CHAPTER III

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After explaining the subject matter, the relevance of the study in the present context and setting the objectives of the study and after a brief exposition into the genesis, growth and development of caste system and caste politics in Karnataka, we are now set to go into the study of atrocities on SCs and STs in Karnataka and causes thereof.

Atrocities on SCs and STs appear to be a phenomenon coming to the open recently, since, in the recent years, we see several reports about atrocities, many people speak about it and several articles appear in newspapers and magazines. As a matter of fact, atrocities on the SCs and STs are as old as caste system and the practice of untouchability. In the olden days also the anti-social, inhuman acts of atrocities were perpetuated on the untouchables by the so-called higher strata, without any compunction or remorse and the victims had no choice, but to accept the situation and endure the sufferings, silently.

We saw earlier that while talking about the erstwhile Mysore State, its frequent royal guest Gandhiji himself called the State "the nearest approximation of 'Ram Raj'". Does this mean, there was no caste system, no practice of untouchability and no atrocities on the untouchables in erstwhile Mysore State? If Gandhiji's conception of Ram Raj is a caste-ridden society, where caste system, practice of untouchability and unabated perpetuation of cruelty, violence

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1 Omvedt, Gail, Dr. Ambedkar and Dalit Movement in Colonial India, Sage Publications, New Delhi, 1994, p.125.
and atrocities on the weaker sections in the name of religion, are the accepted social and political norms, not only the erstwhile Mysore State, even the present rule in the country and in the State could be called ‘Ram Raj’.

The hard reality, the bitter truth is that these social evils, these inhuman practices were present at that time, as they are prevalent even today. The only difference was that not a word was uttered then, either by the perpetrators or by the victims about these social evils and the inexplicable sufferings of the victims.

It was earlier mentioned that the activities of the Depressed Classes organizations were within the framework of ‘the politics of petitions and patronage’. It was not really ‘the politics of petitions and patronage’. It was the politics of total submission and subjugation to the royal authority. The petition presented to the Maharaja of Mysore in 1920 by Adi-Karnatakas and Adi-Dravidas of Mysore bears ample evidence to this pattern.

"On behalf of the 11 lakhs of the panchama population of the State and in the name of the Adi-Dravida Abhivruddi Sangam, I beg to submit our deep spirit of devotion and loyalty ...... for the great act of emancipation graciously extended to our community.... We are an ancient community with a civilization, philosophy and history of which we reasonably feel proud. We are confident that our present unfavourable conditions are the outcome of our economic degradation. We are confident also that our social conditions will automatically improve with the improvement of our economic situation ...... Our foremost need is education – more education, universal education. Our next need is an opportunity to earn a decent living. We pray that at least one special agricultural settlement be organized in each district granting to each settler an extent of at least 5 acres dry and 1 acre
wet garden land…… advancing the necessary agricultural capital in some cases. As an additional safeguard, we propose that such lands may be declared inalienable for two generations of holders in order to ensure the development of a prosperous agricultural community\textsuperscript{2}.

This is basically a petition for grant of land to the panchumas for a special agricultural settlement in each District. Though mention is made about their most primary need - education, more education, universal education - they have not spelt out the specific favour they wanted from the Maharaja. The so-called, 'great act of emancipation graciously extended', mentioned in their petition would mean starting of some school and providing other educational facilities. They do not blame anyone or the social set up for their 'unfavourable condition' and blame it on 'their economic degradation'. Except this, not a word is mentioned about their suffering, about the discrimination, ill-treatment, about their deplorable social and economic condition. This does not mean that everything was perfectly all right. There was caste system; there was the practice of untouchability very much in vogue; there were ill-treatments and atrocities on the weaker sections not only in the erstwhile Mysore State but also throughout the length and breadth of the sub continent. But the victims were passive, mute sufferers. They knew that any unconventional reaction and protest to this, would be meted out with still more inhuman, cruel treatments.

The British people followed a dual standard for themselves and for their country, they wanted freedom, democracy and so on. For Indians, they wanted

\textsuperscript{2} Omvedt, Gail, \textit{Dr.Ambedkar and Dalit Movement in Colonial India}, Sage Publications, New Delhi, 1994, p.130.
the entire population to be under their rule. Besides, though they were aware of the evils and rigours of caste system and the plight of the untouchables, they just closed their eyes. They did not want to incur the wrath of the dominant castes. Therefore, they did not take up any measures to end caste system. Dr. Ambedkar, a strong nationalist wanted the freedom of the country, as much as or even more than any other national leaders. But all that he wanted was the liberation of his people from the clutches of the caste system and the caste Hindu masters first, and then freedom from the British, subsequently. He was of the firm view that before demanding Home Rule, it was the duty of the advanced classes to ensure social equality to the Lower and Depressed Classes, who belonged to the same religion, followed the same customs, lived within the same borders, with the same aspirations for liberty and Home Rule. For everybody recognized, he observed that Home Rule was as much the birthright of a Brahmin as that of a Mahar. The first duty, therefore, of the advanced classes was to educate, ‘enlighten and elevate them. In another article, Ambedkar stated that Swaraj wherein there was no fundamental rights guaranteed for the Depressed Classes, would not be a Swaraj to them. It would be a new slavery for them.3

But the Congress and its leaders did not heed to the demands of the leader of the untouchables, Dr. Ambedkar. They tried to convince the British that the problems of the Depressed Classes were the internal one and that they are the champions of the cause of the Harijans. The freedom struggle was a handy ploy to camouflage the burning problems of the untouchables. However, to hoodwink the credulous untouchables and to enclose them in the Congress fold, they started

3 Keer, Dhananjay, Dr. Ambedkar Life and Mission, Popular Prakashan, Bombay, 1971, pp.40, 42.
some ‘Harijan Uplift’ programmes and anti-Ambedkar organizations like the All-India Depressed Classes League under the leadership of Jagjivan Ram.

However, it is only after Independence and particularly after the adoption and enforcement of the Constitution with its explicit, categorical provisions of Abolition of Untouchability and other special provisions for the amelioration of the weaker sections, like reservations in jobs under the State and in elected bodies, etc., that the weaker sections started opening their eyes and started becoming aware of their rights and their equal status with other fellow-citizens. The life and mission of Dr. Ambedkar and his teaching started having a galvanizing effect on them, in this direction. With this awakening, which was, of course, gradual, the weaker sections were not ready any more to tolerate the unjust, inhuman practices of untouchability, discrimination, subjugation and domination of the caste Hindu masters. On the contrary, they started asserting themselves and questioning the hegemony of the so-called higher strata. They started feeling that they are in no way inferior to any one. They stopped doing menial and unhygienic jobs for their ex-masters. On the other hand, they started improving themselves socially and educationally, getting jobs in Government or private enterprises, or working as labourers and leading a decent life.

The awakening, awareness and assertion of the weaker sections became a rude shock and an eye-sore for the dominant sector which was still clinging on to the age-old traditions and practices of caste discrimination, untouchability, etc., more particularly in the rural areas. They objected to the untouchables wearing neat dresses, covering their feet; they objected when the untouchables wear chappals or any foot-wear in the village. They can’t just stand if any untouchable
looks smart, progresses in education or career. This attitude of refusal to accept the gradual social change, the intolerance, anger, hatred and jealousy make the people in the hitherto dominant higher strata to commit all sorts of violence and atrocities on the weaker sections. The victims no more tolerate ill-treatments and atrocities and they react, which leads to further atrocities and then to further agitations by the exploited people.

As a matter of fact, the emergence of Dalit Sangarsh Samiti is the result of such awareness among the Scheduled Castes and reaction to the growing atrocities on them. As we had already seen in the previous chapter, the seed for the growth of such organization was sown, when there was political atrocity on B. Basavalingappa on a trivial 'Bhoosa Episode', explained in Chapter 2.

In the recent years, atrocities on Scheduled Castes and Scheduled Tribes is on the increase. The Civil Rights Enforcement Cell in its recent report has admitted that since 1996 the atrocities on Scheduled Castes and Tribes have been increased in the State of Karnataka by 40 percent. The CRE Cell also admitted most of the cases of these atrocities are related either to land disputes or to the use of rights by SCs/STs.

(1) WHAT IS ATROCITY? (As per the Act)

In the introductory chapter (Chapter I) we have explained the meaning and definition of atrocity. Here we will examine what acts, in specific terms, would mean and constitute atrocity.

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Before the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, came into force, the term ‘atrocity’ has given rise to many controversies. As already seen, (the dictionary meaning and the usage in common parlance), the term denotes an act of extreme heinous cruelty. The first report of the National Commission on SCs/STs denoted grave offences like murder, rape, arson and violence resulting in grievous hurt, as ‘atrocity’. Behind these four grave offences, caste should be one of the important constituent factors, for considering the offences as ‘atrocity’.

The Ministry of Home Affairs gave an explanation in 1980 and 1981, that any offence cognizable or non-cognizable, under the Indian Penal Code, in which the victim is a member of SCs or STs and the offender is a non-SC or a non-ST is an act of atrocity, irrespective of motive. Inspite of this explanation of the Ministry of Home Affairs, many of the States continued to show in their reports of atrocities only such offences in which caste was the consideration. On the basis of the third report of the National Police Commission, the Ministry of Home Affairs made yet another change in the import of the term ‘atrocity’ in 1983, listing out certain penal sections of the Indian Penal Code as ‘atrocity’, irrespective of caste consideration, in which the victims are SCs or STs and the offenders are non-SCs or non-STs. However, it has become important that the concerned police authorities should make a mention regarding the caste factor in the First Information Report (FIR) and/or in the investigation report, as that would help in taking action for preventing the commission of offences by the non-SCs or non-STs.
The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, does not provide a specific definition and meaning of the term 'atrocity'. However, under Section 2. Definitions (1) (a) the Act reads:

"atrocity" means an offence punishable under Section 3:

Under Section 3 the Act enumerates the offences which would mean 'atrocity' and which are punishable. Section 3 is reproduced here:

(2) OFFENCES OF ATROCITIES AND PUNISHMENTS UNDER THE SCHEDULED CASTES & SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989:

(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,

(i) forces a member of a Scheduled Caste or Scheduled Tribe to drink or eat any inedible or obnoxious substance;

(ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dumping excreta, waste matter carcasses or any other obnoxious substance in his premises or neighbourhood;

(iii) forcibly removes clothes from the person or a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;

(iv) wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred;

(v) wrongfully dispossess a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;

(vi) compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do ‘begar’ or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government;

(vii) forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote to a particular candidate or to vote in a manner other than that provided by law;
(viii) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;

(ix) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe;

(x) assaults or uses force on any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;

(xi) being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;

(xii) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;

(xiii) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any section thereof have a right to use or access to;

(xiv) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe:

(i) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is capital by law for the time being in force shall be punished with imprisonment for life and with fine; and if an innocent member or a Scheduled Caste or a Scheduled Tribe be convicted and executed in consequence of such false or fabricated evidence, the person who gives or fabricates such false evidence, shall be punished with death;

(ii) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is not capital but punishable with imprisonment for a term of seven years or upwards shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years or upwards and with fine;
(iii) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause damage to any property belonging to a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years or upwards and with fine;

(iv) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause destruction of any building which is ordinarily used as a place of worship or a place for human dwelling or as a place for custody of the property by a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for life and with fine;

(v) commits any offence under the Indian Penal Code punishable with imprisonment for a term of ten years or more against a person or property on the ground that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with imprisonment for life and with fine;

(vi) knowingly or having reason to believe that an offence has been committed under this Chapter, causes any evidence of the commission of that offence to disappear with the intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with the punishment provided for the offence; or

(vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extent to the punishment provided for the offence.

(3) THE PROTECTION OF CIVIL RIGHTS ACT, 1955

All the acts and deeds reckoned with as 'atrocity' in the Act and hence as offences punishable under the Act, and many more subtle, sophisticated atrocities which affect the victims more intensely and more seriously, but not listed in the Act, emanate from the practice of untouchability. Therefore, it becomes mandatory on the part of the researcher to discuss the important provisions of the Act dealing with the abolition of untouchability, in brief.
Well before the enactment of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, the Protection of Civil Right Act was passed by the Parliament of India, in accordance with Article 35(o)(ii) to pass a law prescribing punishment for the ‘offence’ of ‘untouchability’ under Article 17 of the Constitution.

The Act was originally called “The Untouchability (Offences) Act 1955”. While discussing the Bill on the floor of Rajya Sabha, on 16th September 1954, Dr. Ambedkar expressed his dissatisfaction about the name of the Bill. He wanted the Bill to be called “Untouchables Civil Rights Protection Bill or “the Scheduled Castes Civil Rights Protection Bill”5. Inspite of his suggestion, though the Bill was enacted as the “Untouchability (Offences) Act, 1955”, the Act was amended in 1974, changing its nomenclature as “Protection of Civil Rights Act, 1955”6.

The Protection of Civil Rights Act prescribes punishments for preaching and practice of untouchability and prescribed punishments for such offences. A brief list of offences and punishments as spelt out in the Act, is given below:

(4) PUNISHMENTS FOR ENFORCING DIFFERENT DISABILITIES:

Whoever on the ground of ‘untouchability’ prevents any person,

(a) from entering any place of public worship which is open to other persons professing the same religion, or any section thereof as such persons, or

(b) from worshipping or offering prayers or performing any religious services in any place of public worship, or bathing in, or using the waters of, any sacred tank, well, spring or water-course river or

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5 Rajya Sabha Debates, Vo. VII, No.16-19, on 16th September 1954, p.2431.
lake or bathing at any ghat of such tank, water-course river or lake in the same manner and to the same extent as is permissible to other persons professing the same religion or any section thereof, as such person, shall be punishable with imprisonment for a term of not less than one month and more than six months and also with fine which shall not be less than one hundred rupees and not more than five hundred rupees.

Explanation: “For the purposes of this section and section 4, persons professing the Buddhist, Sikh or Jaina religion or persons professing the Hindu religion in any of its forms or developments including Virashaivas, Lingayats, Adivasis, followers of Brahmon, Prarthana, Aryasamaj and the Swaminarayan Sampradaya shall be deemed to be Hindus”.

Punishment for Enforcing Social Disabilities:

Whoever on the ground of ‘untouchability’ enforces against any person any disability with regard to

(i) access to any shop, public restaurant, hotel or place of public entertainment; or

(ii) the use of any utensils, and other articles kept in any public restaurant, hotel, dharamshala, sarai or musafirkhana for the use of the general public or of any section thereof; or

(iii) the practice of any profession or the carrying on of any occupation, trade or business or employment in any job; or

(iv) the use of, or access to, any river, stream, spring well, tank, cistern, water tap or other watering place, or any bathing ghat, burial or cremation ground, any sanitary convenience, any road or passage, or any other place of public resort which other members of the public, or any section thereof have a right to use or have access to; or

(v) the use of, or access to, any place used for a charitable or a public purpose maintained wholly or partly out of state funds or dedicated to the use of the general public or any section thereof; or

(vi) the enjoyment of any benefit under a Charitable Trust created for the benefit of the general public or any section thereof; or

(vii) the use of, or access to, any public conveyance; or

(viii) the construction, acquisition or occupation of any residential premises in any locality, whatsoever; or

(ix) the use of any dharmashala, sarai or musafirkhana which is open to the general public or any section thereof; or

(x) the observance of any social or religious custom, usage or ceremony or taking part in, or taking out, any religious, social or cultural procession; or
the use of jewellery and finery

shall be punishable with imprisonment for a term of not less than one month and not more than six months and also with fine which shall not be less than one hundred rupees and not more than five hundred rupees.

Explanation: For the purposes of this section, “enforcement of any disability” includes any discrimination on the ground of “untouchability”.

Explanation: For the purposes of this section, “persons professing the Buddhist, Sikh or Jaina religion or persons professing the Hindu religion in any of its forms of development including Virashaivas, Lingayats, Adivasis, followers of Brahmon, Prarthana, Aryasamaj and the Swaminarayan Sampradaya shall be deemed to be Hindus”.

Punishment for Refusing to Admit Persons to Hospitals, etc:

Whoever on the ground of ‘untouchability’:

(a) refuses admission to any person to any hospital, dispensary, educational institution or any hostel, if such hospital, dispensary, educational institution or hostel established or maintained for the benefit of the general public or any section thereof; or

(b) does any act which discriminates against any such person after admission to any of the aforesaid institutions.

shall be punishable with imprisonment for a term of not less than one month and not more than six months and also with fine which shall not be less than one hundred rupees and not more than five hundred rupees.

Object of this section is to remove untouchability in the hospitals and educational institutions. It seems that this section is based on Articles 17, 15(1), 29(2) and 46 of the Constitution.

The Amending Act 106 of 1976 has omitted the words “attached thereto” after “any hostel”. Any hostel now need not be ‘attached’ to the educational institution for bringing guilt for its discrimination on the ground of untouchability.
The punishment part of this section is same as it appears under Sections 3 and 4 of the Act of 1955.

The hospital, dispensary, educational institution or hostel for coming into the ambit of this section must be established or maintained for the benefit of the general public or any section thereof.

Refusal to admit any person to such 'public' institutions as well as any discrimination against any such person after admission to such institutions on the ground of untouchability constitutes an offence.

"Under Section 5 of the Act even if the discrimination is not solely or only on the ground of untouchability and if untouchability is only one of the grounds of discrimination, the person practicing such discrimination would be guilty of the offence. So if one of the reasons for the segregation of the S.C. students is on the ground of untouchability the offence is made out as committed. Any refusal or discriminations on the ground of merit, discipline or paying capacity will not be an offence under this section.

The place of such institution seems to be immaterial. It may be a private owned place or owned by the local authority or the State Government, or even such institutions may being the temples in the village.

**Punishment for Refusing to Sell Goods or Render Services**

"Whoever on the ground of 'untouchability' refuses to sell any goods or refuses to render any service to any person at the same time and place and on the same terms and conditions at or on which such goods are sold or services
rendered to other persons in the ordinary course of business shall be punishable with imprisonment for a term of not less than one month and not more than six months and also with fine which shall not be less than one hundred rupees and not more than five hundred rupees”.

Refusing to sell goods to untouchables or refusing to render any service would be an offence. Further, refusing to sell includes refusing to sell the goods or render the services at the same time and place and on the same terms and conditions at or on which such goods are sold or services rendered to other persons in the “ordinary course of business”. Any delay, discrimination and variations in the terms and conditions while selling goods on the ground of untouchability would be an offence, the convict would be liable to same punishment which is prescribed for the preceding sections.

**Punishment for other offences arising out of ‘untouchability’**

1. Whoever:

   (a) prevents any person from exercising any right accruing to him by reason of the abolition of ‘untouchability’ under Article 17 of the Constitution; or

   (b) molests, injures, annoys, obstructs or causes or attempts to cause obstruction to any person in the exercise of any such right or molests, injures, annoys or boycotts any person by reason of his having exercised any such right; or

   (c) by words, either spoken or written, or by signs or by visible representations or otherwise incites or encourages any person or class of persons or the public generally to practice ‘untouchability’ in any form whatsoever, or

   (d) insults or attempts to insult, on the ground of ‘untouchability’ a member of a Scheduled Caste.
shall be punishable with imprisonment for a term of not less than one month and not more than six months and also with fine which shall not be less than one hundred rupees and not more than five hundred rupees.

