*. Kathmandu: Central Bureau of Statistics, National Planning Commission, HMG-N.
- IIDS, 2000. *The Fourth Parliament Election*. Kathmandu: Institute for Integrated Development Studies.
- INSEC, 2007. *INSEC Year Book 2007*. Kathmandu: Informal Sector Service Center (INSEC).
- Jan Utthan Pratisthan. 2004. *Nepalma Dalit Manav Adhikarko Abastha-2004 ra Kanooni Byabastha* (Legal Provision and Dalit Human Rights Situation 2004), Jana Utthan Pratisthan, Kathmandu Nepal.

- Koirala, Bidhyanath. 1996. *Schooling and the Dalits of Nepal: A case Study of Bungkot Dalit Community*. An unpublished thesis submitted to the University of Alberta, Canada, in partial fulfillment of the requirements for the Doctor of Philosophy in International/Intercultural Education.
- National Dalit's Commission. 2005. *Citizenship and Land Ownership Status of Dalit Community in Nepal*. Kathmandu: National Dalit's Commission.
- . 2003."*Dalit Paribhasa tatha Jatiya Anusuchi. Adhyayan Pratibedan - 2060*. ("Definition of the Dalits and Caste List. A Study Report-2003"). Kathmandu: National Dalit's Commission. An unpublished report.
- Nepal South Asia Centre (NESAC).1998. *Nepal Human Development Report 1998*. Kathmandu: Nepal South Asia Research Centre (NESAC).
- Neupane, Gobinda. 2000. *Nepalko Jatiya Prashna; Samajik Banot ra Sajhedariko Sambhawana (Caste Issue of Nepal; Social Pattern in Possibility of Sharing)* Center For Development Studies, Thapathali, Kathmandu Nepal
- Paswan, Nirmal. 2006. "Terai mul Dalit mahilaharuko awastha ra chunautiharu" ("Condition and challenges of Dalit of Terai origin), Pp. 65-69. In: Bhatta, Gokarna (ed.) 2006 *Bikas Tatha Sushashanko Mulprabhama Dalit mahilako Sahabragita* "Dalit Women's Participation in the Mainstream of Development and Good Governance". Kathmandu: Feminist Dalit organization.
- Robertson, Adam and Mishra, Shisham. 1997. *Forced to Plough. Bonded Labour in Nepal's Agricultural Economy*. Kathmandu: Anti Slavery International and Informal Sector Service Center (INSEC).
- Sherpa, Pasang. 2006. *Dalitko Samajik, Aarthik, Saikshik ra Nirnaya Tahama Awastha* (The Condition of Dalits and Social, Economic and Educational Decision Making Level) Pp.315-326. In: Koirala, Biddhyanath, Khadka, Rajan and Baral, Rajkumar(Ed.) *Rajyako Punarsamrachanama Dalit Sahabragita* (Participation of Dalit in Restructuring of the State), Kathmandu Nepal.
- Sunar, Tej Bahadur.2002 . *Dalitharuko Rajnitima Sahabragita* (Political Participation of Dalits), Central Department of Sociology/Anthropology, TU, Kirtipur Kathmandu, Nepal.
- Tamrakar, Tek. 2006."*Dalit mahilaka samajik, arthik tatha rajnitik adhikar samrachyanka lagi arkchyan*" ("Reservation for the protection of social, economic and political rights of Dalits"), Pp. 57-94. FEDO *Nepalma Dalit Mahila* ("Dalit women in Nepal"). Kathmandu: Feminist Dalit Organization (FEDO). (V.S. 2063).
2005. *Dalit Samudaya Biruddha Bhedbhavpurna ra Samsodhaniya Kanooni Prabadhharuko Addhyan Pratibedan* (Study Report on Discriminatory and

Amendable Legal Provision against Dalits), National Dalit Commission, Kathmandu Nepal.

Team Consult Pvt. Limited. 1999. *The Conditions of the Dalits (Untouchables) in Nepal: Assessment of the Impacts of Various development Interventions*. A Report submitted to the United Nations Development Programme (UNDP), Nepal

The World Bank and DFID 2006. *Citizens Without Rights: Nepal Gender And Social Exclusion Assessment*, Kathmandu Nepal.

