

Press Release

Fact finding Team Condemns Arson, Burning of Dalits Houses and the Gruesome Killing at Mirchpur, in Haryana

New Delhi, April 27, 2010

The Fact finding team condemns in the strongest possible terms the recent incident of arson, burning of houses and killing of Suman, a 17 year old physically challenged girl and her 60 year old father, Tara Chand. National Dalit Movement for Justice (NDMJ) of NCDHR and Anhad sent a fact finding team to Mirchpur, Hisar on April 24, 2010 to assess the situation arising out of this incident. The fact-finding team comprised Ms. Shabnam Hashmi, Member, National Integration Council, Bhasha Singh, senior journalist with Nayi Duniya; Dr. Umakant, human rights activist; Mr. S. Anand, journalist and publisher of Navayana; Ms. Mansi Sharma of Act Now for Harmony and Democracy (ANHAD); Dr. Sirivella Prasad, Mr. Ashim Boral, Mudasser Ahmed and Ms. Abirami of NCDHR-NDMJ.

The Fact Finding team found that there is complete sense of insecurity that prevails amongst the Dalits in the village and many have already fled from their houses. The burnt and deserted houses in Mirchpur are a mute witness to the gloom and fearful atmosphere that come in the trail of several such instances of brutal caste violence. Dalits, especially the family of the deceased, are demanding to be settled separately as they fear reprisal from Jats in future too.

The Government of Haryana has acted in a very casual way and only after the determined protest by the Dalits in the Mirchpur village, it was actually forced to book two local officials and also announce relief and compensation package.

Mirchpur is not the first and would also not remain the last case of caste violence against Dalits in Haryana and elsewhere in this country. Haryana has earned notoriety for large and gruesome cases of caste violence against Dalits since a long time and the entire state should be declared atrocity prone area. Jhajjar, Gohana, Salwan, and many other places where caste violence has become a norm have not faded from memory. We cannot say with any confidence that such incidents would not recur in the future again.

This is certainly not an isolated incident as the crimes committed against Dalits have been scaling up even after 60 years of independent governance with a progressive Constitution and 20 years of legislation like Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The data compiled by the National Crime Record Bureau (NCRB) and the National Commission for Scheduled Castes and other government agencies bears testimony to this rising cases of atrocities committed against Dalits. NCRB reported in 2005 that on an every day basis a crime is committed against Dalits every 20 minutes in this country.

Awarding compensation to the victim's family, other relief and rehabilitation package and the promise of providing government jobs to affected people are welcome signs, but these in it are not enough to dispense justice. That is why NCDHR strongly condemns the efforts made to hush up the case through brokering a compromise deal between Jats and the Dalits in the Mirchpur village.

'The Rule of Law' must prevail and the Government of Haryana must be held accountable for its several acts of omission and commission in being callous about implementing the Scheduled

Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Rules, 1995. The failure to ensure justice to Dalits would be seen as a sign of disrespect to the Constitution of India and the law of the land.

FF Team recommends

1. Immediate arrest of the 14 absconding culprits named by Karan Singh in the FIR.
2. Immediate suspension and initiation of criminal cases against Deputy Commissioner and Superintendent of Police of Hisar District for allowing the illegal Khap Panchayat of Jats on 24 April 2010 in the premise of the Animal Husbandry Department (Pashupalan Vibhag) at Mirchpur Village.
3. Immediate alteration of sections in FIR and Include Sections 3(1) (x); 3(1) (v); 3(2) (iii); 3(2) (v) of SC & ST (PoA) Act and initiate legal proceedings against official not registered the case under appropriate section under section 4 of PoA Act as per the advisories issued by Ministry of Home as well as Ministry of Social Justice and Empowerment.
4. Registration of case against SHO and Tehsildar under Sec 4 of PoA Act, which specifically deals with the negligence and dereliction of duties on part of the officials in carrying out their duties.
5. A Fast Track Court should be set up at the earliest.
6. Special Public Prosecutor should be appointed and be supplied with the necessary details of the case without any further delay.
7. Proper estimation of damages (physical as well as psychological) inflicted on Dalits and relief and rehabilitation package should be announced without any further delay.
8. The State Government and also the District Administration should ensure justice to Dalits is provided immediate compensation, relief and rehabilitation. As top priority, their security should be ensured and reprisals should be prevented.
9. Long-term preventive action and peace-building measures should be initiated by the police; there should be special emphasis on sensitization workshops for the police at all levels on discrimination against Dalits.
10. Since many Dalits are anyway landless in Mirchpur, and have sought relocation, in the long term the government must consider resettling Dalits and give them cultivable land and other resources of employment.
11. The state government has promised a job for one person in the deceased Tara Chand's family. This rehabilitation must in fact be extended to all 18 Dalit households which have been burnt down. While there are said to be over 200 government school teachers from the Jat community in the village, none of the Dalits have found similar employment.

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