Explanation I: A person shall be deemed to boycott another person who:

(a) refuses to let to such other person or refuses to permit such other person to use or occupy any house or land or refuses to deal with, work for hire for, or do business with, such other person or to render to him or receive from him any customary service, or refuses to do any of the said things on the terms on which such things would be commonly done in the ordinary course of business; or

(b) abstains from such social, professional or business relations as he would ordinarily maintain with such other person.

Explanation II: For the purpose of clause (c) a person shall be deemed to incite or encourage the practice of 'untouchability':

(i) if he, directly or indirectly preaches "untouchability" or its practice in any form, or

(ii) if he justified, whether on historical, philosophical or religious grounds or on the ground of any tradition of the caste system or any other ground, the practice of untouchability in any form.

(1)(A) Whoever commits any offence against the person or property of any individual as a reprisal or revenge for his having exercised any right accruing to him by reason for his having exercised any right accruing to him by reason of the abolition of 'untouchability' under Article 17 of the Constitution, shall where the offence is punishable with imprisonment for a term exceeding two years, be punishable with imprisonment for a term which shall not be less than two years and also with fine.

(2) "Whoever:

(i) denies to any person belonging to his community or any section thereof any right or privilege to which such person would be entitled as a member of such community or section; or

(ii) takes any part in the ex-communication of such person on the ground that such person has refused to practice 'untouchability' or that such person has done, any act in furtherance of the objects of this Act.
shall be punishable with imprisonment for a term of not less than one month and not more than six months and also with fine which shall not be less than one hundred rupees and not more than five hundred rupees”.

The object of this section is to give full effect to Article 17 of the Constitution. According to R.G. Karmarkar, “the legislature has taken note of the tensions such conferment of rights was bound to generate in a community ridden with centuries old orthodoxy and prejudice, with the untouchables attempting to exercise the newly accrued rights and with well meaning persons helping them exercise the same. The section is aimed at protecting effectively the rights granted to Harijans as well as the persons exercising them or helping their exercise from diverse forms of opposition that they may be subjected to, from insults to individual Harijans and physical violence towards them to reprisals against them out of vengeful attitudes.7

Unlawful Compulsory Labour when to be Deemed to be a Practice of Untouchability

(1) “Whoever compels any person, on the ground of ‘untouchability’ to do any scavenging or sweeping or to remove any carcass or to flay any animal or to remove the umbilical cord or to do any other job of a similar nature shall be deemed to have enforced a disability arising out of ‘untouchability’.

(2) Whoever is deemed under sub-section (1) to have enforced a disability arising out of ‘untouchability’ shall be punishable with imprisonment for a term of not less than one month and not more than six months and also with fine which shall not be less than one hundred rupees and not more than five hundred rupees.

Explanation: For the purpose of this section, ‘compulsion’ includes a threat of social or economic boycott”.

The so-called untouchables were subjected to compulsory labour of various types in the past as a form and practice and 'untouchability'. The labour or services which they were asked to do or perform were of filthy nature, as they were to lower down the social status of untouchables in the eyes of the others, eg., the removal of carcasses, scavenging, sweeping, etc. Such services or occupations caused to consolidate the institution of untouchability. Even after the abolition of untouchability also such services were being imposed on the 'ex-untouchables' in some parts of the country.

Abetment of Offence

"Whoever abets any offence under this Act shall be punishable with the punishment provided for the offence.

Explanation: A public servant who wilfully neglects the investigation of any offence punishable under this Act shall be deemed to have abetted an offence punishable under this Act”.

This section provides punishment for abetment of any offence under this Act. Explanation to this section has been added by Act, 106 of 1976.

The word 'to abet' means 'encourage, support or countenance by aid or approval, usually in wrong doing'. Thus one who encourages, supports or approves any wrong contemplated under this Act is an abetment punishable accordingly.

The Indian Penal Code, under Section 107 defines the offence of abetment as under:

Section 107: A person abets the doing of a thing who

(1) Instigates any person to do that thing. A person [instigates the doing of a thing who by (i) wilful misrepresentation, or (ii) wilful
concealment of a material (which he is bound to disclose voluntarily) (i) causes or procures, or (ii) attempts to cause or procure the thing to be done (Explanation)].

(2) *Engages* (with one or more persons) is a conspiracy (i) for the doing of that thing, if act or illegal omission takes place in pursuance of that conspiracy and (ii) in order to the doing of that thing.

(3) *Intentionally* aids (by any act of illegal omission) the doing of that thing. A person is said to aid the doing of an act who facilitates the omission of the act.

Thus ‘abetment’ consists of three acts (i) abetment by instigation, (ii) abetment by conspiracy, and (iii) abetment by aid. The offence is complete as soon as the abettor has incited or instigated another to commit the offence, whether the latter consents or not, or whether, having consented, he commits the offence or not is not material.

**Power of State Government to Impose Collective Fine**

10A: (1) If, after an inquiry in the prescribed manner, the government is satisfied that the inhabitants of an area concerned, in or abetting the commission of, any offence punishable under this Act, or harbouring persons concerned in the commission of such offence or failing to render all the assistance in their power to discover or apprehend the offender or suppressing material evidence of the commission of such offence, the State Government may, by notification in the official Gazette, impose a collective fine on such inhabitants and apportion such fine amongst the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the State Government’s judgement of the respective means of such inhabitants and in making any such apportionment the State Government may assign a portion of such fine to a Hindu undivided family to be payable by it.
Provided that the fine apportioned to an inhabitant shall not be realized until the petition, if any filed by him under sub-section (3) is disposed of.

(2) The notification made under sub-section (1) shall be proclaimed in the area by beat of drum or in such other manner as the State Government may think best in the circumstances to bring the imposition of the collective fine to the notice of the inhabitants of the said area.

(3)(a) Any person aggrieved by the imposition of the collective fine under sub-section (1) or by the order of apportionment may, within the prescribed period, file a petition before the State Government or such other authority as that Government may specify in this behalf for being exempted from such fine or for modification of the order of apportionment.

(5) AGONY OF THE SCHEDULED CASTES AND SCHEDULED TRIBES

There is an Act to protect the Civil Rights of the untouchables and to punish the offenders. There is also an Act to prevent atrocities and to punish the people who commit atrocities on SCs and STs. What next? Suppose there is an offence committed on a person who belongs to Scheduled Caste or Scheduled Tribe, under any of these Acts or under both the Acts, what happens? Most of the time, the commission of the offence does not come to light at all. For, the victim will not like to take the risk of incurring the wrath of dominant caste people, who are powerful even otherwise, and to face the dire consequences. Or, even if he has the temerity to file a case, he will be convinced or threatened by the ‘elders’ not to do that. Despite all this, if the victim ventures to approach the law enforcing authorities and makes a complaint, he will be convinced not to take
the risk and the matter will be ‘compromised’. Only when some organizations take up the issue, or when there is a news item in the press, the matter is taken up seriously, a case is filed, the concerned officers, legislator, minister, leaders and social workers visit the spot, console the victim or victims, assure them of assistance, relief, etc., from government, the immediate relief is also given.

When the case is filed, it becomes a ‘file’, a heap of papers tied with a tape. When it goes to the Court, it becomes a ‘case’, like any other case, which should go through several adjournments and several stages. The poor victim, whose livelihood depends on his daily labour, has to forego his daily wages on the days of the Court hearing, besides spending money on his journey, to and fro. This itself is a big punishment and enough harassment for him. The perpetrator engages the best advocate by dint of his affluent position, which the victim cannot do, for obvious reasons. In the meanwhile, the witnesses would turn hostile, as they would be won over either by certain enticement or under duress or by both. When the case comes up for hearing, the victims will be further harassed by the intelligent advocate of the accused, with his embarrassing, humiliating questions. The harrowing experience of a rape victim in the Court will be much more dehumanizing than the crime itself. Finally, the expert, experienced advocate will argue the case so diligently pointing out several loopholes in the case and convince the Court that the case cannot be conclusively proved, beyond any iota of doubt. The court ultimately passes order acquitting the accused. This is the fate of the cases under these Acts and there is hardly any case which has ended in conviction.
This is just one side of the story. There is another agonizing aspect to this story, which goes unnoticed, unheard by every one. The acts of the atrocity not only cause physical hurt and pain and financial loss, but also create untold misery and inexplicable agony in the heart and mind of the victim. His psyche is affected adversely. It creates fear psychosis in him. His soul, spirit and mind are wounded. His suffering is further aggravated when he has to relive the bitter, traumatic experience again and again, explaining “what happened”, to the visiting dignitaries, press persons, social workers and others. All the members of his family are also affected in the same way. The impact is also on other members of the weaker sections in the village and in other villages too. They always live in perpetual fear, anguish and uncertainty. The tribulations of the victims of severe inhuman atrocities like rape, parading naked, forcing them to drink urine and eat human excreta, are much more agonizing and heartrending. How cruel it will be for them to move again in public with all these humiliations, slur and shame! It requires a human heart to understand their suffering.

The atrocious deeds of the cruel dominating castes against the weaker sections, impact the latter in several forms:

Demoralization and Dehumanization through Ostracism:

Though the caste system divides the Hindu society into five categories, in actual practice there are only three categories – the Brahmins, the non-Brahmins and the untouchables. Not only the first two categories claim

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8 The five categories are: The Brahmans, Kshatriyas, Vaishyas, Sudras and the Panchamas (untouchables).
9 This is the opinion often expressed by Dr. Ambedkar. Dhananjay Keer, Dr. Ambedkar: Life and Mission. Popular Prakashan, Bombay, 1971, p.41.
themselves to be superior and the last one inferior, but also claim themselves clean and the untouchables as unclean. The casteism, as a system, does not include the Scheduled Castes as part of its whole. They are outcast from the rest of the society and condemned to live outside the borders of the villages, in keries, cherries, colonies, hattis, thandas and slums. Only when their services are needed to do menial, unhygienic and inhuman jobs, which are violently and subtly assigned to them, their entry into the purified, sacred portals of the superior castes are tolerated. Otherwise, they are always looked down upon as sub-humans or non-humans. Any refusal to obey the commands of the superior castes, results in atrocities. The geographical, social, religious and political ostracism the weaker sections are subjected to, and the atrocities on them make them feel totally alienated from the rest of the humanity as a whole. Besides, the inhuman treatments and brutal attacks on them, demoralize and dehumanize them.

Deprivation through Exploitation

Thanks to the Constitutional provisions and the reservation policy, a small percentage of the weaker sections could get employed in government departments and government undertakings, etc. Other than this small percentage, most of the people are in rural areas, working as landless agricultural labourers. To take the concrete case of Karnataka, out of the total projected population of nearly five crores\(^\text{10}\), approximately, one crore of people (20%) would be from Scheduled Castes and Scheduled Tribes. Out of this one crore, the people who are employed in government, and public enterprises, etc., is estimated to be

\(^{10}\) Statistics according to the Census of 2001 is not yet available. However, the State’s population is 5,27,33,958 (Action Plan of Social Welfare Department).
between 65,000 to 70,000\textsuperscript{11}. Even if we estimate the total figure as one lakh, including those who are working in private or self-employed, etc., only one percent of them is employed. If we take that each employed person looks after an average of five people, including himself, in a family, about five lakh people i.e., 5% of people are somewhat in a better position. The remaining 95 lakhs of people, i.e., 95 percent among SCs and STs, are agricultural labourers, unskilled labourers, menial workers, daily wage workers, students and unemployed people. These are the people, excluding the students and unemployed, who are the exploited lot. They are paid meagre wages and are deprived of their rightful share in the economy of the country, though they are also the citizens of this country.

The emerging trends of liberalization, privatization and globalization, which are going on rampantly in the country, is most detrimental to the interests of the weaker sections, as they are deprived of the opportunity of employment and decent living, since the private concerns and multinational units never follow any reservation policy and do not have any social commitments.

Besides, reservation is not made applicable to certain sectors like, Judiciary, Defence Department (the country's largest employer), private sector undertakings, private institutions including Grant-in-aid institutions and also certain minority institutions, etc.\textsuperscript{12}

\textsuperscript{11} As collected from the Karnataka SCs/STs Employees Association.
As agriculture is seasonal and mostly depends on the vagaries of monsoon, the agriculture labourers are not assured of even that meagre source of income throughout the year. Governments in their generosity provide them labour under certain Employment Assurance Schemes, Rozgar Yojanas and so on. But these schemes are meant to keep the SCs and STs in the rural areas as perpetual beggars, who depend on the alms (food for work, etc.) and protection from the government and continue to be ignorant, illiterate, poor people, exploited by the dominant castes.

However, the efforts of the Government of Karnataka in filling up 6000 posts of backlog vacancies meant for SCs/STs through special recruitment, is commendable and a solace for the struggling people.

The reservation policy has helped only a negligible minority among the SCs and STs in getting jobs and getting elected to the popular bodies. But the majority of them continue to live in abject poverty, always exposed to the exploitation, ill-treatments, humiliations and violent attacks by the economically, socially and politically dominant castes.

**Defacements through Assaults**

There are perpetual assaults on the SCs and STs. The assaults and onslaught are basically physical. Whenever they try to assert their position, assert their rights, there will be a backlash in the form of physical assault, mass killing, looting and arson, gang rapes with a view of teaching them a lesson to
accept oppression\textsuperscript{13}. There are also verbal assaults like calling by indecent, derogatory names of the caste, using abusive languages, scolding the entire family members and the entire caste, etc. Then, there are emotional assaults like humiliating and ill-treating them.

The onslaught is also in the form of condemning them to engage themselves in religiously polluting and socially demeaning occupations like scavenging, handling the dead bodies of the human beings and animals, and handling the human refuse. In addition to this, the victims are forced to engage in hard physical labour in agriculture, quarrying, laying roads, and building houses. Maximum work is extracted from the under-fed labourers for pittance that is paid to them as wages.

All these assaults deface the Scheduled Castes and Scheduled Tribes as human beings and virtually kill their personality. It is not the villagers, labourers and ignorant masses who are victims of such assaults. Even the educated people who hold high positions are also not spared from such humiliations. It could be recalled, how K.R. Narayanan was humiliated when he visited France as the President of India. If this is the defacement encountered by the statesman and scholar of the stature of K.R. Narayanan, one can very well imagine the severity of humiliation faced by the poor, illiterate labourers and villagers in the Indian society. The apathetic behaviour, callous attitude and evasive approach of people in general towards such serious issues add insult to injury. Even the

\textsuperscript{13} Report of the National Commission for Scheduled Castes and Scheduled Tribes, 1996-1999 (2).
oppressed lot among the non-Brahmin sector isolate the Scheduled Castes in fighting their common enemy, i.e., the castiest hegemony. 

Here is a pathetic story of a thirteen-year-old S.C. school boy who ended his life because his Brahmin teacher humiliated his father and threatened the boy that he would not let him study or progress in life. In a school in Dhandhuka town, Gujarat, India, for example, a thirteen-year-old Dalit boy was singled out among several students playing with his Brahmin teacher’s scooter. The teacher told the boy’s father, a manual scavenger, that he was going to expel the child from school. After much pleading on the father’s part, the teacher allowed the boy to stay in school on the condition that the father signs an apology letter. As the boy re-entered the classroom, the teacher threatened the child saying he would not allow him to study or amount to anything in life. Later that evening the boy was found dead on a railroad track, his body cut into three pieces by a train. In his pocket was found the following suicide note:

I would not have felt bad if the teacher had abused me. I would not have felt bad if the teacher had slapped me. But because he humiliated my father, I felt very bad and finally when he told me he wouldn’t let me study or progress in life, I felt extremely hurt. If I am not going to be able to study and progress in life what is the meaning of living my life? 

(6) RAMIFICATIONS OF ATROCITIES (OLD PARADIGM)

- Roots and Branches
  
  (1) HINDU SOCIETY
  
  (2) CASTE SYSTEM
  
  (3) PRACTICE OF UNTOUCHABILITY
  
  (4) ATROCITIES

  DIRECT
  
  ILL-TREATMENTS
  HARASSMENTS
  EXPLOITATION
  ASSAULTS

  INDIRECT
  
  SUBJUGATION, SLAVERY
  BONDED LABOUR, NEGLECT-
  UNSEEN, UNTouched,
  UNHEARD, NO EDUCATION, NO
  PROGRESS
  NO OPPORTUNITY

  (5) ILL-HEALTH
  ABJECT POVERTY
  ILLITERACY-IGNORANCE

  (6) LACK OF SELF CONFIDENCE

  (7) INFERIORITY COMPLEX

  (8) LOW SELF-IMAGE

  (9) LOW SELF-ESTEEM

  (10) PSYCHOLOGICALLY KILL HUMAN POTENTIAL, INITIATIVE, HUMAN
       DIGNITY

  (11) TOTAL DEPENDENCY – MENTAL SLAVERY

  (12) SELF-SUPRESSION, SELF-PITY, SELF-DESTRUCTION.
(7) **RAMIFICATIONS OF ATROCITIES (New Paradigm)**

1. **HINDU SOCIETY**
2. **CASTE SYSTEM**
3. **PRACTICE OF UNTOUCHABILITY**
4. **ATROCITIES**

**TWO TYPES OF RESPONSES**

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Karnataka is considered to be a peaceful State with peace-loving people. This creditable observation about the State and its people are belied by the occurrence of atrocities against the SCs and STs. In the urban areas, due to modernization, industrialization, etc., things are somewhat better, except for the sophisticated and subtle atrocities. But in the rural areas the incidence of atrocities are more. Here are the cases of atrocities against SCs and STs in different parts of Karnataka.

Cases of Atrocities

Atrocities for Resisting Untouchability:

The first cause of atrocities is the refusal of Scheduled Castes to suffer any more indignities associated with untouchability. A few cases of atrocities will illustrate the point.

a. On 3rd November 1991 in a village of Gulbarga, Malkappa was made to eat human excreta for his refusal to cut firewood.

b. In Harathi village of Kolar when Kannappa, a Scheduled Caste person of Kataganahalli refused to obey the orders of the upper caste to go round Harathi village beating a drum to make a public announcement, he was forced to eat human excreta.

c. In Alagi, another village of Gulbarga, when the SCs refused to cut buffaloes for the Laxmi Devi festival of caste Hindus, three of their leaders were murdered in June 1992.

d. The caste Hindus of Tippalapura village in Hunsur taluka ostracized SCs for discontinuing the age-old practice of carrying food from the farmers’ houses during festivals.
e. Four caste Hindus were killed and twelve others were injured in police firing following a dispute over the entry of SCs into restaurants run by caste Hindus in Raichur.

Instances of this kind are common in Karnataka. When the SCs make attempts to secure rights that were not enjoyed by their ancestors, however constitutional they may be, there is retaliation on them. In the thinking of the casteist forces, the SCs should continue with their age-old occupation of cutting wood and buffaloes and follow the age-old rituals. Dining with the rest of the community both in a casteist house or a restaurant is a symbol of oneness. However, the internalized caste values of casteist society do not permit such oneness that would prove counter to their interests.