Viswakarma, Min. 2006. *Bhavi rananiti tayar garna mahattwapurna khurak dieyeko chha* (“Has given plenty of important foods for thoughts to prepare future strategy”). Pp. 42- 5. In: Bhatta, Gokarna (ed.) 2006 *Bikas tatha Sushashanko Mulprabhama Dalit mahilako Sahabragita* (“Dalit Women’s Participation in the Mainstream of Development and Good Governance

Annexures-1. Dalit Castes by Sub-Castes, Surnames and Traditional Occupations

	Castes	"Sub-Castes"	Surnames	Traditional Occupation
	Hill Dalit			
1	Kami			Metal works
1.1	Kami		Agri; Acharya; Afaldhoti; Od; Kasara; Kallohar; Kalikote; Kaliraj; Gadal; Gahatraj (Gahate); Kumarki; Kaini; Koli; Koirala; Khadkathoki; Khapangi; Khati; Gajamer; Gajurel; Gadilee; Giri; Gotame; Gawa; Jandkami; Tamata (Tamrakar); Niraula; Nepal; Panthi; Pokharel; Paudel; Paudeli; Barailee (Baral, Baralee); Sripali; Diyalee; Dudhraj; Bhushal; Bhool; Mahilipar; Rahapal; Rajilauhar; Sapkota; Sigaure; Sijapati; Setipar; Ramdam; Rijal; Lwagoon; Sonam; Hemchuyuri; Tiruwa; Ghatanee (Ghatne); Ghatal; Ghartee; Ghimire; Ghamatla; Chunara; Chhital; Thagunna; Thatar; Nagarkoti; Pallaya; Parajuli; Potel; Buchebhale; Banskota; Bhatta; Bhattarai; Mahar; Rasalee; Suchyuree; Sundhuwa; Setisuruwal; Setimahar; Sashankar (Sadshankar); Serela; Lamgade; Sob; Ruchal; Pahari; Padhyabati; Lamakarki	Produce Khukuri, weapons, agricultural tools etc.
1.2	Sonar			Gold and silver works, jewelery
1.3	Lohar			Iron works and agricultural tools
1.3	Od			House construction, works related to soil and timber
1.4	Chunara			Produce wooden utensils such as Theki, Dudhero, Madani
1.5	Parki			Produce bamboo products such as Dalo, Naglo etc.
1.6	Tamata			Produce copper utensils
2	Sarki			Leather works
2.1	Mijar		Acchami; Uparkoti; Upreti; Kamar; Kisan; Koirala; Khatiwada; Giri; Gaire; Gairipipal; Gathe; Ghimire; Chand; Gotame; Chudal; Chuhan; Thagunna; Chhamarki; Thaurasya; Thadarai; Dale; Tolangi; Thak; Thapaliya; Thapa; Daulakoti; Dhaulakoti; Dabe; Dahal; Dulal; Dhamel; Dhamala; Dhanali; Payeli; Purkoti; Pulami; Paudel; Dasel; Bamarel; Bayekoti; Bishunkhe; Bastakoti; Bogati; Bhagyal; Bheyel; Bhool; Bhurtel; Bhpali; Mangrati; Majakoti; Majaboti; Malbul; Malchok; Mude; Ramtel; Ruchal; Raut; Roila; Roka; Lamjel; Lamsal; Sahi; Srimali; Siraute; Surkheti; Sanyel; Sanjawal; Hamal; Hitang	Honourary title granted by the rulers
2.2	Charmakar			Produce leather products
2.3	Bhool			Produce leather products
3	Damai/ Dholi			Play Panche Baja musical instrument during marriage and on auspicious occasions
3.1	Pariyar		Adhikari; Asasaya; Aujee; Kanal (Kandel); Katuwal; Kakrki Dholee (Mudula; Sutar; Lama; Khulal); Kalakheti; Koirala; Khatiwada; Khati; Guide (Guindel); Gautam (Gotame [Siwal]); Ghale; Gurung; Cahar; Chuhan; Jairu; Thagunna; Thatal; Daude; Dhyakee; Tiwari; Trikatri; Thapa; Darnal; Das; Nagarchi; Negi; Nepal; Naubag; Chudal; Panta; Panchkoti; Pokharel; Bardewa; Bagchand; Bagdas; Baiju; Budhathoki; Budhaprithi; Bhandari; Bhattarai; Bhitrikoti; Bhusal; Magar; Mote; Mahara; Male; Rajabar; Ranapaili (Ranapal; Ranapaheli); Rana; Rai; Raingai; Raika; Ryainjhain; Lapre; Lamghate; Luinetel; Shildhar; Sunam; Sundas; Suncheuri; Sahi Samundri (Sai; Saismundri; Samundrasai); Suji; Hingmang; Hudke; Aptarya; Ghalek; Bhedikar; Betuwa; Dharyl; Retan; Bitalu; Nagarkoti; Yagne; Ghatani; Bhende Siba; Kekhure Siba; Sungure Siba; Damai Pariyar; Ratnapariyar; Achhame Pariyar; Chhinal Pariyar; Thak Pariyar; Nakadholi	Tailoring
3.2	Suchikar			Tailoring
3.3	Ngarachi			Play Nagara musical instrument during special occasion in temples and palace
3.4	Dholi			Government's messenger to inform community people by playing Dhol
3.5	Hudke			Play Hudke musical instrument

Cont...

