

**REPORT ON
PREVENTION OF ATROCITIES
AGAINST SCHEDULED CASTES**

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PREVENTION OF ATROCITIES
AGAINST SCHEDULED CASTES**

POLICY AND PERFORMANCE

SUGGESTED INTERVENTIONS
AND
INITIATIVES FOR NHRC

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Lasertypeset by Printo Graphic Systems, Srinivas Puri, New Delhi - 65
printed at St. Joseph Press, New Delhi - 20

Preface

National Human Rights Commission had asked a Status Report to be prepared on atrocities committed on Scheduled Castes and the initiatives which NHRC could take to check them. Accordingly, this report has been prepared.

It was not envisaged that the report would become this long. When the issues began to be examined, the length of the report could not be avoided despite the brief space given to them. Atrocities on Scheduled Castes being a multifaceted social problem, some reference to its different manifestations had to be made.

While preparing this report we have copiously drawn upon the reports of National Commission for Scheduled Castes and Scheduled Tribes and some of the researched documents prepared by Human Rights Organisations and Dalit NGOs. As a matter of deliberate design, academic orientation has been avoided and the perspective of implementing agency has been kept in view. Some repetition has crept in due entirely to the manner of the treatment of the subject and its sequencing in the structure of the report.

The report contains a large number of recommendations, quite a few of which may have already been suggested by different agencies earlier. No information was available whether or not those recommendations have been accepted. A separate Statement has also been placed at the end on what can be done by National Human Rights Commission as a part of its initiative in the immediate future.

While working on this document great difficulty was experienced in accessing factual material, not confidential in nature, from Government agencies despite the very kind help that Ms. S. Jalaja, Jt. Secretary, NHRC extended in obtaining it. The report, therefore, made use of only material which could be accessed or gathered during discussions with officials.

Secretarial resources provided by Director, IAMR, is gratefully acknowledged. Mr. Kailasam has persevered with frequent revisions in the draft.

Delay in submission of the report and errors which might have crept in despite editing carried out are regretted.

NEW DELHI

K.B. SAXENA

NOVEMBER 25, 2002



Foreword

Justice A.S. Anand

Chairperson

(Former Chief Justice of India)

Deeply concerned about the historical injustices faced by certain sections of the society, the founding fathers of our Constitution enshrined the ideals of Justice - social, economic and political - in the Preamble of the Constitution, and included far-reaching protective provisions under the Chapter on Fundamental Rights. The Universal Declaration of Human Rights, 1948 and the subsequent international covenants on human rights sought to make non-discrimination a cornerstone of international human rights system.

At the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban in 2001, the National Human Rights Commission opined that it was not the “nomenclature” of the form of discrimination that must engage our attention, but the fact of its persistence. The Commission observed that the Constitution of India, in Article 15, expressly prohibits discrimination on grounds both of “race” and “caste” and that constitutional guarantees had to be vigorously implemented. The Commission held the view that the instruments of governance in the country, and the energetic and committed non-governmental sector of society that existed, could unitedly triumph over historical injustices that had hurt the weakest sections of our country, particularly the Dalits and the Adivasis. The Commission concluded that this was, above all, a national responsibility and a moral imperative that can and must be honoured.

Despite elaborate provisions in the Constitution and other laws, it is an unfortunate reality that social injustice and exploitation of Scheduled Castes and Scheduled Tribes and other weaker sections persist. There are reports in the press about atrocities against persons belonging to these groups and the frequency with which they occur is a cause for disquiet. The humiliation which persons belonging to the Scheduled Castes in general and the Dalits in particular suffer even today, more than half a century after India proclaimed itself to be a Republic, is a matter of shame.

For the National Human Rights Commission, the protection of human rights is essential for defence of democracy itself - a democracy that is inclusive in character and caring in respect of its most vulnerable citizens. The Commission holds the view that

human rights must be made the focal point for good governance. The Commission has been quite vocal and outspoken in defence of human rights particularly of the vulnerable sections of the society. The Commission draws inspiration in its work for defence of human rights from Mahatma Gandhi's very potent observation:

'It has always been a mystery to me how men can feel themselves honoured by the humiliation of their fellow beings.'

The National Human Rights Commission, being deeply concerned about the atrocities against persons belonging to Scheduled Castes, requested Shri K.B. Saxena, IAS (Retd.) to carry out a study in this regard and suggest appropriate recommendations. Shri K.B. Saxena, accordingly, undertook the study and has submitted his comprehensive and detailed report. With a view to monitor the implementation of the recommendations contained in that report, a Dalit Cell has been set up in the Commission and placed under the charge of a Member. The Commission proposes to have this Report printed in different languages, with a view to disseminate it widely and thereby sensitize the Civil Servants, NGOs and other key stakeholders regarding the protection of the rights of Scheduled Castes.



(A.S. Anand)

Glossary

SC	-	Scheduled Caste
ST	-	Scheduled Tribe
PCR Act	-	Protection of Civil Rights Act
POA	-	Prevention of Atrocities
NHRC	-	National Human Rights Commission
SJ & E	-	Social Justice & Empowerment
NCM	-	National Commission for Minorities
NCW	-	National Commission for Women
NCSS	-	National Commission for Scheduled Castes & Scheduled Tribes
RD	-	Rural Development
MUD	-	Ministry of Urban Development
PRI	-	Panchayat Raj Institutions
PSU	-	Public Sector Undertaking
HRD	-	Human Resource Development
DOPT	-	Department of Personnel & Training
SCP	-	Special Component Plan
MHA	-	Ministry of Home Affairs
WCD	-	Women & Child Development
DWCD	-	Department of Women & Child Development
TU	-	Trade Union
NSCDFC	-	National Scheduled Castes Development & Finance Corporation

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