Conflicts regarding Land

The other important issue of conflict between the SCs and the rest of the community is on land. By tradition, the SCs are forbidden to own land. Their role in a caste society is to serve the landlords by providing cheap labour. Since the interest of the dominant castes are well served by the caste system that ascribes definite occupational roles to castes, they fear change and are not prepared to accept any change. Land is a matter of power to the upper castes.

a. Gurulingappa of Shammur village in Gulbarga was murdered on October 2, 1993 for buying five acres of land.

b. Thimmaraju, a Dalit Coordination Committee activist was killed by a gang of 18 persons for opposing the alleged grabbing of 257 acres of land belonging to the Harijan Sahakara Sangh in Kadugodi, Bangalore.
c. When Dandappa, a Scheduled Caste man, bought a two acre land at Yadagiri the upper caste were quick to encroach on it.

d. In Tallasasyanahalli of Chittapur taluka Government land cultivated by SCs was annexed by Vokkaligas, the land owning caste in Karnataka.

**Women’s Exploitation and Atrocities**

The third area of conflict is women’s exploitation which is directly connected to religion in the sense that it is done in the name of religious service. For ages, SC women were used as Devadasis and for carnal pleasure by the upper castes. There are clashes when, on account of greater awareness, the SCs resist attempts to exploit their women.

a. In March 1993 in Kustagi of Raichur district the death of a twenty year old pregnant SC woman, that too an anganwadi teacher, following gang rape by three government officials and a lawyer was most barbaric. It was a blot on civilized society. What was most cruel was that the government officials and the lawyer, after displaying their brutality, cremated the body to suppress facts.

b. In Alur of Bijapur district caste Hindus publicly splash colour on SC women on a Hindu festival day: an inhuman ritual practiced for years. The Devadasi system continues to flourish in many parts of the State. Chandragutti village is known for Bethalahseve (nude worship): a disgusting way of women’s exploitation.

**Religious Issues and Exploitation**

Other clashes occur when religious norms are violated by the Scheduled Castes.
Ever since the Ayodhya incident there are attempts to Hinduise SCs and STs on one side and to discriminate against them in matters of temple entry, on the other. Clashes between SCs and Lingayats at Nanjangud taluka in Mysore district on temple entry had left three SCs dead and six seriously injured.

In Bellary when Dalits attempted to enter the temple there was social boycott on them. They were refused work by landlords.

**Excerpts from the Reports of the Karnataka Legislature Committee for the Welfare of Scheduled Castes and Tribes Fourth and Fifth Reports of the Eighth Vidhana Sabha 1987-88.**

**Bendigere dalits forced to eat excreta**

Four Scheduled Caste persons and another youth (Marata) of the Bendigere village were caught for alleged theft of maize corn and were beaten black and blue by the caste Hindus. They later resorted to the uncivilized act of coercing the five youths to consume human excreta. The incident occurred on August 3rd, 1987 in Bendigere village of Belgaum district. It has a population of about 2500, with 400 houses of caste Hindus and about 40 houses of Scheduled Castes.

On 2nd August 1987, the Scheduled Caste youths Kallappa Dyamappa Thalwar, Shubash Kallappa Kolkar, Samantha Sadevappa Kolkar, Yellappa Doddappa Kolkar and Madivala Mudukappa Hybathi (Marati caste) were going to their fields to fetch fodder for their cattle. On their way it started raining. Since their fields were at a far of place, they cut maize corn from the nearby field of Mr.Yallanagowda Basavappa Gowda, a caste Hindu.
According to the information gathered by the Legislature Committee on SC and ST Welfare on 3rd August '87, though the five dalit youth acknowledged their fault, the caste Hindus abused them in the mostlhiest language, beat them up severely, and later they were forced to eat human excreta in the presence of the people gathered.

Submitting his statement, one of the victims told the committee that one person shouted saying, "Holey (Sub-caste of Scheduled Caste) bastards, those who instigated you to cut maize corn from our fields will tell you to eat human shit. Will you eat it? Hereafter we will not tell you in words. We will do it and show it. Then another told them, "You bloody fellows, go and bring human shit and eat it, otherwise you will have to face severe consequences", and then he walked in front of them with a sickle in his hand. The victims pleaded that it was not possible to do so. But they were beaten up and taken to a lane. Since they feared that they would be beaten to death, with great hesitation they collected the human excreta in a paper and kept it before the people who had gathered. Then Shubash Kallappa and four others had to eat it. After this they were forced to fall at the feet of the caste Hindu elders.

The Committee denounces the inhuman act

The committee having met and discussed with the Scheduled Caste and Hindus and the officials have come to the following unanimous decisions and conclusions:

1. We are convinced that the Harijans of Bendigere were forced to eat human excreta. There may be political and caste reasons for this.

2. This is an unpardonable, inhuman act.
3. It is a black spot in the history of entire humanity and an incident which the entire civilised society should bow its head in shame.

**Recommendations of the Committee**

1. Among 13 persons involved in the incident there are five government employees: two teachers of a grant-in-aid High School, two employees of the Co-operative Sugar Factory and a clerk of the Civil Court. These people forgetting their duty and moral responsibility have even participated in this episode which has brought shame to the entire humanity.

2. The atrocities on Harijans have been happening for several years and are still continuing. But this incident is the most inhuman. The government must take the most appropriate action in this regard immediately.

3. In the village the houses of Scheduled Castes are scattered in two colonies and the incident has occurred in the colony where only 10 Harijan houses are located. Since all of them are daily wage labourers they are frightened to remain in this place. They should be provided not only with economic support and rehabilitation but also with police protection.

   The government should impose a "punitive fine" on the entire village and suitable action be taken so that such incidents do not occur again.

4. The Scheduled Castes should not suffer from any hindrance in living a normal life with constitutional guarantee. To enable them to do this, they must be given government land with financial support. The Scheduled Castes must be given a separate area to live in and suitable land for cultivation.
5. The pending court cases on Scheduled Castes should be settled as early as possible. 

The committee urged the government to implement the above recommendations within three months from the date of its submission.

In accordance with the recommendations of the Karnataka Legislature Committee, Government has taken all possible steps to ameliorate the victims, including providing them with government jobs. But the saddest part of the story is that even though this is one of the worst type of cruel, inhuman atrocity, which drew the attention of the whole State and the Country, the court case ended in acquittal!

Medikanala Land Struggle

The SCs were socially boycotted and their huts burnt by the caste Hindus at Medikanala village in Raichur District on 30th May 1987.

The Medikanala incident concerns the right to land that is actually part of a tank built during the Nizam's time, which was silted and became useless for irrigation over the years. The tank bed land in survey NO.9 73/1, 74/2, and 75 measuring 67 acres and 37 guntas was allotted to 17 Scheduled Caste/Scheduled Tribe people by the District Land Grant Committee and certificates of right of ownership were issued to them. The Lingayats, who are in the majority, made an objection to this.

For four years until 1980 it was cultivated unauthorisedly by a landlord in the name of some Scheduled Castes. In 1981 the SCs complained to the
Tahsildar and cultivation was stopped. The Dalit Sangarsh Samiti (DSS), a grassroots level movement of the dalits in Karnataka, entered the scene. On one occasion the Scheduled Castes even tried to occupy the land for which they had to face court action after police booked cases against them.

In 1986 the dalits under the DSS launched a dharna that lasted one whole year demanding that the Government should distribute the land among the landless dalits. The Karnataka Government as per its order dated 17th February 1987, 10LGR 85, distributed the land under survey numbers 74/11, 74/2 and 75 Medikanala measuring about 67 acres and 37 guntas among the 17 landless Scheduled Caste and Schedule Tribe persons. On 7th May 1987 the land was given and on May 25th the cultivation rights were conferred.

Protesting against the order of the Government, the Mandal Pradhan and other caste Hindu members of the Mandal Panchayat resigned from their posts and quit the Janata Party. On the advice of the President of Raichur Zilla Parishat, Mr. Lingaraj and others filed a writ against the Government order and the High Court passed an interim order staying cultivation of the land on May 25,1987.

On 30, May 1987 evening around 5p.m. about 500 caste Hindus of the village armed with sticks, stones and other deadly weapons attacked the dalits in their colony and set fire to eight huts and a haystock belonging to them.

From then onwards the Scheduled Castes and Scheduled Tribes were socially boycotted by the caste Hindus.
The dalits were not allowed to buy provisions from the shops, they were barred from entering tea shops and barber shops, and they were prevented from travelling by private buses. A bore-well used by them was damaged. They had to walk to Nagarabenchchi village, 4 k.m. away for procuring essential articles.

About 70 SC families numbering 686 people were hit by the social boycott. The Medikanala village which is situated in Maski Hobli, Lingsagar taluk of Raichur district has a total population of 2,197 people according to 1981 census. The Legislature Committee for Scheduled Casts and Scheduled Tribes Welfare headed by Dr. Thippeswamy, legislator and dalit leader, visited the village on 1st July 1987. They met personally the Scheduled Castes, caste Hindus and officials. They made an enquiry and collected statements/ information/documents on the incident. Even at the time of this visit the village the social boycott of the dalits was still on.

**Recommendations of the Committee**

The Committee made the following recommendations to the Government:

1. That the government must make efforts to vacate the temporary injunction in the High Court and immediately regularise the lands distributed among the 17 members of the Scheduled Castes and Scheduled Tribes.

2. That the remaining 102 acres of surplus land must be distributed among the landless Scheduled Castes and Scheduled Tribes without delay.

3. That the Government must take necessary steps so that social boycott or any other kind of atrocities do not occur in the future.
4. The persons responsible for the incident must be legally punished. The Scheduled Castes and Scheduled Tribes must be provided with economic support and other facilities and action taken must be reported to the committee in writing within three months.

5. Lauding the efforts of the Government in granting the land to the SC and ST, the Committee said that it was regrettable that the Mandal Panchayat should have taken steps to get a stay against the Government's order. This is contradictory to the pro-people programme of the Government and hence it must immediately vacate the stay and regularise the lands distributed among the landless Scheduled Castes and Scheduled Tribes.

Ginagera Village

The S.C.s in Ginagera village, Koppal taluk in Raichur district, have been facing a social boycott for a long time according to the report submitted by the Karnataka Legislature Committee for the Welfare of Scheduled Castes and Scheduled Tribes which visited the village on 1st July 1987. The S.C.s were barred from entering tea shops, barber shops, and refused provisions, etc. The SCs who are daily wage labourers have been boycotted by the caste Hindu farmers. They had to go to Koppal, 11 k.m. from Ginegara, to purchase essential commodities. They had faced renewed threats from the powerful farmers. According to the report, on 14-6-87 an SC woman, Sunkamma, died. When the SCs went to bury the dead body on land which was used by all the sections, the caste Hindus did not allow it. On a complaint by the SCs the police officials and the revenue authorities arrived on the scene and made arrangement for the burial
on Government land and recommended that the Government convert the same into a burial ground for the S.Cs.

The boycott started when the local S.Cs under the Dalit Sangarsh Samiti began to protest against the practice of untouchability. The Ginagara village has about 525 houses with a population of around 5000 out of which 500 people are Scheduled Castes, 200 Lambanies and the remaining 4300 people belong to other castes such as Kurubas, Muslims, Jains Iligera, Lingayats and Brahmins. This village has Zilla Parishat and Mandal Centres. One Scheduled Caste woman has been elected as the member of the Mandal Panchayat.

**Observations by the Committee**

1. The committee appreciates the struggle of the Dalit Sangarsh Samiti and other Scheduled Caste leaders against the social boycott and atrocities on dalits and their efforts in procuring their constitutional rights and protection by bringing such incidents to the notice of the Government.

2. The Committee recognizes the moral and progressive strength of the dalit movement to fight for their rights. It also recognizes the efforts of the police force in executing their duties properly. The Government should not fail to take necessary steps to prevent atrocities of any nature on dalits in future.

**Kammana Sirsigi village Harijans Attacked**

On 15-8-87 at about 3.30 p.m. two Scheduled Caste girls, Kum. Siddamma (8 years) and Kum. Sridevi (10 years), of Mummamassiri village had taken their cattle for grazing. Some caste Hindus objected to this saying that the cattle had encroached on their lands. The incident led to a serious altercation.
between the two groups. On the same day, 27 Lingayats (caste Hindus) armed with clubs and axes entered the Harijan locality, attacked them with stones. Buddavva, an S.C. woman, was seriously injured in the attack, later succumbed to her injuries.

The main accused is a political leader, a member of the Mandal Panchayat known for his anti-social activities. Through various illegal means he has grabbed about 250 acres of land.

Kammanasirsigi village of Jewangi taluk, Gulbarga district, is in the limits of Yadrazi police station. The total population of the village is 859 people of which the Scheduled Castes are 80 people.

According to the findings of the committee there has been a land dispute between the Scheduled Castes and the caste Hindus and occasional clashes have taken place in the past. The Scheduled Castes who live below the poverty line in this area have been exploited and live always under threat. Whatever little they had was grabbed by the caste Hindus.

**Recommendations**

1. The Government should settle the dispute over the land which Mr. Siddappa, husband of Buddavva, is cultivating and justice should be done to the family.

2. The Government should provide more compensation and other facilities to the family of the deceased woman.

3. The Government should entrust the case to the COD to arrest the culprits and speedup the legal proceedings against them.
4. The Scheduled Castes must be granted cultivation rights and other facilities to lead an independent life.

Excerpts from the Reports of the Directorate of Civil Rights Enforcement

Wadagera Village

Wadagera village of Gulbarga district comes within the limits of Wadagera Police station. There are about 900 houses, of which 100 houses belong to SCs. Wadagera is the headquarters of Mandal Panchayat. On 13-11-87 at about 08.45 hours, Laxman Naik, a member of Scheduled Caste (Lambani) and a member of Zilla Parishad from Wadagera constituency, was assaulted by some higher caste Hindus behind Wadagera Police Station, in Shorapura Taluk, Gulbarga district. As a result Laxman Naik sustained bleeding injuries and died on the way to the district hospital. Political rivalry with caste Hindus was the motive for the murder since they failed to defeat his candidate for the Mandal Pradan's office. The loss caused to the properties of the S.Cs was estimated to be Rs.1,63,260/-. In the clash 13 men and 8 women were injured.

Thattoor

Thattoor village comes under the jurisdiction of Anavatti Police Station limits of Shimoga District. On 29-1-1988 Chandrappa, an S.C. went to the Hanuman Temple to offer pooja. The temple priest refused his request. Some caste Hindus assaulted Chandrappa and tied him to a pillar. It was also alleged that they attempted to make him eat night soil by thrusting a chappal into his mouth. The incident is said to have taken place around 2200 hrs.
Handenhalli

On the basis of a news report to the effect that the S.Cs were facing a boycott at the hands of caste Hindus in Handenhalli village of Anekal Taluk, Bangalore District, an enquiry was conducted. The enquiry disclosed that Handenhalli has a population of 2500 had about 800 Reddys and 60 S.Cs. Kiran Kamal Prasad, a Christian youth from Mangalore, came to the village and started a movement among the S.C. youth for their awakening. In the process, he advised them not to depend on caste Hindus nor go to work in their fields, etc., instead, he told them to get educated and improve their lot. This led to estrangement between S.Cs and Reddies and resulted in Reddies enforcing a social boycott against the S.Cs. Clashes started and the S.Cs were driven to seek help from the authorities. The Minister for Social Welfare visited the village along with S.P., CRE Cell, Bangalore and held a meeting with leaders of both groups. He assured relief to the S.Cs who had suffered due to the boycott. Kiran Kamal Prasad was requested to suspend his activities for some time and a compromise was brought about between the two groups.

Khanapur

On 6-2-1988 at Thayappa, Anjaneya and Bajarappa (S.Cs) of Khanapur in Raichur District had gone to the hotel of Ramaswamy for tea. Their entry to the hotel was objected to by the caste Hindus, who were in the hotel and a quarrel ensued. One of them shouted saying 'Beat these fellows, they have become too much' and he kicked Bajarappa in the testicles. Others persons joined in the beating. Thayappa and Anjaneya then escaped from the hotel. The accused persons (12) took the unconscious Bajarappa and left him near the road and he
was again assaulted at the instance of some other accused persons. They left Bajarappa on finding him dead.

**Land Struggles in Tumkur District (Main Issue: SCs and Land)**

In 1953 the State Government of Karnataka released 853 acres of land, of which 260 acres were granted to 128 Dalits, in Survey No.5 of Karadagere Kaval. In 1979 it was brought to the notice of the Government that 35 of the grantees had alienated 72 acres of land in violation of the Karnataka Land Grant Rules, 1969, which makes it illegal to transfer the land to another person for 15 years after the land has been granted. In addition, an extent of 73 acres had been illegally occupied by caste Hindus of the area. As a result, caste Hindus were occupying and/or cultivating these lands which had originally been granted to Dalits.

Therefore, on 4.5.79, the Tahsildar of Tumkur Taluk, issued an order cancelling the grants which caste Hindus had acquired from the Dalits who alienated the land. The order also evicted the caste Hindus who had illegally occupied the land. From this land as well as from 40 acres of newly released Government land, the Tahsildar further ordered that 23 local Dalit households be given 4 acres of land each.

The order was carried out and the Dalits were given occupation of the land. However, the order was challenged by the same caste Hindus who had previously occupied the land. In 1981, eight of them filed writ petitions in the

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High Court of Karnataka at Bangalore, which ordered on 9.2.84 that the Tahsildar's 4.5.79 order was null and void as he did not give the caste Hindus notice nor a hearing, in violation of the Karnataka Land Revenue Act and Rules. The Judge, however, did not rule out that the competent revenue authorities could in future cancel the land grants of the caste Hindus, so long as it was in accordance with the law.

On 9.9.84, the Tahsildar's office issued an eviction notice to the 23 Dalit families to whom it had previously granted land in 1979. The Dalits still continue to occupy the land, however, in defense of their land rights. Yet, the caste Hindus were still not finished as they attempted to seal their hold on the land through 8 writ petitions filed before the Karnataka High Court at Bangalore in 1986. In their writ petitions, they requested the High Court to expunge the following sentence from the 1984 High Court Order: "But this order cannot and does not prevent the competent revenue authorities from cancelling the grants made to the petitioners (caste Hindus) and their predecessors in accordance with the law". On 4.1.90, the High Court ruled that the caste Hindus were free to approach the Tahsildar or other competent revenue authorities and urge them to make absolute the grants made in favour of them in 1955 and to state that there had not been any violations of the original grant agreement.

The caste Hindus did just this and approached the Tahsildar with allegedly false documents to establish and prove their rights over the land. The Tahsildar directed the Shirestedar to survey the land and peruse available documents and land records to establish what rights, if any, the caste Hindus had over the land. However, the Tahsildar himself noted that, on perusal of the land
records, it was found that most of the documents pertaining to the 1955 grants had been "destroyed" and the only available documents were index extracts, decree copies, sketches, sale deeds and other minor documents.