Caste-based Discrimination in Nepal
Krishna B. Bhattachan, Tej B. Sunar and Yasso Kanti Bhattachan(Gauchan)

	Castes	"Sub-Castes"	Surnames	Traditional Occupation
	Hill Dalit			
4	Gaine	N/A	Adhikari; Kami; Kalakausik; Kala Paudel; Kalichan; Gosain; Jogi; Thakuri; Turki; Bahun; Budhathokhi; Baikar; Badhyakar; Bestha; Bista; Bogatai; Bhusal (Parbate); Maheswar; Biswakarma; Bishnupad; Raisamundra; Sursaman; Setaparbat; Setichan; Kookchin Rana	Singing by playing Sarangi musical instrument
5	Badi	N/A	Khati; Rasailithapa; Rasaili; Lekali; Chhnial; Baral; Thakur; Rana; Kumal; Khadka; Jogi; Bote; Upadhyaya; Rijal; Singh; Shrestha; Paudel; Adhikari; Kami; Damai; Badsaha; Khan; Dhital; Niraula	Produce musical instruments such as Madal, Dholak, clay products such as Chilim, gagri tv
	Madhesi Dalit			
6	Chamar/ Harijan/Ram	N/A	Ram; Mochi; Harijan; Rabidas (Raidas); Chamara; Mahar; Mahara; Mehara; Raut; Bhagat; Das; Bajar; Bagh; Dhusiya; Daswatiya; Madhesiya	Leather works
7	Musahar	N/A	Sada; Sadaya; Rishidev; Rishikul; Raut; Tirhutiya; Madhaiya; Kharputria; Satnapuria; Kauchh; Gharmunta; Pachharu; Mudi; Macharu	Collect food grains from holes in the farm; leveling farm land
8	Dusadh/ Paswan/Pasi*	N/A	Paswan; Hajari; Hajara; Madhaiya (Magaiya); Kurmi; Kamhar; Paliwar; Kurna; Dar; Sarjaha (Surajiya); Panjiyar; Pakhir Daid; Suryabansi	Godayit ('Messenger') of social events; village watchmen; Kamtiya (watchmen to secure harvest
9	Tatma	N/A	N/A	Weaving
10	Khatbe	N/A	Mandal; Tirhutia; Badaha; Kyotar; Parasra; Pokharbhinda; Hasuliya; Newar; Nanaud; Bake	Weaving clothes; spinning; carry Doli during marriages
11	Dhobi (Rajak)	N/A	Kanujiya; Madhaiya; Belbar; Surjaha; Tamoli; Tirhitiya; Turtuk; Dhoiba; Baitha; Rajak; Pathik; Safi; Arya	Wash clothes
12	Bantar (Sardar)	N/A	Rajdhami; Dhami; Sardar; Majhi; Raut; Bant	Bamboo works
13	Chidimar	N/A	N/A	Hunting birds
14	Dom	N/A	Kothita; Mkhaita; Talwar; Tawakait; Chachewar; Kolniyar; Sanparaya; Ghatait; Amlieriya; Mahawaita; Balgachhiya; Kanoon; Bakhatiya; Modaliya; Jhojhawa; Chirniya; Bhalwait; Baisi; Baswar	Bamboo products; play musical instruments; cut umbilical cords during child birth, dig burial place; burn dead bodies
15	Mestor / Halkhor	N/A	Jamadar; Raut; Sariswal; Turka; Amariya; Dahaiya (Darwe); Panpuri; Bakhariya; Maher; Mestar; Halkhor	Cleaning streets
16	Kuswadiya/ Patharkatta O	N/A	N/A	Stone products
17	Kakahiya	N/A	N/A	N/A
18	Kalar ?	N/A	N/A	Begging
19	Khatik	N/A	Chandal; Barawa; Bhogariya; Bachara; Chaula; Khirahi; Tawada; Chamariya; Taki; Dayama; Bagadi	Deer leather works
20	Kori	N/A	Purbiya; Pachhimha; Chamara; Kotchamara; Dakhinaha; Bahiryinya	Weaving clothes
21	Pasi *	N/A	N/A	Liquor production from Tadi tree
22	Sarvanga/ Sarbariya ?	N/A	N/A	Begging

Source: NDC 2003

Note: o Sarvanga/Sarbariya and Kalar are the same caste group. Kalar is a derogatory term. Therefore, they prefer to call themselves as Sarvanga/Sarbariya.

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