

Press Statement
on
“National Convention on Justice to Dalit Women and Girls”

Date- 29th September 2021
Venue- Constitution Club, New Delhi

The Constitution of India abolishes the untouchability and ensures equality before law and equal protection of law for all irrespective of caste, sex religion, age, class, region etc. The Scheduled Caste and Scheduled Tribes (Prevention of Atrocity) Act, 1989 as Amended in 2015 & 2018 not only prevents and penalizes the offences based on caste, but also speaks about rehabilitation of the survivors and dependents. But in the present case of gang rape and murder of 19 years old girl of Hathras, Uttar Pradesh, every statutory provision prescribed by law of the land (especially PoA Act) to ensure relief and justice to the victim’s family was set aside by the police and administration of the State. The body of the victim was disposed of hurriedly, that too without the consent and presence of the family members of the deceased and the victim’s family was intimidated by the senior state officials. Later, after the collective efforts of various campaigns at various levels, the investigation of the case was handed over to the CBI. Presently, the case is under trial.

We find it essential to mention here that the hardships of the victim’s family still go on because the family is under terrible pressure; they are compelled to remain confined to their house due to constant surveillance of police; CCTV camera is still installed in their house; the family members have to obtain the permission from the administration and state to go out of the village, even to attend the hearing of the case.

Uttar Pradesh (12,714 cases) reported the highest number of cases of atrocities against Scheduled Castes (SCs) accounting for **25.2% against the Dalits and Dalit women as per NCRB 2020**. As far as crime against Dalit women is concerned, UP ranks top with **1,413 incidents of Rape (604), Attempt to Rape (6), Assault to Outrage Modesty (534) and Kidnapping and Abduction of woman to compel her for marriage (269)**. If we compare last 7 year’s data from 2014 to 2020, Uttar Pradesh still stands first with **10,901 incidents** against Dalit women, comprising **3,551 incidents of rape, 237 cases of Attempt to Rape, 4,731 cases of Assault to Outrage Modesty and 2,382 offences of Kidnapping and Abduction of woman to compel her for marriage**.

The overall atrocities/crime against Scheduled Caste (Dalit) in India have increased by 9.4% in 2020 (50,268) over 2019 (45,922). Out of all, **15% (7397) of the total incidents of crime against the Scheduled Caste women (Dalit women) this year**. The police **Charge sheeted only in 73.11%** of cases registered under SCs & STs (PoA) Act for the crimes committed against Dalit women. **On an average, every day, more than 9 cases of Rape of Dalit women and girls are reported daily and similarly more than 9 Dalit women and girls face Assault to Outrage Modesty as per NCRB 2020**. The conviction rate is recorded only **37%** under the SCs and STs (PoA) Act in conjunction with IPC. In the courts, the **Pendency Percentage is 97% under SCs & STs (PoA) Act** in dealing with the cases of Dalit women. **In the year 2020, the incidents of rape against the Dalit women and girls have increased by 51% and 43.77% increase is recorded in the cases of Assault to Outrage Modesty against Dalit women over 2014**.

29th September, 2021, marks the completion of one year of demise of Hathras victim. To commemorate her, the Women’s organizations, Human Rights organizations and Dalit Movements collectively organised **“National Convention on Justice to Dalit Women and Girls”** in Constitution Club from 3-5 PM on 29th September with the support of all leading organizations. The Convention was addressed by prominent speakers like, **Ms. Arfa Khanum Sherwani**, Journalist from The Wire and **Ms. Hemlata Mahishwar**, Professor of Jamia Millia Islamia University.

We demand from the Uttar Pradesh State Government in the Hathras case-

- i. To provide immediate rehabilitation to the family, the State Government of Uttar Pradesh must ensure a **house as announced and a government job** to one of the family members as per the Rule 12(4) of SCs & STs (PoA) Amendment Act and Rules.
- ii. To **render speedy justice to the Hathras family**, the trial should be expeditiously done by holding hearing on **day-to-day** basis as per section 14(2) of SCs & STs (PoA) Amendment Act, 2015.
- iii. The Lucknow High Court must **decide on the SIT report** submitted against the erring police officials in Hathras case and procedure should be started against the police officials under section 4 of SCs and STs (PoA) Amendment Act.
- iv. The State must provide the **protection to the Counsel of the victim's family** taking up the case in the Special Court, Hathras who faced and has been facing constant and potential threat and intimidation even in the court room.
- v. Immediate **release of Mr. Siddique Kappan**, a journalist from Kerala who was arrested on the way to Hathras village on 5th of October 2020 and is still languishing in jail.
- vi. The strict and effective **implementation of provisions of Scheduled Caste and Scheduled Tribe (Prevention of Atrocity) Amendment Act 2015** in all the cases to end caste and gender-based violence against Dalit women and girls-
 - Take adequate measures to **prevent the atrocities** against Dalits and especially Dalit women, special campaigns/programmes should be run by the government to create awareness among the Dalit community about the legal remedies.
 - Hold public campaigns to create awareness on **“Rights of Victims and Witnesses”** under Section 15 (A) of SCs & STs (PoA) Amendment Act and procedures to access justice in cases of sexual abuse.
 - Establish adequate number of **Exclusive Special Courts** with improved infrastructure as prescribed by **SC/ST (PoA) Amendment Act under Section 14** to ensure that cases under the SCs/STs (PoA) Act are disposed of within a period of two months, as far as possible.

With Regards,

All India Dalit Mahila Adhikar Manch (AIDMAM), All India Democratic Women's Association (AIDWA), All India Progressive Women Association (AIPWA), All India Secular Forum (AISF), Act Now for Harmony and Democracy (ANHAD), Citizen for Justice and Peace (CJP), Dalit Arthik Adhikar Andolan (DAAA), Dalit Adivasi Shakti Adhikar Manch (DASAM), Delhi Solidarity Group (DSG), Indian Christian Women's Movement (ICWM), Indian Social Action Forum (INSAF), Kabir Kala Manch (KKM), Muslim Women's Federation (MWF), National Alliance of People's Movement (NAPM), National Alliance for Women Organization (NAWO), National Campaign on Dalit Human Rights (NCDHR), National Dalit Movement for Justice (NDMJ), National Federation for Dalit Women (NFDW), National Federation for Indian Women (NFIW), Pehchan, Saajhi Duniya, Safai Karamchari Andolan (SKA), Sambuddha Mahila Sangthan (SMS), Satark Nagrik Sangathan (SNS), Wada Na Todo Abhiyan (WNTA) and Young Women's Christian Association (YWCA)