Not bothered by this, the Shirestadar went beyond his legal authority and granted new land blocks to the caste Hindus without properly looking into the conditions under which they had acquired the land. Further, none of the caste Hindus made available the necessary documents to prove their rights over the land. He never even examined whether the supposed grants could be legally upheld as the lands are inside the 260 acres of land reserved for Dalits in Karadagere Kaval survey No.5. In other words, he gave them land that was never purchased by them or granted to them, but had been reserved by law for Dalits. The whole enquiry itself was in violation of the land grant laws which authorize only the Tahsildar, Assistant Commissioner or higher authority to enquire into the conditions under which land is granted or alienated, and assign lands accordingly.

The Dalits filled a writ petition before the High Court in 1994, alleging that the Shirestedar had violated the 4.1.90 order of the High Court, to which the Court responded on 8.1.96 that if this was the case, the Dalits should take up their grievances with the Tahsildar and thereby dismissed the petition. The Dalits accordingly petitioned the Tahsildar and submitted to him that the Shirestedar has no legal authority to adjudicate between the two parties, to grant new blocks, or to judge whether there had been land alienation or not. The Tahsildar, however, is standing behind the Shirestedar and endorsing his actions. He has not even
given the Dalits a hearing to produce evidence and submit arguments for their case.

Despite all this, the Dalits are continuing the possession of the land granted to them in 1979 and have been cultivating crops on this land to date. The Tahsildar has ordered police protection for the caste Hindus, though they are not the ones in possession of the land nor are they the ones in danger. The caste Hindu landlords have killed three Dalits since the feud began: Krishnaih, Chikkanna and Huchhaiah. The land dispute has also sparked several clashes between the caste Hindus and Dalits. In 1998, caste Hindus, with the help of revenue authorities and police, put up fencing around the entire Dalit land. The Dalits untied and with the help of a local Dalit activist group, Jagruthi Samithi, removed the fence.

(Acknowledgements for Case Preparation: Rural Education and Development Society, Tumkur, Karnataka)

Encroachment on SC's Land (Main Issue: SCs and Land)\textsuperscript{17}

Land measuring 5 acres 16 guntas in Survey No.121, situated at Madugonahalli, Huliyurdurga Hobli, Kunigal Taluk, Tumkur District, was granted to Thimmaiah, a Dalit, under the Land Grant Rules. Along with several other Dalits, he began to cultivate the land. Later the Government decided to construct a small checkdam for irrigation purposes on this land.

However, caste Hindus destroyed the checkdam in 1995 and encroached on the adjoining land for the allegedly sole purpose of harassing the Dalits.

\textsuperscript{17} Dalit Human Rights Violations, Vol.1, Atrocities against Dalits in India, National Public Hearing, April 18,19, 2000 Chennai, Tamil Nadu, National Campaign on Dalit Annual Rights, May 2000, p.271,274.
Though complaints about the incident have been preferred to the Assistant Commissioner and Deputy Commissioner, no action has been taken to date.

(Acknowledgements for Case Preparation: National Campaign on Dalit Human Rights – Karnataka Chapter)

**SC girl compelled to pick up her nightsoil (Main Issue: Untouchability Practices)**

Bhuvaneswari (10 years old) d/o Hanumakka, resident of Hunasehalli village, Gudgere Hobli, Sira Taluk, Tumkur district went for a nature call at around 7.00 a.m. on 31st October 1998. Almost immediately thereafter, she was dragged to the house of Mahadevamma v H.L.Lakshminarayanappa by Mahadevamma and her son, Kodandaramaiiah (a caste Hindu family). Bhuvaneshwari was then made to collect manually her nightsoil in her clothes for having 'dared' to use the land of Mahadevamma for nature call.

Hanumakka, the mother of Bhuvaneshwari, lodged a complaint at Tavarekere police station, Sira Taluk, Tumkur district, which was registered on Crime No.131/98 u/s. 323 IPC r/w. sec.3(1) (ii) SC/ST Act. The case is pending before the courts.

(Acknowledgements for Case Preparation: National Campaign on Dalit Human Rights – Karnataka Chapter)

**Economic Exploitation and Abuse as Bonded Labourers**

21 Dalit families consisting of around 60 Scheduled Castes were lured to the 220-acre plantation of Sampangi Ramaiah, a local landlord about three to six

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years ago with a promise of Rs.6,000/- as annual wages and payment of Rs.2,000/- as an advance. 17 families worked on the land overseen by Ramamurthy, son of Sampangi Ramaiah, while the other 3 families worked in Hosur at Ramamurthy's brother's farm. After entering the plantation, their salaries were never fully paid and instead they were forced to work as bonded labourers. The women were supposedly 'hired' for Rs.15/- per day and the men for Rs.25/- per day, but they were never paid wages on either a daily, weekly or monthly basis. Both men and women were paid paltry sums like Rs.50, 75, 100 or 200 once in two-three months, a flagrant violation of the stipulated payment for agricultural labour as provided for under the Minimum Wages Act 1948, the Equal Remuneration Act 1976 and State Government orders. Though most of the Scheduled Castes are illiterate and so did not know how much was being paid and what was not, they could hazard a guess that around 50% of the agreed amount was all that was ever paid to them. When a Scheduled Caste labourer 'dared' to plead for payment of wages or permission to attend social functions, the landlord would abuse them with filthy language and even physically assault them. In fact, one worker is alleged to have been physically assaulted and left with a permanent incapacity following one such incident.

Apart from this, they were given one seer (measurement) of ragi for every day of work. No work meant no ragi, and the Scheduled Caste families have said that often they were not even given adequate food. Men and women were forced to work for 15-18 hours a day. They were barely provided a roof for shelter. Small children were forced to graze cattle and do other labour in the fields, thus
being prevented from attending schools. For the adults, their right to franchise was denied, being forbidden to leave the fields to go off to cast their votes.

Economic exploitation apart, there was a pattern of physical assault and verbal abuse calling them by caste names. The women labourers have stated that they lived in fear at nights because the landlord, Ramamurthy would often come to the workers' quarters in a drunken state and sexually abuse and assault them. The modus operandi of Ramamurthy was to set the male labourers to work in the fields tending to irrigation at night, leaving the women workers open to attack, including girl children. Ramamurthy is said to have raped two women, namely Siddamma w/o Ravi and Magali w/o Gurusamy, thereafter threatening them that if they reported the incidents to the authorities or asked to leave, that he would file false complaints against them with the police. Therefore, though both women had medical certificates to prove the rape, no further legal action was pursued out of fear of reprisal from Ramamurthy.

**Release from Bonded Labour**

In 1999, contact was made by a social action organisation in the area, with these workers and their release was arranged on the night of 14 May 1999. Of the twenty-one families, eighteen were released and the three families that were unable to escape were pressurized by Sampangi Ramaiah to give false witness for fabricated charges against the eighteen families who had fled. However, the remaining three families bluntly refused to do so and a few days later they also fled. Mainstream newspapers did not give much coverage to these events due to the political clout of Sampangi Ramaiah, though a local daily covered it extensively.
Out of the twenty-one families, eighteen resettled in Hugyam and the other three families returned to Hosur where they had been originally living prior to their bondage in Sampangi Ramaiah's hands.

Immediate Consequences of Freedom

Immediately after escape from bondage of the Scheduled Caste labourers, Ramamurthy and police officials went to the villages on 19.05.99 and tried to force the Scheduled Caste families back to his fields, but were unsuccessful due to two Scheduled Castes managing to escape to inform the police. Ramapura police station was informed and complaints were made there, from which they were sent to Hanur police station. When the complaints came before the Crime Inspector, he simply framed a counter charge against the Scheduled Castes on behalf of Ramamurthy.

Ramamurthy's father, Sampangi Ramaiah soon came to the Scheduled Caste houses with some 100 goondas and assaulted the freed Scheduled Castes, dragging many out of their houses onto the main road and beating them. From this scene a social activist working with the Scheduled Castes was able to escape, and he rang the DSP to bring in police officials to stop the attack.

Legal Action initiated against Ramamurthy and Sampangi Ramaiah

Seventeen cases were registered against Ramamurthy and Sampangi Ramaiah for committing non-bailable offences amounting to the violation of five Acts viz., Minimum Wages Act 1948, Equal Remuneration Act 1976, Bonded Labour System (Abolition) Act 1976, Child Labour Abolition Act and the SC/ST
However, Ramamurthy has challenged the seventeen FIRs against him before the High Court in W.P. Nos. 199559 - 199575, dated 14.06.99 and these proceedings are pending. He alleges that the charges are trumped up in response to a complaint of theft given by him about ten days prior to the filing of the Scheduled Castes' complaints, and further that the complaints do not disclose cognizable offences. The DSP who supported the SCs has also been made a respondent in the case that had till then only the Public Prosecutor appearing on behalf of the Government, due to the DSP's alleged allegiance with the then Janata Dal government in power, while Ramamurthy was a noted Congress Party supporter and hence 'targeted'. Ramamurthy has managed to obtain stay order on the seventeen cases from the High Court whilst his case is pending, and these cases have been transferred to the Civil Court in Mysore. Out of the seventeen cases, nine cases are now being treated as 'B Reports', and thus only eight have been charged-sheeted.

**Connivance to Derail Cases against the Landlord Ramamurthy**

The Circle Inspector at Hanur Police station is alleged to have connived with the local MLA, both being influential friends of Ramamurthy, to file 'B Report' cases so as to close nine cases against the accused landlord. According to the freed Scheduled Castes, the Circle Inspector was in fact a regular visitor to the landlord's farm and therefore this connivance with Ramamurthy came as no surprise to them. Even in the recording of their complaints on 26.05.99, the FIRs differ somewhat from the victim's statements. The nine 'B Reports' filed before
the DSP have been explained away as due to the complaints being merely duplicates since either the husband, wife or the parent of the affected person have also filed similar complaints. Hence, only one set of eight cases have been filed before the courts on 19.12.99.

Interestingly, the complaints of atrocities against female workers have been dropped and instead fresh cases of abuse by male members of their own families have been added by police! Pending at least some minimal proof of such new allegations, whether such allegations are bona fide must remain in doubt. The Scheduled Castes remain with the fear that by dropping such complaints of the women workers against Ramamurthy and by relegating others to 'B Reports', the process of the prosecution of the landlord may be fractured.

**Life after Freedom from Bondage**

The 21 families freed from bonded labour are now in their respective villages and are engaged in agricultural labour. However, their living conditions may seem little changed to them. To date they have no housing facilities, no lands and resources, pending the finalisation of their cases by the courts and the provision of rehabilitation measures as per the Bonded Labour System (Abolition) Act 1976. They live for the most part in the houses of relatives, their children do not attend school, and some have gone to Tamil Nadu in search of better work and living conditions.

A complaint sent to the National Human Rights Commission in 1999, and the NHRC responded by sending a letter to the Labour Commissioner of the Government of Karnataka, Mr. Lucas Vallatharai. The result was that the Labour
Commissioner conducted a detailed inquiry in January 2000 and sent his findings to the NHRC. Following this, the Assistant Commissioner of Kollegal has brought the matter of the non-payment of wages before the Revenue Court. At present the Labor Department of Chamarajanagar District has presented its findings to Ramamurthy about the unpaid wages and one hearing has been conducted on the issue of the unsettled wages. The proceedings are currently going on.

**Note:** A recent door-to-door survey conducted by social action organisation, PMSR in Kollegal Taluk showed that some 397 SC families still struggle doing bonded labour work with big landlords in the area.

**Legal Standards Breached:**

1. The bonded labour system is abolished and anyone enforcing bonded labour will be punished under the law (secs. 4 & 16 Bonded Labour (Abolition) Act 1976 & Art. 23 IC-FR).

2. Advancement of a bonded debt is an offence punishable under the Act (sec. 17 Bonded Labour (Abolition) Act 1976).

3. Everyone has the right to an adequate standard of living for him/herself and his/her family, including adequate food, clothing and housing, and necessary social services.

4. Everyone has the right to the enjoyment of just and favourable conditions of employment, in particular fair wages and equal remuneration for work without gender distinction, and wages that secure a decent living for the worker.
5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

6. It is an offence for a person not belonging to the Scheduled Caste or Scheduled Tribe community to assault or use force against any woman belonging to a Scheduled Caste with intent to dishonour or outrage her modesty (sec. 3(1)(xi) SC/ST Act).

7. A person, who is not a member of the Scheduled Castes or Scheduled Tribes communities, who intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste in any place of public view, is guilty of an offence under Act (sec. 3(1) (x) SC/ST Act).

8. Rape is a criminal offence (see. 376 IPC r/w sec. 3(2) (v) SC/ST Act).

9. Any person who commits any offence under the Indian Penal Code is punishable by imprisonment for a term of 10 years or more against a person or property on the ground that such person is a member of a Scheduled Caste or Schedule Tribe or such property belonging to such member, shall be punishable with imprisonment for life and with fine (sec. 3(2) (v) SC/ST Act).

10. Voluntarily causing hurt or grievous hurt is a crime (secs. 322 and 323 IPC).

11. Criminal intimidation is a punishable crime (sec. 506 IPC).

12. Whoever, being a public servant but not being a member of a Scheduled Caste or Scheduled Tribe, wilfully neglects his/her duties required to be performed by him/her under this Act, is guilty of an offence under the Act (sec. 4 SC/ST Act).
13. The District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall make arrangements for providing immediate relief in cash or in kind or both to the victims of atrocity, their family, their family members and dependants according to the scale as in the Schedule annexed to these Rules (Annexure-I read with Annexure-II).

Such immediate relief shall also include food, water, clothing, shelter, medical aid, transport facilities and other essential items necessary for human beings (Rule 12(4) SC/ST Rules).

14. It is the duty of the Government to make provision for the economic and social rehabilitation of the victims of atrocities (sec. 2192) (iii) SC/ST Act).

**Demands**

1. A thorough and impartial investigation should be undertaken into the offences alleged in the 17 writ petitions filed by the freed bonded labourers. Pending the decision of the High Court over the writ petitions filed by Ramamurthy, the investigation should encompass the alleged tampering of the cases by the Hanur police so as to change them to "B Reports", especially as regards the complaints of rape filed by two of the Scheduled Caste women.

2. The issue of non-payment of wages should be immediately settled before the Revenue Court so as to ensure financial help to the bonded labourer families in settling into their new lives.

3. Compensation should be paid as per the SC/ST Act and Rules to the bonded labourer families for atrocities committed against them.
Closure of Gold Mines Threatens Scheduled Castes Livelihood

Main Issue
Scheduled Castes & Labour

Related Issues
Right to Livelihood threatened by
Closure of Mines
Lack of Rehabilitation Measures for
the mainly Scheduled Caste Miners
Denial of Basic Right to decent
Labour and Living Conditions

Dalits affected
4,200 workers, 30,000 women and
children, over 90% of whom are
Scheduled Castes working in the
Kolar Gold Fields

District
Kolar

Main accused
1. Bharat Gold Mines Limited
(BGML)
2. Government of Karnataka

Present Status of the Case
The 4,200 mines and their
dependants continue to face the
threat of losing their livelihoods,
along with eviction from their
homes, should the Central
Government succeed in closing
down Kolar Gold Mines, despite
evidence that the mines are still
viable. The Karnataka High Court
has granted a stay order on 3 April
2000, extending the deadline for the
availing voluntary retirement

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Hearing, April 18,19, 2000 Chennai, Tamil Nadu, National Campaign on Dalit Annual Rights.
May 2000, p.138-142
scheme (VRS), stating that the Central Government cannot threaten retrenchment should the workers not avail themselves of the VRS. The deadline for the VRS is now extended to 31.5.2000. Over 400 letters of protest against the pending mine closure have been sent to the newspapers, but only two have been printed.

Notice/Summons sent to : 1. Bharat Gold Mines Limited (BGML)
2. Government of Karnataka

Acknowledgements for case preparation : KGF People's Movement, Kolar

Threat of Closure of the Mines

Kolar Gold Fields (KGF), owned by Bharat Gold Mines Limited (BGML), is populated by some 1.5 lakh people, 4,200 being workers, of which over 90% are Scheduled Castes with other minority groups present. It has the deepest mines in the world, stretching some 11,000 ft (over 2,000 m) under the earth and has to date produced around 800 tonnes of gold, worth over Rs.45,000 crore, which has been supplied around the country. In spite of this, the town of KGF has been totally neglected and deprived of any economic development programmes and schemes by both the State and Union governments, the workers living in what can be best described as slums and working under poor labour and wage conditions.
In spite of reports indicating the continuing viability of KGF and losses due to mismanagement of the mines (see Annexure 1), this year (2000) KGF announced its decision to close down the mines. The decision seems to disregard the adverse effects on the KGF workers and their dependents and surrounding villages, whose entire economy is linked inextricably with mining. The Union Government's 'solution' to this has not been through a series of rehabilitation measures, but rather through steady retrenchment and schemes of 'voluntary' retirement. The 4,200 workers presently employed in the mines have been given no guarantee as to employment in any new organization.

The Lure of Gold: Historical Growth of the Mines

Gold mining in Kolar started off and flourished in the erstwhile princely state of Mysore some 120 years ago. During the 1950s the mines were taken over by the State Government, with the then workforce of some 92,000 unskilled Scheduled Caste labourers. However, the mines were turned over to the Union Government in the 1960s, which has since 1965 operated as a central sector enterprise, Bharat Gold Mines Limited (BGML). Some 6,000 miners have lost their lives while developing KGF under the control of the British and then the Indian State, due to the dangerous conditions of work.

Dwelling Conditions

Well-situated bungalows for the management draws a sharp contrast with the bamboo mat/corrugated sheet-roofed, overcrowded, shanties laid out in straight rows down below for the workers. Many of the workers' tenements have been modified over time, but mostly owing to the repairs and additions that the
workers have undertaken at their own cost. The workers' tenements are mostly single rooms, originally intended to accommodate just one worker, but due to the relatively large family size the houses are congested and overcrowded. They get severely hot in summer and become icy dwellings in winter.

The slums share common water taps and toilets, and the facilities for drainage are abysmally minimal. The school system in KGF, earlier segregated along racial lines, is now fashioned on class and caste lines.

Caste Divisions replace Colonial Culture

Little has changed for the KGF workers since colonial days. Whereas under the control of the British, the highest level to which an Indian worker could normally rise was that of a foreman, in 1971 nine out of ten officers in the mining company were Brahmins. Once elevated to positions of power, caste Hindus have emulated the departed British in terms of lifestyle, accumulation of personal wealth and segregated living. Similarly in the township, caste divisions play along the lines of class divisions, with Brahmins predominantly forming the upper and middle classes of the town, with the majority of the poorer sections of the towns people and mine workers being Scheduled Castes.

Insufficient Wages to this Day

As in earlier days, the income of the mineworkers falls much short of their expenditure, leading many into the trap of moneylenders as a result. At present, BGML pays Rs.2.2 crore per month as salaries for the 4,200 mineworkers. In 1972, out of the 272 public sector companies in Karnataka, BGML ranked at the bottom in terms of wages, despite the dangerous conditions
under which the miners work. The workers further allege that for the past eight years they have not received any bonus or pay rise.

Work of Trade Unions in the Area:

KGF trade unions have contributed little to improving the conditions of life and work for the KGF mines, their leadership often being perceived by the workers as collusion with the mining bureaucracy through their silence in order to maintain the poor conditions of life and labour for the Scheduled Castes. A major cause of the failure of the left-leaning trade unions in organizing the workers has been identified as their negligence of the Scheduled Caste identity of the workers. This has helped the Bharatiya Janata Party (BJP) move into the trade union movement in KGF, organizing the workers around a constructed 'Hindu' identity.

The Decline of the Mines

The mines have been dying since the 1960s, due to poor future planning and corruption within the management. By contrast, the reports in 1994, 1996 and 1997 of the operating company, Industrial Credit & Investment Corporation of India, appointed by the Board of Industrial and Financial Construction to look into the working of the company, indicate that the mines are still viable. Retrenchment of workers began from the 1960s, the managers saving themselves by forming a consultancy division. No action from the State has been forthcoming to generate alternate employment for the workers. What State intervention there has been was either of an exclusive kind, such as the proton decay experimentation in the deep mines, or of the negligent and destructive
kind, such as the temporarily shelved proposal to turn the mines into a dumping ground for nuclear waste.

It is widely perceived by the KGF workers that the State Government has not paid much interest to the mines due to three reasons:

1. Gold mining is under the control of the Union Government and as such Karnataka derives little benefit locally from the mines.

2. The dominant ruling classes in Karnataka tend to neglect the region because of its predominant Scheduled Caste character.

3. The people of KGF have been unable to influence State policy as their elected representatives belong to parties such as Communist Party of India (Marxist) (CPI-M) or All India Anna Dravida Munnetra Kazhakam (AIADMK), which do not hold the reins of power in the State.

Global tenders seeking joint venture partners to revive KGF mines were placed on the internet and in various vernacular newspapers around the country from 1998, but no foreign companies responded. One has to question why foreign tenders would be put into the local vernacular, as it would seem to indicate a management not interested in the welfare of its workers and the KGF mines.

Decision to Close the Mine

In February 2000 the workers were not paid their salaries. Ration cards and food articles supplied each month on credit and deducted from the workers' wages, were not procured for want of funds by BGML. Rumours were already
afloat that the Union Government would not be extending financial support to BGML during 2000-2001, starting from 1 April 2000, due to the continuing losses being incurred in running KGF mines.

The rumour proved true, and the Union Government directed all employees of BGML to apply for its voluntary retirement scheme (VRS) by 31 March 2000, failing which the employees would be dismissed. The VRS would ensure compensation to the tune of what would be given to any sick industrial unit on the verge of closure, translating into payment of around Rs.80,000 to Rs.3 lakh. With no rehabilitation plan announced by the Union Government, most workers decided to resist this abrupt decision and not opt for the VRS.

Instead, the workers demanded that the Union Government earmark funds to revive the mines, and create self-employment and other rehabilitation measures for the Scheduled Caste workers. A massive rally was taken out on 20 March 2000 in Bangalore demanding the release of a new economic package for KGF town in the wake of the imminent closure of the mines. Their demands were: the creation of small and medium scale industries as alternative jobs for the laid off workers; revision of wages pending since 1989; loans for self-employment; and the immediate grant of ownership rights for those occupying houses in the mining area. It was pointed out that extensive infrastructure facilities already available in KGF town for industrial development could be utilized to the full reviving of BGML and in an alternative economic package for the town. In terms of generating employment and alleviating poverty in the town, a bus-body building unit, defence recruitment centre, LPG bottling unit and land-based industries were the suggested feasible immediate options.
The State Government's response was positive in this respect, a letter dated 29 March 2000, was sent calling on the Prime Minister to revive KGF mines, considering the socio-economic problems that could be created on shutting down operations where the entire KGF township, predominantly Dalits, depended on the mines for their livelihood. The announced special package for revival of the mines included a waiver of royalty on the ore mines at Nandidurg and MCAM mines for a period of ten years commencing from 1996-97 and the provision of Rs.2 crore per annum to subsidize the electricity charges of BGML for the next five years.

This was followed by a bandh declared on 31 March 2000, and on that day a single judge of the Karnataka High Court granted an extension of the deadline (the deadline being 1 April) for availing of the voluntary retirement scheme (VRS). This was challenged by the Central Government via a writ petition and on 3 April 2000, the Karnataka High Court stayed the single judge order extending the deadline of 1 April for availing of the VRS, requesting the Union Government to extent the scheme up till 31 May. The Court took exception to the 'threat' of retrenchment emanating from the Central Government, stating that retrenchment could only be resorted to through the law.

Meanwhile, studies by an expert team ascertained that gold ore is in fact still in abundance in the mining area, and that with Union Government financial assistance KGF mines can be run viably for another 100 years. If KGF closes, it will be the first central public sector company to be closed by the Union Government, and it is alleged that the lack of rehabilitation measures indicate the
Union Government's apathy towards what is seen as a predominantly issue of the Scheduled Castes.

Legal Standards Breached:

1. Everyone has the right to just and favourable conditions of work, which includes fair wages, a decent living for themselves and safe and healthy working conditions (Art. 42 1C-DP).

2. The State shall endeavour to secure to all workers a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities (Art.43 1C-DP).

3. Everyone has the right to an adequate standard of living for him/herself and family, including food, clothing and housing, and to the continuous improvement of living conditions.

Demands:

1. Provide ownership rights to the dwellers of the mining houses immediately.

2. Small and medium scale industries should be started to generate employment for the 4,200 KGF miners as part of a rehabilitation package from the State and Central Government.

3. Loans for self-employment must be provided.

4. The Central Government must withdraw its decision to close down the mines until such provisions are made for alternative job to the mining workers and their dependants.

5. Efforts must be made to resolve and finalise the Wage Revision pending since 1989.
## Carnage in Kambalapalli

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deceased clearly state that they do not wish to return to Kambalapalli for fear of further atrocities heaped on them and their families.

A CBI has been called into the incident.

Notice / Summons sent to:
1. Ramaiah, Deputy Superintendent of Police, Chintamani
2. Mr. Anand, Circle Inspector, Kancharahalli police station

Acknowledgements for case preparation:
3. National Campaign on Dalit Human Rights (NCDHR) Fact – finding team

Case in Brief:

The Carnage

On 11 March 2000, seven Scheduled Castes were burnt to death in Kambalapalli village and others narrowly escaped with their lives, the culmination of two years of rising tensions between the caste Hindu Reddy and Scheduled Caste (Adi-Dravida) communities. The attack had commenced on several Scheduled Castes having returned at around 7.00 p.m. by bus from Chintamani police station, where they had gone that morning to file a complaint of assault on two Scheduled Castes by an armed group of Reddys the previous evening. A mob of around 50 Reddys awaited the Scheduled Castes on their return to Kambalapalli village and commenced with a volley of stone throwing and beatings aimed at the Scheduled Castes. The Scheduled Castes retreated into their houses in the Scheduled Caste section of the village for safety, the two police on duty there running away to the nearby village to call for reinforcements.
In the altercation that ensued, and with the electricity being out, it is unclear who is the culprit for the murder of one Krishnareddy, the waterman of the village.

The immediate ramification was that the Reddy mob proceeded to a Scheduled Caste house and bolted the door of the house from outside, shutting in the sheltering Scheduled Castes. They lay hay all around and stuffed the chimney with dry hay, poured kerosene and petrol on it and set the house alight with its six inmates trapped inside. Narasimma (25 years old), Chickapappanna (40 years old), Ramakka (70 years old), Anjanappa (27 years old), Pappamma (46 years old) and Sriramappa (25 years old) died in the flames.

Subbamma's adjoining house was set alight next, and though police succeeded in rescuing her from her burning home, she died on her way to hospital.

The house of Mangamma, located near the first house, was the last one to be consigned to flames, though fortunately no one was inside at that time.

The fire service, initially prevented by caste Hindus from entering Kambalapalli village, finally entered at around 8.30 p.m. to find three houses burning. Significantly, it was the police and not fire service personnel who rescued two women by dragging them out of the burning houses. One of the two died; the other Kathiramma, survived with serious burn injuries.
A History of Oppression in Kolar District

A pattern of oppression of Scheduled Castes in response to the beginnings of their upward social mobility can be traced as far back as 1974-75. That academic year, two students from Kambalapalli sat for their PUC examination together and it was the Scheduled Caste youth who passed in first class whilst the Reddy youth failed. Unable to tolerate this distinction for a Scheduled Caste, the caste Hindu Reddys murdered the Scheduled Caste youth but were never convicted due to ‘lack of evidence’. The stir that was caused amongst the Scheduled Caste community led to the formation of the Dalit Shangharsha Samiti (DSS) unit in Kolar, an association formed to protect and vocalise Scheduled Castes’ interests.

In the intervening years, cases of gang rapes of Scheduled Caste women and backlashes against Scheduled Castes for contesting elections, marred the peace of Kolar district. In one incident in 1997, the Scheduled Castes in Billandlapalli village decided to inaugurate a local DSS unit. An immediate response from the caste Hindu Reddy (Vokkaliga) community was for “suitable action to be taken to prevent it”. When police were informed of the seriousness of the situation, they were dispatched to the village where they encountered blockades set up by the Reddys. In the confrontation that followed, when police commenced removing the blockades, a policeman was shot and killed, another being dragged away to a nearby school and murdered in cold blood in front of the teachers and students, and four others were similarly murdered in cold blood. Though many other police officers and constables were injured in this attack and
their vehicles burnt, no effective steps were taken to prosecute the culprits, allegedly due to the political support enjoyed by the Reddy community.

The Kindling of Inter-caste Tensions in Kambalapalli

Untouchability practices have flourished in Kambalapalli for years, with Scheduled Castes being unable to enter the precincts where Reddys live, barred from drawing water from the Government well and refused work in the Reddys' fields, for which outside labour was called in. During 1997 a flock of sheep belonging to both the Scheduled Caste and Reddy communities were stolen, and the Panchayat came to the conclusion that three Scheduled Castes, namely Venkataramanappa and his two brothers, Anjanappa and Ravanappa were responsible, despite their protestations of innocence. The three Scheduled Castes fled with their families to nearby villages to avoid police action being taken against them. The real culprits were then identified, namely members of the Reddy community. The stolen sheep of the Scheduled Castes were recovered and returned, but then the caste aspersions and ridicule felt by the Reddy community manifested itself in anger and violence against the Scheduled Castes.

On 5 June 1998 at around 10.30 p.m., Venkataramanappa rushed to the village on hearing of the delivery of a newborn child by his wife, only to lose the pleasure of seeing his child and to lose his life. The Reddy community formed an unlawful assembly and chased Venkataramanappa to his house, stoning him to death in front of his wife and other family members.

Despite the naked brutality of this incident, the 23 accused in Crime No.77/98 of Kancharahalli police station (filed u/s. 143, 144, 148, 149, 488 and
302 IPC r/w 3(2)(v) SC/ST Act) were released on anticipatory bail on 10 September 1998 by the 2nd Additional District and Sessions Judge, Kolar. The argument of the judge was that though a man had lost his life, it did not mean that the accused were responsible for the murder. “The injuries each one made, if isolated, will be a simple injury, but cumulative effect is the death”. In weighing whether justice was served by allowing bail or not, the judge clearly felt that the brutal murder and possibility of threats to Scheduled Caste witnesses was outweighed by the possibility of innocence of the accused!

An immediate outcome of this order was that Sriramappa and Anjanappa left the village and some semblance of ‘peace’ was restored. However, higher authorities continually approached the two brothers to find a permanent solution that would enable them to return to the village, and they finally returned under police escort to the village on 8 January 2000. This was done without consultation with the DSP of Chintamani, who was the main investigating officer in the case of the death of Venkataramanappa and who stated that he would have opposed their return, had he been consulted. Thereafter, police protection was missing, leaving the two brothers of Venkataramanappa exposed to the tensions building up in the village.

Tensions between the two communities were further compounded by the two brothers voting for Anjanareddy in the Panchayat elections in February 2000 in Kambalapalli village, as opposed to Mathyreddy, who eventually won the seat. This further strained the fragile peace in the village.
Events of 10 March 2000

Sankarappa and Narasimma were bringing back some tender coconuts from Enamalapadi at around 6.30 p.m. on 10 March when they were confronted by three Reddy youths - Venkatareddy, Narasimhalu and Ravi - in a drunken mood. That the fight had political overtones, given that Venkatareddy is the son of Mathireddy, who had recently won the Panchayat elections despite Scheduled Castes not voting for him. The Reddys verbally abused and threatened the Scheduled Caste youth with further damage to life and property on their return to the village. True to their words, on the return of Sankarappa and Narasimma to Kambalapalli, around 15 Reddys had gathered and commenced an attack on the Scheduled Castes. Both Scheduled Caste youths sustained injuries from stones aimed at their heads, and eight other Scheduled Castes were beaten up.

Bias of Sub-Inspector Exposed

The incident was reported that night over the phone to the police, and at around 10.00 p.m., the Sub-Inspector of Police, Kancharahalli came to Kambalapalli. However, instead of inquiring into the matter from both sides, he stayed the night with the Reddy community and did not even inquire as to the status of the injured Scheduled Castes, who were treated locally for their injuries.

The next morning (i.e. 11 March), at around 8.00 a.m. the injured Scheduled Castes commenced their journey to the hospital and were only then inquired by the Sub-Inspector. He retorted to their inquiries as to why he had only stayed with the Reddys last night by stating that he did so because he wanted to scold the Reddys and now wanted to see whether the Scheduled Castes would
be interested in a compromise. To this the Scheduled Castes insisted that the Sub-Inspector return to the Reddys as there was such obvious bias on his part. The Sub-Inspector later withdrew from the village, leaving only two police on guard inspite of the tense situation prevailing there.

Several Scheduled Castes then proceeded to board the bus for Chintamani, where they were told to wait for the return of the Circle Inspector before filing their complaint. The Circle Inspector not having arrived by 3.00 p.m. the complaint was proffered to the same Sub-Inspector who had been in the village overnight. However, he insisted that certain Reddy names be dropped as accused if the complaint were to be filed! It was only on the return of the Circle Inspector who berated the Sub-Inspector, that the Scheduled Caste's complaint was handed over.

Thus it was in this context that the flames were fuelled for a confrontation between the two communities, the Reddy community awaiting the return of the Scheduled Castes from Chintamani on that fateful day so as to 'set another example' to the Scheduled Castes to keep their position in the village.

Events after 11 March 2000

The police have to date arrested some 18 Reddys over the burnings and murders of 11 March 2000. The rest are thought to have slipped into Andhra Pradesh, Kambalapalli being barely a kilometre away from the Andhra Pradesh border. Barring a few women and children, most Scheduled Castes, and even caste Hindu Reddy men, have left the village for fear of further counter-attacks, and the families of the murdered Scheduled Castes have expressed their desire
never to return to Kambalapalli so as to have some measure of peace in their lives.

**Legal Standards Breached**

1. No person shall be deprived of his/her life or personal liberty except according to procedure established by law (Art. 21 IC-FR).

2. Whoever causes death by inflicting bodily injury with intent and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death is guilty of murder (sec.300 IPC r/w. sec. 3(2)(v) SC/ST Act).

3. Voluntarily causing grievous hurt with deadly weapons is a crime (sec. 324 IPC).

4. A person, who is not a member of a Scheduled Caste or Scheduled Tribe, who intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste in any place of public view, is guilty of an offence under the Act (sec. 3(1)(x) SC/ST Act).

5. A public servant, not being a member of a Scheduled Caste or Scheduled Tribe, who wilfully neglects his/her duties required to be performed by him/her under this Act, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year (sec.4 SC/ST Act).
6. A public servant disobeying any direction of law intent to save a person from punishment or property from forfeiture is guilty of an offence (sec. 217 IPC).

7. Sec. 438 Cr. P.C. (regarding granting of anticipatory bail to accused persons) does not apply to a person charged with any offence under the SC/ST Act (sec. 18 SC/ST Act).

8. Anyone who forces or causes a member of a Scheduled Caste to leave his/her house, village or other place of residence, is guilty of an offence (sec.3(1)(xv) SC/ST Act).

9. Preventative action should be taken by law and order machinery above the rank of DSP, where areas prone to atrocities are identified (sec. 17 SC/ST Act).

10. It is the duty of the government to make provision for the economic and social rehabilitation of the victims of atrocities (sec. 21(2)(iii) SC/ST Act).

11. The District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall make arrangements for providing immediate relief in cash or in kind or both to the victims of atrocity, their family, their family members and dependants according to the scale as in the Schedule annexed to these Rules (Rule 12(4) SC/ST Rules).
Demands:

1. All the accused Reddys who were responsible for the burning to death of the seven Scheduled Castes, as revealed by the CBI inquiry, should be prosecuted and punished as per the law.

2. Police officials, especially the Kancharahalli Sub-Inspector of Police, who exhibited clear bias against Scheduled Castes, should be immediately suspended and prosecuted for breach of duty under the SC/ST Act.

3. Preventive measures should immediately be put in place to instill confidence in the people, so as to allow the Scheduled Castes and Reddys to come back to the village with an assurance of sustained protection and conciliation meetings.

Atrocity Cases and Investigations taken up by the DCRE, Bangalore

1. Jalki PS.Cr.No.137/97 U/s 143, 147, 373, 506 r/w 149 IPC and 3 Cl.(1)(X) of SCs/STs (P.A.) Act 198920.

On 12.10.1997 one Bhim Mandhar Chavan, Lamani by caste, resident of Channa Gaon village, reported that on 10.10.1997 at about 2200 hours one Yellappa Tukaram Walikar and 13 others non-SCs, residents of the same village, formed themselves into an unlawful assembly picked up quarrel with the complainant, in the Channa Gaon jungle. When the complainant was not able to repay Rs.1000/- to the accused Sri. Yellappa Walikar, they abused the complainant and 4 others who were present at that time touching their caste and

20 From the Report of the Directorate of Civil Right Enforcement, Bangalore.
assaulted them with hands. The accused threatened them by firing two rounds in the air from his gun.

As per order of the DG & IGP, K.S., Bangalore No.SMS(4)/104/97-98 dated 4.11.1997, the case was taken up for investigation and the chargesheet was submitted in CC No.23/97. Further hearing is fixed on 26.11.2001.

2. **Karkala PS.Cr.No.112/97 U/s 354, 506(2) IPC and Sec.3 Cl.(1)(X1) of SCs/STs (PA) Act 1989.**

On 19.9.1997 the PSI Karkala (R) PS. Registered a case against the accused in Cr.No.112/97 u/s 354, 506(2) IPC and 3 CL(1)(X1) of SCs/STs (PA) Act 1989. On the complaint of Kum. Sumathi aged 18 years D/o. Seena Naika resident of Ullare village to the effect that when she was returning home after grazing cattle, the accused Sri. Satyanamale Sherigara lifted the complainant forcibly and took her to a lone place in the forest area and molested her and also threatened to kill her if she reports the facts to any one. As per the C.O. ref.No.SMS(4)/104-97-98 dated 17.11.97 investigation of this case was taken up by the DCRE. The case was chargesheeted on 2.6.2000 and the case was acquitted on 21.8.2001.

3. **Chitradurga PS.Cr.No.309/98 U/s 143, 147, 148, 324, 332, 307, 436, 427 r/w 149 IPC and Sec.3 Cl.(1)(2)(5)&(10) of SCs/STs (PA) Act 1989.**

On 3.9.1998 one Sri Ajjappa (Lingayat) and 700 to 800 others attacked SC Colony and set fire to hutments belonging to SCs and caused damage to their property. Ill-will between the two communities had developed because of the death of one Mallappa (SC) who was working as a bonded labourer in the family
of Ajjappa. On 23.3.1998 Ajjappa came to Mallappa’s house and asked him to accompany because Sri Mallappa deceased had not turned up for work for three days. Later in the night Shantahmma, w/o. Mallappa (SC) was informed that her husband’s dead body was found lying in the field adjacent to that of Ajjappa. A case in UDR No.14/98 u/s 174 Cr.PC was registered in Chitradurga (R) PS, on the complaint of Sri. Ningappa, b/o. deceased Mallappa. Due to pressure from the local politician and Smt. Shanthamma, w/o. Mallappa (deceased) the case was converted into that of murder and taken up in Cr.No.118/98 u/s 302 IPC on the complaint of Smt. Shanthamma. Sri Ajjappa in whose house deceased worked as a bonded labour for Rs.5000/- p.a. was arrested and remanded to judicial custody for 45 days. This incident spoiled the relationship of SCs and Lingayats. The Lingayats did not allow the SCs to work in their fields and objected them to draw the water and imposed other forms of Social Boycott.

As per the orders of the DG & IGP, KS, Bangalore vide No.CRM/6/CTA/98 dated 26.9.98 the case was taken up for investigation. The case was chargesheeted on 16.12.1999 and is P.T.

4. **Hosanagar PS. Cr.No.94/98 U/s 409, 468, 477, 477(A) IPC**

One Sri P. Ranganath, s/o. Pathappa, 46 years, Head Master, Government Higher Primary School, Brahmeshwar, Hosanagar Taluk, Shimoga District had misappropriated Scholarship amount sanctioned to the SCs/STs High School students at Higher Primary School, Brahmeshwara Hosanagar Taluk, Shimoga District.

The investigation was taken up as per Chief Office order No.SMS(4)/60/98-99 dated 6.11.1998.
The case has been chargesheeted on 24.7.2000 and the same is P.T. in CC No.479/00. The case is posted for framing charges on 24.12.2001.

5. **Megtagalli PS.Cr.No.155/97 U/s 3 Cl.(1)(X)(X1) of SCs/STs (P.A.) Act 1989.**

On 18.9.1997 one Sri K. Thimmaiah, s/o late Kenchaiah (SC) by caste resident of Naguvinahalli village, Srirangapatna taluk appeared in the Metagalli PS had lodged a complaint to the effect that, there was a theft of vessel in the temple of Naguvinahalli village, S.R. Patna taluk on the night 9.9.1997. In this regard all the leaders of SCs joined and asked the complainant to got to Siddappaji temple of Laxmipura village, Mysore taluk along with one Mahadevaiah to get the clues of theft from the God. When they were sitting in the temple among the gathering of about 150-200 members, one Nagaraja of their village came there and sent them out of the temple by abusing them touching their caste.

As per the orders of DG & IGP, KS, Bangalore vide Chief Officer letter No.Compol/Mysore-55/97 dated 24.12.1998 the investigation was taken up and the case was charge sheeted on 7.4.1999 and the same is P.T.


On 24.11.1990 when Smt. Udachavva, SC by caste of Kollur village asked Rajasab to put bangles on her hand, he refused and pushed her out of his shop because Smt. Udachavva was SC by caste. On her complaint a case was registered in Yelburga PS. This caused tension in the village and in protest caste
Hindus closed their shops and flour mills, etc. SC community people were barred as labourers to work for upper caste people. When the procession was called for by DSS leaders to give entry into a temple caste Hindus opposed the march. In another incident B.B. Fathima Darga was also damaged. Despite peace committee meeting several incidents of atrocities occurred. On 18.12.1998 about 400 caste Hindus attacked Harijan SCs colony and set fire to 31 hutments. A case in Cr.No.62/98 u/s 143, 147, 148, 504 r/w 3 Cl.(1)(X)(X1) and (2)(3)(5) of SCs/STs (PA) Act 1989 was registered. Again caste Hindus assembled in front of Yelburga PS and tried to take away 96 arrested accused forcibly. As per the orders of the DG & IGP, KS, Bangalore letter No.CRM/Koppal/2/99 dated 21.12.1998 this case was taken up for further investigation.

The case was charge sheeted on 12.3.1999 (CC No.18/99) and same is PT.


One Sri Dattu, s/o. Ramanna Kamble aged about 30 years SC by caste and President, DSS resident of Devalaganagapur, Afzalpur taluk, Gulbarga district lodged a complaint to the Devalaganagapur Police. On 6.12.1998 that accused one Babu Muranetti and his friends formed into unlawful assembly and assaulted him on 5.12.1998. In this regard a case was taken up in D.G.Pur PS.Cr.No.96/98 u/s 143, 147, 148, 342, 504, 506 r/w 149 IPC and 3 Cl.(X) of SCs/STs (PA) Act 1989 was registered against Sri Babu Maranetti Kabbaliga by caste and others. When the accused were not arrested Dalit people gathered together under the leadership of Sri Dattu, s/o. Ramanna Kamble, DSS leader near Chowdapur cross and blocked the road on 6.12.1998 to protest against inaction of the police. In the
meanwhile one Vittal Herura Kabbaliga by caste resident of Devalaganagapur
Vice President of State Bahujan Party came to the spot in his jeep along with his
gunman. The agitators tried to stop his jeep, then Sri V. Herura asked APC
Gulbarga to open fire in the air. In this regard on the complaint of Sri Dattu, s/o.
Ramanna Kamble a case was registered in Devalaganagapur PS.Cr.No.110/98 u/s
307 r/w 34 IPC and 3 Cl.(X) of SCs/STs (PA) Act 1989.

As per orders of the DG & IGP, KS, Bangalore vide No.SMS(4)/103/98-99 dated 23.1.1999 the investigation was taken up and case was charge sheeted.
The case is P.T.

Devalaganagapur PS.Cr.No.111/98 U/s 147, 148, 325, 353, 341, 307 r/w 34
IPC

Further on the counter petition of Sri Vittal Herur, s/o. Thimmappa Herur
a case was taken up under Devalaganagapur PS.Cr.No.111/98 u/s 147, 148, 325,
324, 353, 341, 307, 504 and 149 IPC against Basavaiah, s/o. Kuraiah Guttedar
and others. The case was lodged before the police when a case was registered
against him for having opened through his gunman when his jeep was stopped by
the agitators under the leadership of Sri Dattu, s/o. Ramanna Kamble.

As per Chief Office order No.SMS(4)/103/98-99 dated 23.1.1999 the
investigation was taken up and case chargesheeted was filed before the Court on
27.7.1999. The case is P.T.

8. Kencharlahalli PS.Cr.No.45/2000 U/s 143, 147, 148, 323, 324, 341 r/w
149 IPC r/w 3 Cl.(1)(X) of SCs/STs (P.A.) Act 1989.


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10. **Kencharlahalli PS.Cr.No.47/2000 U/s 143, 147, 148, 436 302 r/w 149 IPC and 3 Cl.1(X)(X1) of SCs/STs (PA) Act 1989**

As per Chief Office order No.L&O/69/2000 dated 14.3.2000 the investigation of the above three cases were taken up and chargesheets were filed before the Court on (1) 24.6.2000, (2) 21.6.2000 and (3) 8.6.2000 respectively. The cases are P.T.

11. **Mudigere PS.Cr.No.50/2000 U/s 143, 504, 506 IPC r/w 3 Cl.(1)(X) of SCs/STs (P.A.) Act 1989.**

It is alleged that one Sri M.K. Prakash and other 6 members of BJP abused Smt. Motamma, Hon'ble Minister for Women & Child Welfare, Government of Karnataka, Bangalore in public speech ill-treating her personal career and insulting her caste using filthy language such as 'Holati munde Motamma' and also they have posed serious life threat to kill her by shooting.

In this regard a case was registered in Mudigere PS.Cr.No.50/2000 u/s 143, 504, 506 IPC and 3 Cl.(1)(X) of SCs/STs (P.A.) Act 1989

As per Chief Office letter No.SMS(4)/32/2000-2001 dated 5.6.2000 the investigation was taken up and the 'B' final report has been sent to court.

12. **Bidadi PS.Cr.No.104/2001 U/s 420 IPC and Sec.6&8 of Karnataka SCs/STs (Prevention of Transfer of Certain Lands) Act 1978 and 3(1)(X) of SCs/STs (P.A.) Act 1989.**

The Thoti Inamthi Land in Sy.No.6 of Nagadevanahalli village measuring 8 acres 31 guntas was regranted to Sri Munimaraiah, Venkataramanappa, Galappa, Nagappa and others by the Asst. Commissioner vide order No.122.68-69 dated 12.2.1973. All these grantees belong to SCs/STs. Till to-date these
grantees are the Khathadars/Anubhavdars of said survey number. According to Sec.4 of the Karnataka SCs/STs (Prohibition of Transfer of Certain Lands) Act 1978 there is prohibition of transfer of granted lands belonging to SCs/STs and such transfer is null and void. Such being the facts, the office bearers of the Jagajyothi Housing Society, without having any legal authority and sanctity, under the pretext of obtaining GPA from the grantees formed several sites in the said survey number, out of which 43 sites have been distributed to its members. Hence, the petitioner Sri Venkatesh requested the DCRE to take necessary action against the accused.

After conducting detailed enquiry the DSP, DCRE (Hqrs.) had lodged the complaint in Cr.No.104/2001 at Bidadi Ps.

The local police without conducting the investigation in a proper way submitted ‘B’ final report before the court.

Since the investigation of the local police is not satisfactory the DG & IGP, KS, Bangalore after considering all aspects has issued an order dated 2.8.2001 transferring the case to DCRE for further investigation.

Now the case is posted on 22.11.2001 before CJM Court, Bangalore to hear on ‘B’ final report.


The DG & IGP, KS, Bangalore in his letter No. SMS(4)/40-2001-02 dated 27.9.2001 has transferred the case in Ponnampet PS Cr.No.125/2001 u/s 143, 147, 324, 506, 427, 448 r/w 149 IPC and 3 Cl.(1)(2)(11) of SCs/STs (PA) Act
1989 to DCRE for further investigation. The case file has been taken over by DSP, DCRE, Mysore for further investigation.

On 14.6.2001 at about 8 pm the accused Kokangoda Dilip and 5 others entered the house of Panjara Yeravara Raju, Gange, Reena, Channi and Poora which are situated in the forest of Begur village and injured them by attacking with lathies and also broke open the door and threaten them, they will bring gun and killed them. The respondents sustained loss of Rs.200/-.

The case is under investigation.

**Stripping and Parading of S.C. Women**

There are about 250 Vokkaliga families in Nayakanahalli. The Scheduled Castes belonging to Madiga community come to about 50 families. There are 10 Agasa families, 13 Dommaru families, 2 families of Achars, 5 families belonging to Lingayaths and one each belonging to Ganiga and Brahmin families. Water is supplied by the Panchayat to all the houses of Vokkaligas. No Scheduled Caste house is given water connections. In the Scheduled Caste colony only 3 public taps are provided while in the colony of others a large number of public taps are provided apart from the taps provided in their individual houses. Without the knowledge and permission of the authorities the Vokkaligas had secretly fixed a gate-valve on the pipe through which water was supplied to the Scheduled Caste colony. The Vokkaligas used to close this gate-valve and prevent flow of water to the Scheduled Caste colony as and when they

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liked and created problems to the Scheduled Caste people who used to go one to one and a half kilometer to fetch water, whenever the gate-valve was closed.

The Ugadi festivities were on 25/3/2001. About one week before the festivities, the gate valve was closed by the Vokkaligas and denied water to the Scheduled Castes residing in the colony. On Ugadi day also there was no water to them and the gate-valve remained closed. The 27th March 2001 was the important day for the festivities, popularly known as Varsha Thoduku. Since, on that day also they were not given water, the Dalits were preparing to go to Panchayat authorities to lodge a complaint about the closure of the gate-valve, and refusal of the Vokkaligas to give them water. Thimmegowda was the person entrusted with the supply of water to the residents in the village by the Panchayat authorities. His son Kumara alias Mudda came to know about the intention of the Scheduled Castes to lodge a complaint against his father and the delegation was to be led under the leadership of Anand, a member of Doddahalahalli Grama panchayati and he belonged to Bahujan Samaj Party. In the Grama Panchayat, Nayakanahalli is also included. Mudda came to the Scheduled Caste colony and attacked Anand. Mudda while assaulting Anand, was shouting “Scheduled Caste nanna makkale nanna thande mele complaint koduthira? Kodi, nimage neeru beka? Kododilla, Uchche Kodusthene” (You Scheduled Castes, are you going to give a complaint against my father? Give it. Do you want water? Water will not be given, only urine will be given). After that he rushed to the place where about 25 Vokkaligas were playing cards and told them a lie that he was beaten by the Dalits. All of them ran towards Dalit colony and started to destroy the houses
and to beat the inmates including women and children. During the melee, one Naga belonging to Vokkaliga community sustained a self-inflicted simple injury.

Naga, son of Karigowda was taken by Srinivas, Kariyappa, Jagadisha, Swamy to the hospital. They returned and spread a rumour that Naga had died (it was a lie). About 200 Vokkaligas descended on the Scheduled Caste colony and started destroying what ever they could see in the houses of Dalits. They were shouting “Scheduled Caste sule makkale neevu nammavananna sayisiddeera, nimmanna ulisuvudilla, yellarannu mugisibidutheve” (You Scheduled Castes, sones of prostitutes, you have killed our man, we will not leave you. We will murder all of you). Then they started searching for Anand. They saw the doors of the house of Anand closed. They, therefore, climbed over the roof of his house removed the tiles and entered his house from above and attacked him. They wanted to murder him. When he received grievous injuries he became unconscious and they left him, thinking that he was dead. They destroyed many houses and inflicted bleeding injuries on many Dalits. Some of them went back to the Vokkali gas colony and brought about 50 Vokkaliga women to Dalit colony. They were carrying iron rods, broomsticks and firewood etc. These women started breaking into the huts of Dalits. They assaulted the inmates and dragged them out. The Vokkaligas both men and women dragged 3 Dalit women named Kempamma, Siddamma, and Rachamma, forcibly to Vokkaligas’ area and they stripped and paraded them. Thereafter, they were tied to the electric pole and started beating them. At that time Venkatalakshamamma another Dalit woman took some clothes to the women but was beaten and driven back by
Vokkaligas. Some of the remaining Vokkaligas were attempting to remove and destroy the name board of Ambedkar Yuvakara Sangha.

Parashiva, a Dalit boy from the village, who escaped from the area, went to Kanakapura and informed about the happenings to Mahadeva Naik who is the Bangalore Rural District Organizing Secretary of Bahujan Samaj Party. Mahadeva Naik contacted Balakrishna, Deputy Superintendent of Police, Channapatna over phone and informed him about the atrocities being committed by the Vokkaligas on the Scheduled Castes in the village. On the instructions of the Deputy Superintendent of Police the Sub-Inspector of Sathanur Police station visited the place. Earlier on the complaint of the Vokkaligas against the Scheduled Castes the Sub-Inspector had already sent a head constable and a constable to the village. These policemen prevented the Vokkaligas from removing and destroying the name board of Ambedkar Yuvakara Sangha. On seeing the police the Vokkaligas released the Scheduled Caste women who returned to their houses through the streets. After the arrival of the police the Vokkaligas dispersed to the surrounding areas and attacked the Scheduled Castes who had run away from their houses and were hiding behind the bushes. They were chased by the Vokkaligas and assaulted. 13 Scheduled Castes who sustained bleeding injuries were sent to Kanakapura Government Hospital. Additional Superintendent of Police Shivakumar visited the village and came to the hospital to see the injured at the hospital. Andaniah, President of Ambedkar Yuvakara Sangha handed over 6 complaints received from the injured to the Additional Superintendent of Police who in turn handed them over to the Circle Inspector of Police Puttathimmegowda of Kanakapura Police Station,
directing him to register the complaints and hand over the First Information Report to the concerned persons. The Circle Inspector of Police Puttathimmegowda took action to register only 3 out of the 6 complaints.

Scheduled Caste Women Paraded Naked

In a village called *Vanarooru* in Bellary taluk, about 25 kilometers from Bellary, a scheduled caste woman, Yarramma, her husband and daughter were assaulted and manhandled and Yarramma was denuded and paraded naked in the streets of the village on 26.8.2001. This inhuman, cruel act, repugnant to human dignity was committed by the people belonging to Valmiki caste (a backward caste recently included on the list of Scheduled Tribes of Karnataka).

Reasons for this outrageous incident: About a month prior to this incident, a scheduled caste youth Keshappa and a Valmiki lady named Mariyamma who were in love with each other eloped from the village. This infuriated the people of the Valmiki Caste. They accused Yarramma of helping the lovers in their elopement. The victim Yarramma narrated this gruesome incident, with tears rolling from her eyes, to the press and the police on 27th August 2001 as follows:

"Yesterday, around 4 ‘O’ clock in the evening a group of Valmiki people rushed into my house, dragged me out and pulled my saree. When my husband tried to come to my rescue, he was beaten up and with force he was pushed. My daughter, who tried to prevent them from manhandling me, was also beaten up and her saree was torn. Then they forcibly pulled out my saree. As they could not remove the knot on the string of my pettycoat, they used a blade to cut it and
made me nude. Then they dragged me nude and paraded me in the streets of the village and finally took me near the Grama Panchayat office and made me stand on the platform (katte) of the panchayat office. Their accusation against me was that I had helped the scheduled caste boy to run away with the Valmiki girl. But, in fact, I am in no way concerned with that incident.

"When this was going on, the villagers were simply 'standing and seeing'. None came to my rescue, and to save me from the degradation. This torture went on for nearly two hours. My husband and daughter were severely beaten up. When my brother-in-law ran to the police and reported the matter, the police came."

The accused in this case are eight people belonging to the Valmiki Caste, including three women. Officers of the District Administration, Social Welfare Minister, Home Minister and other VIPs, had visited the village. Seven persons who committed this atrocity were arrested and six of them were released on bail. The District Administration had immediately sanctioned Rs.10,000/- and the Home Minister visited the village on 31st August 2001 and paid an amount of Rs.50,000/- from the Chief Minister's Relief Fund to the victims. The District Administration had also taken efforts to provide a job in government to the victim Yarramma and to appoint her temporarily, till the regular sanction from government is received. It was also decided to construct 12 houses in the place of 12 huts in the S.C.colony. As the victim's family and the family of her brother-in-law did not want to reside in the village with this blemish, they were assured that two houses would be constructed for them in Bellary. The administration also decided to sanction loan to 17 S.C. families to purchase
buffaloes and also to provide employment for the S.Cs under ‘food for work’ scheme, as they were refused jobs by the caste Hindus in the village. Whatever may be the relief and rehabilitation given to the victim, could the humiliation, disgrace, physical torture and mental agony caused to her be remedied or rectified?

ALDUR, CHIKKAMAGALORE DISTRICT:

Sri. Kariyappa, r/o Kamathi village, Alur taluk, Hassan district and his wife Smt. Dharmamma were working in Guddenahalli estate of one Shashigowda for 8 months, which is in Aldur PS limits of Chikkamagalore district. On 25.06.2000 evening, they approached Shashigowda and requested to pay their wages due to them. But he abused them by using filthy language, abused their caste also assaulted them with hands and wrongfully detained them in their cooly line throughout the night. On 26.06.2000 at 7.30 a.m. again the accused Shashigowda abused them on caste ground and in filthy language and also hit Kariyappa with chappal. Both of them were tied with a rope to the poll, forcibly made them to drink urine and did not pay their wages due to them.

On the complaint of Sri. Kariyappa, a case was registered in Aldur PS.Cr.No. 79/2000 U/s 342, 323, 355, 504 IPC r/w 3 Cl(1)(X)(XI) SCs/STs (P.A.) Act 1989 against Shashigowda of Guddenahalli estate. The accused Shashigowda was arrested, produced before the court and was remanded to judicial custody. The Deputy Superintendent of Police, Chikkamagalore, completed the investigation submitted the chargesheet to the court through the
Public Prosecutor, Chikkamagalore. The victims left the estate with their belongings to their native place, i.e., Alur, Hassan district.

The Deputy Commissioner, Chikkamagalore district has paid Rs.12,500/- as compensation to the victims.

**HANGARAHALLI (MANDYA DISTRICT)**

On 22.06.2000 K.S. Nayudegowda former District President of Karnataka Rajya Rytha Sangha (KRRS) lodged a complaint at Arakere PS to the effect that on specific information that the legs of stone quarry workers were chained for the last 2-3 years and they were made to work in the quarry by force and that he and other activists of KRRS along with media persons visited the stone crushing unit of one Puttaswamygowda and found the following persons chained:

1. Gopala, Kadathanalu village
2. Venkatesh, Kadathanalu village
3. Nagaraju, Krishnaraja Sagar
4. Venkatachalan, Kyatanahalli
5. Krishna, Magarahalli

On his complaint, a case was registered in Arakere PS. Cr.No. 84/2000 U/s 346, 347, 357, 371, 506 IPC 3 & 4 of Child Labour (P.R.) Act 1986 and 3 Cl (i)(ii)(iii)(x) & (xv) of SCs/STs (P.A.) Act 1989 against the following four accused persons:

1. Puttaswamygowda, owner of the stone quarry and crusher
2. Arun Kumar, s/o. Puttaswamygowda
3. Seena, Nephew of Puttaswamygowda
4. Muniyappa, Mestri
The Deputy Superintendent of Police, Srirangapattana Sub-Division, has taken up the investigation of the above case. The five released labourers revealed that they had received some advances from the quarry owner, and so they have been forced to work in the quarry in lieu of the loan amount.

The above accused were arrested and remanded to judicial custody. The released bonded labourers belong to Bovi (SC) community. They were given Rs.6,250/- each as initial relief amount as per SCs/STs (P.A.) Rules 1995. Free sites measuring 30'x40' at Srirangapattana were granted to each of the affected families and the construction of houses at a cost of Rs.40,000/- are in progress. Further the Hon’ble Chief Minister has announced Rs.25,000/- to each of the chained labourers.

As per orders of Director General and Inspector General of Police, Karnataka State, Bangalore, this case was transferred to C.O.D. for further investigation. The case is chargesheeted in Special Court, Mandya in S.C. No.48/2000.

B.V. HALLI, CHANNAPATTANA TALUK, BANGALORE DISTRICT

One Siddaiah was tied to a post and abused by Shivamallegowda, s/o. Thammannagowda, because of the refusal of Siddaiah to work as ‘Bonded Labour’ for him. Further, Siddaiah and his wife had fled to a different village due to fear of the landlords.

In this regard, a case was registered on 04.02.2000 at Akkur PS in Cr.No. 7/2000 U/s Cl 3(11) of (P.A.) SCs/STs Act 1989 r/w 342, 355, 323, 506 IPC. The case was investigated and chargesheeted in the court of law. During the
investigation, it was revealed that the complainant had entered into a contract with the accused to work for him for a payment of Rs.7,000/- per annum. After a short while, the complainant stopped working for the accused, since the payment of Rs.7,000/- was not fully made and only a partial amount was paid. All the facts of the complaint was ascertained to be true except for the charge 'Bonded Labour', as the complainant and the accused had entered into a contract on a yearly basis and the charge that accused had forced the complainant to work as a bonded labour could not be established.

After the case was reported in the Police Station, the complainant was given protection and he continued to live in his house located at B.V. Halli and the family of Siddaiah consisting of his wife, children and parents still live in the same house without any fear. Siddaiah stated that, he went to Garudakkada village on his own accord to find work and that he visits his family at B.V. Halli at regular intervals. There are no reports of any kind of harassment meted out to him by the landlords or any one else.

The accused was arrested and remanded to Judicial Custody. The same was charge sheeted in the concerned court after due investigation in C.C. No.368/2000.

**DODDA NALLUR VILLAGE, BANGALORE DISTRICT**

Since long there was ill-will in connection with political rivalry between the members of Cong. (I) party and Janatha Dal (U) party. Muniswamappa was a Cong. (I) worker. At the instance of Muniswamappa several cases were registered against Janatha Dal members and vise-versa.
Such being the facts, on 26.11.2000, Gowramma, w/o. Muniswamappa appeared before Nandagudi Police Station and gave a complaint to the effect that on 26.11.2000 at about 11 a.m. while her husband Muniswamappa was proceeding to Sonia Gandhi’s meeting at Delhi, near Chennapura Keremori, the accused Srinivasa Reddy, Subramani, Vajara Subramani, Manju, Umesha and Manju gathered themselves into an unlawful assembly and assaulted Muniswamappa with chopper, thereby causing serious injuries and he died on the spot. Accordingly, the case was reported in Nandagudi P.S. Cr.No.280/2000 U/s 143, 144, 147, 148, 149, 302 IPC r/w Sec.3(ii) (v) of SC/ST (P.A.) Act 1989. All the accused in the case were arrested and produced before the court and all accused were in judicial custody. A compensation amount of Rs.1.50 lakhs was paid to the family of the victim.

**ADAKAMARANAHALLI, BANGALORE DISTRICT**

On 13.11.2000 Sri Muniraju, the resident of Adakamaranahalli village appeared in the Police Station and gave a complaint to the effect that one Gangadaraiah and 5 others dragged him out of his house and forcibly shaved off his head, as they accused him falsely of having raped on Rathnamma, w/o. Gangadaraiah of the same village.

In this connection, a case was registered in Nelamangala PS Cr.No.612/2000 U/s 324, 506 IPC and Sec. 3(i,w of SC/ST (P.A.) Act, accused No.1 Gangadaraiah who was arrested and produced before the court on 16.11.2000, was remanded to judicial custody. He was on court bail. Other accused were still absconding. Meanwhile, the High Court of Karnataka in W.P.
No.3445/2000 was pleased to order a stay in the further investigation of the case on 23.11.2000 till further orders.

NEELUR VILLAGE, AFZALPUR TALUK, GULBARGA DISTRICT

Brief facts of the incidents are that on 9.10.2000, at about 8 a.m. one Ambedkar who belongs to a Scheduled Caste and one Satish, a caste Hindu had a quarrel near Prakash Barbar Shop of the village over the refusal of entry of the Harijans into the Temple, Tea stalls and a Barbar shop. It was reported that the assault of Satish with a chappal by Ambedkar led to the gathering of a group of caste Hindus who rushed towards the Harijan colony and assaulted the Scheduled Caste people with clubs, stones and other dangerous weapons abusing them on caste basis. As a result, the complainant Dattu and 6 other Harijans sustained injuries. On a complaint of Dattu, s/o. Bettappa, a case was registered in Revoor PS.Cr.No.47/2000 U/s 147, 148, 504, 307 r/w 149 IPC and Sec.3(i)(x) of SC/ST (P.A.) Act 1989.

In connection with this case, the I.O. had arrested all 11 accused named in the F.I.R., and produced them before the court. The accused were remanded to judicial custody. A relief amount of Rs.6200/- was paid to each victim.

UPPERINGENAHALLI VILLAGE, HOLALKERE TALUK, CHITRADURGA DISTRICT

The brief facts of the case are that on 19.11.2000, at about 8 a.m. one Lakkamma belonging to Adi-Karnataka by caste and a resident of Uperingenahalli village was sleeping in her house. At that time, about 30-40 caste Hindus of the same village broke open the door of her house, dragged her to
the village temple where she was assaulted with hands by the accused who
removed her saree making her half-naked. The accused persons had also abused
her on caste basis.

In this connection, a case was registered in Holalkere PS.Cr.No.362/2000
U/s 143, 147, 323, 427, 354, 504, 149 IPC and Sec.3(x) of SC/ST (P.A.) Act
1989. In this case, 15 accused who have been arrested and produced before the
court and were released on bail. The case is under investigation. As per the
proposal sent to the Deputy Commissioner, compensation of Rs.6250/- was paid
to Smt. Lakkamma on 23.11.2000.

GOWDAGERE VILLAGE, MANDYA DISTRICT

Brief facts of the case are that on 22.11.2000, the PSI, Mandya Rural PS
recorded the statement of G. Naveen Kumar, s/o. Gurusiddaiah, aged about 19
years of Gowdagere village at the General Hospital, Mandya to the effect that one
month back when he was coming towards Hanakere village he asked Kum.
Prathiba of the same village to provide him a lift on her bicycle. On 22.11.2000
at about 7.30 p.m. while he was sleeping in his house, the accused Manu and
Madhu (nephews of Prathiba) called him from the house and assaulted him with
hands and abused him in vulgar language on caste basis. After a few minutes,
accused Shivaramaiah (father of Prathiba) accused Srinivasa. Venu and Madhu
came to the house of the complainant, took him near the temple and assaulted
him with their legs and tied his hands and legs with a rope. Meanwhile,
Sanjeevamma (mother of complainant) who came to the rescue of her son, was
also assaulted by the accused and abused her touching her caste.
Based on the statement recorded by the PSI, a case in Mandya Rural Police Station Cr.No.425/2000 U/s 143, 147, 323, 342, 354 r/w 149 IPC and Sec.3(i)(x)(xi) of SC/ST (P.A.) Act 1989 was registered.

In this case, the accused No.2 Madhu and No.3 Shivaramaiah were arrested on 29.11.2000 and were produced before the court. They were released on bail. The other accused were absconding. The case is under investigation.

**Episode Relating to B.Somashekhar**

Here is a historic case of subtle, sophisticated, political atrocity, at the highest level, which speaks volumes regarding how a member of the Scheduled Caste – a Cabinet Minister – was singled out, victimized and made to suffer socially, economically, politically, emotionally, psychologically and what not. It was not one individual or a group of individuals who were responsible for this kind of atrocity. It looked as if the whole system – social and political – was up against him. The person victimized was B.Somashekhar.

When H.D.Devegowda became the Chief Minister of the State on 11.12.1994, after the General Elections in 1994, it was the general expectation of people, particularly the people belonging to the deprived sections, that B.Somashekhar, who was elected from Malavalli constituency with thumping majority, would become a Cabinet Minister. The Chief Minister who is the leader of the majority in the Legislature, of course, has the prerogative to choose his colleagues to be on his ministry. May be due to the fact that Somashekhar did not have good equation with his political boss, he was not chosen to be a minister, while his colleagues and even his juniors in the party and in the Janata
Dal ministry earlier, became cabinet ministers. This was considered by the people of the weaker sections as a humiliation and injustice done to Somashekhar, who was one of the most deserving candidates.

However, when J.H. Patel became the Chief Minister of Karnataka in June 1996, B.Somashekhar became the Cabinet Minister for Higher Education. As a committed, enthusiastic and efficient minister, Somashekhar was keen on introducing drastic changes in the administration of the institutions of higher education. He streamlined the selection of candidates through the Combined Entrance Test (CET) for medical and engineering courses. While there were people who appreciated his work, there were also people who were criticizing him.

On 2nd March 1997, there was a news item in “Kannada Prabha”, a Kannada daily newspaper that while he was a student studying for his LL.B., Somashekhar was caught copying in the examination and was debarred from taking up examination for two years. When a report was called for by the Government from the Vice Chancellor of Bangalore University, the Vice Chancellor gave a report to Government that “it was a fact that B. Somashekhar had copied in the LLB examination and was punished.” When some clarification was called for by the Government, the Vice Chancellor sent another report which contradicted his own statement in his first report... however, he was very firm in his stand that it was a fact that Somashekhar had indulged in copying and was punished.
In the meanwhile, there were adverse publicities in the newspapers, vehemently criticising Somashekhar, as a "COPY CAT", etc.\textsuperscript{22} This news item appeared in Indian Express dated 1\textsuperscript{st} May 1997, when Somashekhar was on official visit to Canada and U.S. One of the caustic remarks made in it was "the Higher Education Minister Somashekhar has gone to foreign countries to teach the foreigners how to copy in the examinations". Somashekhar refuted the charges as false and fabricated and was ready to face any enquiry. Even according to the Vice Chancellor and the press, if Somashekhar had copied in the exam nearly 20 years ago and was punished, he could not be punished again, if he had copied and not punished, he could not be punished after 20 years. However, a big issue was made out of a non-issue and much hue and cry was made.

This matter was raised on the floor of the Legislative Assembly and Legislative Council. Who were the critics of Somashekhar in these fora? They were his own colleagues and members of his own party, rather than members of the opposition party. Ultimately, Somashekhar tendered resignation on 12.9.1998 to his ministership and was ready to face any enquiry to vindicate his stand that he had not copied in the examination as alleged by the University, the Press and others.

On the floor of the Legislative Assembly, the Chief Minister ordered a judicial probe by a retired judge of the High Court. The Legislative Council also resolved unanimously to constitute a House Committee to enquire into the matter.

\textsuperscript{22}Indian Express on 1\textsuperscript{st} May 1997 carried a big news item on the front page "Somashekhar: Higher Education Minister a Copycat". This was reiterated in another news item in Indian Express dated 9.5.1997 with more details from the report of the Vice Chancellor, Bangalore University.
law and natural justice that there cannot be two proceeding against a person in the same matter. Perhaps, this must be the only solitary case in the working of parliamentary democracy in India (or elsewhere), in which two parallel enquiries were conducted in the same matter, concerning a Cabinet Minister).

Though Somashekhar appealed to the Chairman of the Legislative Council and the Chairman of the House Committee, Uggarappa, not to proceed with the matter in view of the judicial probe ordered by the Chief Minister, the Uggarappa Committee went ahead with the enquiry, conducted the enquiry in its own manner and submitted its findings to the Government indicting Somashekhar that he had copied in the LLB examination and that he had submitted false information to the Legislative Council to the contrary. However, there was one Lady Member of the Committee who gave her dissent note.

The result of the judicial probe, by Justice Shivashankar Bhat, retired High Court Judge of Karnataka, was quite contrary to that of Uggarappa Committee. The One Man Commission observed, among other things, that the Syndicate Resolution produced before the Commission to prove copying by Somashekhar was not authentic and all the documents produced by the University were "ridden with holes". Ultimately the Commission exonerated Somashekhar of false charges of copying. Totally ignoring Uggarappa Committee Report, the Cabinet accepted the decision of Justice Shivashankar Bhat, One Man Commission.

This time, what was the response of the press? It was only Deccan Herald which carried the news that Somashekhar came out clean in the judicial probe.
The other newspapers, particularly, the Indian Express, which was calling him "Copycat" in the news items in the front page, and waging a war against Somashekhar, did not mention a word about it. The malicious design of the media and its discriminating attitude could very well be understood by anyone.

True to his word that he would take back Somashekhar on his Cabinet, after the judicial probe, J.H. Patel appointed him as Revenue Minister of Cabinet rank on 4.4.1998, indeed an elevation. Hats off to J.H. Patel.

Anyway, the fact remains that for eight months Somashekhar was out of power, undergoing inexplicable mental agony, torture, stress and tension, and untold humiliation, for no fault of his. His family members also underwent similar suffering, till he came out clean in the judicial probe. In this episode, the antagonistic attitude of the Vice Chancellor towards his own Higher Education Minister (who is also the pro-chancellor of universities), the unfair, uncharitable way the media gave adverse publicity to a false allegation and became mum when the truth came out in the judicial probe, the unscrupulous manner in which the MLAs, MLCs and Ministers from the same party harassed their own colleague, the prejudicial enquiry and findings of the Uggarappa Committee, which was falsified by the verdict of the One Man Commission - all because of caste-bias toward Somashekhar, - could be very well seen.

23 Late J.H. Patel, the then Chief Minister of Karnataka, was generous, broadminded person, who used to mention in his speeches that he was a true follower of Basavanna, the great social and religious reformer of 12th Century and that his son got married to an S.C. lady and he was happy about it.
Other Cases with Political Cause:

The Mandal Panchayat Pradhan and Members are supposed to be the guardians of the weaker sections and work for social justice, implementing various schemes and programmes meant for the weaker sections in the Mandal jurisdiction. Instead of doing this, they themselves are up against the deprived sections. This is evidently seen in the case of Medikanala Land struggle\textsuperscript{24} in which the Mandal Panchayat Pradhan and Members tendered resignation to their offices and on the advice (or ill-advice) of the President of the Zilla Panchayat, went to the High Court and got the stay order, when land in an abandoned Tank was distributed by Government to the Scheduled Castes. This is another kind of atrocity committed by the people in power, against the helpless, poor people.

Many Scheduled Caste persons have died due to attack and assaults on them by the Caste Hindus in political power and also by the party workers. The death of Buddavva, in Kammanna Sirsigi Village in which the culprit was a Mandal Panchayat Member\textsuperscript{25} on the death of Laxman Naik of Wadayera Village - a SC member of the Zilla Panchayat, Gulbarga due to assault by Caste Hindus\textsuperscript{26} and the death of Muniswamappa (Cong-I work due to assault by J.D (U) Party members\textsuperscript{27}, are some of the examples.

It is most unfortunate, Motamma, Hon'ble Minister for Women and Child Welfare, Government of Karnataka, has also been a victim of atrocity. In a public meeting, M.K. Prakash and six other members of Bharatiya Janata Party,

\textsuperscript{24} This case is listed in the "Excerpts from the Karnataka Legislative Committee on Welfare of SCs/STs, Fourth and Fifth Reports of the Eighth Vidhana Sabha, 1987-88".
\textsuperscript{25} Ibid.
\textsuperscript{26} Report of the Directorate of CRE.
\textsuperscript{27} Ibid.
had spoken ill of her personal life, insulting her caste, using obscene language and posed serious threat to her life. She was forced to file a complaint in Mudigere Police Station, under the provisions of Indian Penal Code and SCs/STs (Prevention of Atrocities) Act, 1989. What a pity a Cabinet Minister for Women and Child Welfare herself face such humiliation, atrocity and threat to her life! This is the worst type of atrocity on a person belonging to Scheduled Caste and atrocity on woman. If a Cabinet Minister were to face such humiliation, atrocity and threat to life, what could be the plight of the poor, illiterate, ignorant and innocent Scheduled Caste and Scheduled Tribe women, particularly in the rural areas? It is a paradox that the people involved in this case are none other than the members of the political party which makes tall talks about Hindu religion and Hindu culture, which respect woman as 'Shakti' - Goddess. Perhaps, there is an exception to this in the religious precepts, when it concerns Scheduled Caste women. That is why all kinds of atrocities like public humiliation, insult, assaults, parading them naked, rapes, gang rapes, etc., are perpetrated on Scheduled Caste women.

(9) STATEMENTS SHOWING THE CASES OF ATROCITIES*

The number of cases of atrocities committed on SCs/STs registered under the provisions of the SCs/STs(PA) Act 1989, IPC and the PCR Act 1955, during 1998-2000 is as follows:

---

28 This case is included on the list of cases reported by the Directorate of Civil Rights Enforcement.
## District-wise Statistics from 1998 upto December 2001
### SCs/STs (P.A.) Act, 1989 Cases

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* These statements are as obtained from the Directorate of Civil Rights Enforcement Cell.
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CRIME AGAINST SCHEDULED TRIBES BY NON-SCHEDULED TRIBES
(Where Caste consideration is a factor)
for the years from 1998 to 2002 (Upto 28th February 2002)

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**CRIME AGAINST SCHEDULED TRIBES BY NON-SCHEDULED CASTES**
(Where Caste consideration is a factor)

for the years from 1998 to 2002 (Upto 28th February 2002)

<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Murder</td>
<td>11</td>
<td>11</td>
<td>11</td>
<td>14</td>
<td>5</td>
</tr>
<tr>
<td>2.</td>
<td>Hurt</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>2.3</td>
<td>Grievous</td>
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<td>0</td>
<td>3</td>
<td>5</td>
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<tr>
<td>2.4</td>
<td>Others</td>
<td>26</td>
<td>27</td>
<td>10</td>
<td>29</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Total (Hurt)</td>
<td>31</td>
<td>27</td>
<td>13</td>
<td>34</td>
<td>3</td>
</tr>
<tr>
<td>3.</td>
<td>Rape</td>
<td>10</td>
<td>5</td>
<td>16</td>
<td>11</td>
<td>5</td>
</tr>
<tr>
<td>4.</td>
<td>Kidnapping</td>
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<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>5.</td>
<td>Dacoity</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>6.</td>
<td>Robbery</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>7.</td>
<td>Arson</td>
<td>4</td>
<td>8</td>
<td>1</td>
<td>4</td>
<td>0</td>
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<tr>
<td>8.</td>
<td>Offences under the protection of Civil Rights Act</td>
<td>172</td>
<td>85</td>
<td>100</td>
<td>104</td>
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<tr>
<td>10.</td>
<td>Other Offences against ST (If the victim is ST)</td>
<td>45</td>
<td>10</td>
<td>10</td>
<td>8</td>
<td>1</td>
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<tr>
<td><strong>Total (Crimes against STs)</strong></td>
<td><strong>1292</strong></td>
<td><strong>1296</strong></td>
<td><strong>1329</strong></td>
<td><strong>1305</strong></td>
<td><strong>221</strong></td>
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<tr>
<td>SL No.</td>
<td>Crimes Against SCs/STs</td>
<td>Total</td>
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<tr>
<td>2</td>
<td>Other IPC</td>
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<tr>
<td>3</td>
<td>Rape</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Arson</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>SCs/STs (PA) Act cases</td>
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<td></td>
<td>Other IPC</td>
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<tr>
<td></td>
<td>Total</td>
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Atrocities Against SC/STs break-up under major heads up to March 2002
### Particulars of atrocity cases reported and disposed of during the period from 1990 to 1997 (upto May 1997)

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<td>228</td>
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<td>94</td>
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<td>1991</td>
<td>553</td>
<td>44</td>
<td>509</td>
<td>347</td>
<td>15</td>
<td>126</td>
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<td>2</td>
<td>13</td>
<td>1</td>
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<tr>
<td>3.</td>
<td>1992</td>
<td>553</td>
<td>72</td>
<td>481</td>
<td>294</td>
<td>4</td>
<td>164</td>
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<td></td>
<td></td>
<td>11</td>
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<tr>
<td>4.</td>
<td>1993</td>
<td>905</td>
<td>70</td>
<td>836</td>
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<td>49</td>
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<td>1267</td>
<td>894</td>
<td>180</td>
<td>161</td>
<td>4</td>
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<td>1181</td>
<td>483</td>
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<td>1997</td>
<td>534</td>
<td>20</td>
<td>514</td>
<td>34</td>
<td>480</td>
<td></td>
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</tbody>
</table>

### Particulars of cases reported/disposed off/pending trial, etc., under PCR Act, 1955 during the years 1990 to 1997 (upto May 1997)

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>1990</td>
<td>750</td>
<td>99</td>
<td>651</td>
<td>321</td>
<td>4</td>
<td>275</td>
<td>10</td>
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<td>37</td>
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</tr>
<tr>
<td>2.</td>
<td>1991</td>
<td>585</td>
<td>78</td>
<td>507</td>
<td>308</td>
<td>10</td>
<td>171</td>
<td>2</td>
<td></td>
<td></td>
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<td>16</td>
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<td>3.</td>
<td>1992</td>
<td>444</td>
<td>57</td>
<td>387</td>
<td>307</td>
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<td>46</td>
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<tr>
<td>4.</td>
<td>1993</td>
<td>388</td>
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<td>327</td>
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<tr>
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<td>1</td>
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</tr>
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<td>1995</td>
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<td>367</td>
<td>279</td>
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<td>7.</td>
<td>1996</td>
<td>262</td>
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<td>115</td>
<td>125</td>
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<td></td>
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<td>5</td>
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</tr>
<tr>
<td>8.</td>
<td>1997</td>
<td>101</td>
<td>6</td>
<td>195</td>
<td>20</td>
<td>75</td>
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One of the main objectives of the work is to study the causes of atrocities - the various factors that contribute to the perpetuation of atrocities. The present study ventures to explore three main aspects relating to the causes, namely, SOCIAL, ECONOMIC AND POLITICAL. But no hard and fast line could be drawn between these three aspects, as they are closely inter-related. In one sense, all the causes could be considered as social, since economic, political and other aspects are nothing but social activities. Underneath all the causes of atrocities there is a root cause i.e., the practice of untouchability which again is the outcome of caste system, which in turn has the sanction of the Hindu religion. In India, caste affects every aspect of human life - social economic religions, political, cultural and so on.

However, for the purpose of clarity and better understanding, we will be studying the causes of atrocities under these three major heads.

SOCIAL CAUSES

Temple Entry:

The age-old cause of the atrocities on SCs and STs is temple entry. It is not only the age-old cause, it is the cause of atrocity on the so-called untouchables even today. The following news item substaniates this fact:

"Dalits beaten up for entering temple"

Dalits of Tarutha village in the Rohtas district of South Bihar are a scared lot even after lodging an FIR against the landlords of their village after they were beaten up by them for entering the village temple.

Despite the arrest warrant issued by the police, the culprits are moving around scot free and are even threatening the dalits with dire consequences if they do not withdraw their complaint. Ravindra Ram, Bandhu Ram, Wakil Ram and Shyambihari Ram, all dalits, were beaten severely when they “unwittingly” entered the temple premises.

On that day, they were working in a field abutting the Lord Shiva temple in the village, when a downpour forced them to run for shelter to the compound of the temple. When the upper caste landlords of the village saw, they acted immediately. According to the victims, Mrityunjay Singh and Hairjay Singh came up to them and abused them. When the dalits remonstrated, the landlords, joined by other upper caste men, attacked them.

“How did you dare to enter our temple?” they reportedly asked. “You have made it dirty and you will have to pay for it.” The Dalits in the village have never worshipped at the temple, which was made exclusively for the upper caste people of the village. However, the Dalits say, they never would have believed that they could be punished so harshly just for taking shelter from the rain, and only in the compound and not the temple proper.

The Dalits did not take the matter lying down and went to the SC/ST police station at Dehri to lodge an FIR. Though the officers in charge at first refused to
lodge their case, the Dalits did not give up. They approached top police and administrative officers and, finally on July 28, their FIR was filed.

After looking into the case, the police were forced to issue arrest warrants against the culprits and attach their property. However, the accused are yet to be arrested. The Dalits have alleged that the police was deliberately allowing the upper caste men to move around scot-free and threaten them.

The RJD MLA from the region, Jagadanand Singh, who is also a senior minister in the Rabri Devi cabinet, confirmed the incident. He said the culprits would definitely be punished.

This is not an isolated incident here. In the past, many such cases have been reported from other districts too. In 1996, Dalits were not allowed to enter a temple in Phulwari village of Bhojpur district. A skirmish followed after the ultra left party CPI-ML (Liberation) intervened. Finally, the Dalits made a ceremonial entry in the presence of the police.

In many villages in Karnataka, the SCs are not allowed to enter the temples. They have their own small temples in their colonies, as small as or even smaller than their huts. There are so-called ‘temples’ in an open air, with a few bricks or stones under a neem tree or some other tree. They perform their pooja there and even conduct feasts and festivals in those temples annually and on important occasions. Their gods and goddesses are also S.Cs like Maramma, Durgi, Kaali, Shiva and Muniswamy. Though they are Hindus, they are not allowed to enter the temples of the caste Hindus. The caste Hindus want the SCs to be in the Hindu fold, but they do not want to give them equal status.
It is the human nature, rather the spiritual nature of the human beings, to think of Almighty God, worship Him, offer Him their prayers and gratitudes for the divine blessings. But in the Hindu society, the SCs who are considered as Untouchables cannot do that. Their entry into the temple would amount to pollution. “This is so inspite of the doctrine of Brahma, asserted by the Brahmins to be residing and pervading every human being. If there is Brahma in a Brahmin so also it is in a Primitive man and a Criminal tribes man and so also in an Untouchable. How are these two facts to be reconciled – The Theory of Brahma and as against it the existence of the primitive tribes, the criminal tribes and the untouchables?” questions Dr. Ambedkar.\(^{30}\)

In most of the villages some ‘Brahmas’ are allowed to enter the temple and some ‘Brahmas’ are considered Untouchables and not allowed inside the temple. Even in cities and towns, though all are allowed to enter the temples, some ‘Brahmas’ could enter the sanctum sanctorium and have special poojas and darshan, other ‘Brahmas’ should contend themselves with praying God from a distance. There are temples and mutts where food is offered for the devotees; but separate seating arrangements are made for some ‘Brahmas’ (Brahmins) and other ‘Brahmas’ (non-Brahmins). Even the type of food varies, in sense, special food is offered to the Brahmins and ordinary food to the others.

So long as all these discriminations were tolerated by the SCs, every thing was all right. With their awareness and advancement in different fields, when they question these discriminations and demand equal rights with others, the problem

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\(^{30}\) Dr. Babasaheb Ambedkar Writings and Speeches, Vol.5, compiled by Vasant Moon. Education Department, Government of Maharashtra, 1989, p.129.
starts. There are attacks on the SCs who are numerically and otherwise, weak. When they resist and counter the attacks there are clashes and again they are the worst affected victims as their men are assaulted and murdered. This is exactly what has happened in the classic, unprecedented case of atrocity that took place in Badanavalu village of Nanjangud taluk in Mysore district in which three scheduled castes were murdered and six were seriously injured.

The irresistible urge and the challenge to enter the temple, asserting their rights with others started with Dr. Ambedkar. It was Gandhiji’s wish also that the SCs and STs should be allowed entry into the temples. But his approach was one of appealing (to the good senses of the higher strata) convincing, persuasion, sympathetic consideration etc. to secure entry of the Harijans into the temples. But Dr. Ambedkar wanted to enter the temple along with his people. He had planned to make this forcible entry, along with his people, into Kala Ram temple at Nasik. The date and time were fixed. His people had assembled in big number near the temple along with their leader. But this was not all. At the same time, in the same place, the orthodox Hindus outnumbering the S.Cs, fully armed, were ready to attack and prevent the entry of these people into the temple. The situation was very tense and serious. His followers were very eagerly looking at Dr. Ambedkar for his ‘orders’. Had Dr. Ambedkar said to his people “Enter” the next moment there would have been bloodshed and murder. His innocent people who were Hindus, craving to enter a Hindu temple to pray the Hindu God like other Hindus, would have been butchered. Dr. Ambedkar, realizing the situation kept silent for a while and told his people “you should not enter into a place where you are not wanted”. These were the words of pain and pang which came from a wounded heart. These words never
meant to just convey the message. "You should not enter the temple where you are not wanted". It really meant, "you should not be within the folds of a religion, where you are not wanted". The real implications of the words he had uttered at that crucial juncture could be understood better, when he renounced Hinduism and embraced Buddhism along with three lakhs of his followers. Besides, with these words, Dr. Ambedkar had sown the seeds of self-respect and self-esteem in the minds of the deprived sections of the society and reiterated his message and formula for transformation i.e., SELF-HELP, SELF-ESTEEM and SELF-ELEVATION. However, those who decided to extricate themselves from the tortures of discrimination, disabilities and atrocities on account of caste system and untouchability, have gone out of the Hindu fold and/or elevated themselves following the footprints of Dr. Ambedkar. Those who are continuing in the same social and religious order, continue to suffer, in some way or the other. Due to recent incidents of conflict (and atrocities) due to entry to temples in several places like Badanavalu, the DSS has gone all out to conscientise the community of the need of defining their identity outside the Hindu caste fold. A big number of Dalits are embracing Buddhism at least as an external sign of protest against Hinduism.31 There are regular conversions going on to Christianity also.

Access to Drinking Water

In the earlier days, access to the sources of drinking water posed a very big problem for the untouchables and it was one of the causes of atrocities. Food, shelter and clothing are the bare necessities of life. More than these necessities, water, like air is most essential for human lives and also for the animals, birds and

other creatures and living organisms including plants. Nature provides this in abundant quantity all over the universe. But in India, it was most unfortunate, a section of the society was deprived of this most essential requisite for living. They could not share clean, potable water with others. As a matter of fact, they could not share water even with the cattle. The ponds and lakes where the cows, the sheep, goats, buffaloes and pigs were drinking water and the cattle were given bath, were not open to these people.

Dr. Ambedkar was himself a victim in his younger days to this agonizing deprivation. He was beaten up for drinking water in a tank. He was fully aware of the plight of his people in this regard. The Mahad Municipality had passed a resolution in 1924, declaring to have thrown open its Chowdar tank to the depressed classes. The Kolaba district depressed classes had organized a two-day conference at Mahad on March 19 and 20, 1927, under the leadership of Dr. Ambedkar. About ten thousand delegates from almost all the districts of Maharashtra and Gujarat attended the conference. It was decided in the conference that the delegates would march to the Chowdar tank to assert their rights of taking water from the tank.

And now the momentous event, great in its magnitude and far-reaching in its consequences, was taking place. Anti-slavery, anti-caste, anti-priest Ambedkar, who represented the awakened spirit of the untouchable Hindus, was marching towards the tank from which the Muslims and Christians took water along with the so-called touchable Hindus, but from which the untouchable Hindus, who worshipped the Hindu gods, stuck to the same Hindu religion through ages past, were although their throats parched with thirst, not allowed to take even a drop of water. There never was such a thrilling spectacle in the whole history of the suppressed people when the
downtrodden who had groaned under the heels of injustice through ages rose to assert their human, civil rights. A virile and aggressive champion of social revolution Ambedkar was marching with an army of men to attack all the so-called venerable accepted customs.32

Thus, led for the first time in their history by a great leader of their own they all displayed discipline, energy and enthusiasm. Enlightened among the enlightened, the equal of any erudite man on earth, a Hindu of a noble aspiration, yet unable to take water from a public watercourse or to read in a public library in Hindustan, the land of his birth and faith, was now defying the arrogance of the tyrants, exposing the baseness of people who boasted that their religion treated even animals with forbearance but who treated their co-religionists worst than cats and dogs.33

Dr. Ambedkar first took water from the tank and drank it. The vast multitude of men followed suit and vindicated their right. Thus a new era, defying the blind age-old social custom and asserting and vindicating the human right of the untouchables was started by Dr. Ambedkar, a rare combination of erudition, vision and action.

However, it took several years to solve the problem of the untouchables regarding drinking water. Thanks to the governments for implementing the rural development programmes. The politicians also realized the importance of catering to the needs of the Scheduled Castes and Scheduled Tribes who are considered to be the 'vote banks'. Though rigging of borewells has considerably eased the situation,

32 Keer Dhananjay, Dr. Ambedkar: Life and Mission, Popular Prakashan, Bombay, 1971, p.73.
33 Ibid, p.74.
the problem is not fully solved. Many ‘keries’, ‘colonies’ and ‘thandas’ are yet to be provided with independent sources of drinking water. When the borewells rigged in the colonies go out of order, again the problem starts. There are also cases in which the non-Scheduled Castes started taking water from the source meant for the Scheduled Castes when their wells had problems and slowly claimed exclusive ownership for the use of the wells, keeping the Scheduled Castes away from their own wells and making them walk miles to get water. It is like the story of “The Arab and the Camel”.

Where there are villages with water supply and mini water supply schemes, the SCs suffer due to discriminative treatment like separate independent water taps for the houses of the forward castes and one or two public taps only for the whole Scheduled Caste and also tampering frequently with the supply of water to these taps. When they try to assert their right, atrocities are committed against them.

A classic case of atrocity committed on scheduled caste people in Nayakenahalli village, Uyyambally Hobli, Kanakapura taluk, Bangalore rural district, on 27th March 2001 on account of drinking water problem has been narrated at pages. When they try to assert their right, atrocities are committed against them.

Burial Ground

Another social cause of atrocity against the SCs/STs relates to burial ground. These unfortunate people suffer untold miseries when they are alive and sometimes even when they are dead, as burying the dead body becomes a big problem.

34 Oravingal Sreedharan (Advocate, Karnataka High Court) and Chikkanna, “Stripping and Parading Dalit Women”, Baba Saheb Dr.B.R.Ambedkar Adhyayana Kendra, Bangalore 560 009, 2001, pp.6-9
Though they are Hindus and the caste Hindus do not want them to be converted to any other religion, not only they are not allowed to live with other Hindus with equal rights, when they are alive, but also not allowed to be buried along with other Hindus, when they die.

The untouchables are claimed by the Hindus as Hindus but the dead body of an untouchable cannot be cremated in the Hindu cremation ground.35

Dr. Ambedkar has quoted a report in the “Free Press” of 7th June 1946.

“Citing a recent criminal case in which two Madura Harijans were sentenced to four months rigorous imprisonment for doing an act which was likely to wound the feelings of others Mr. A.S. Vaidyanatha Iyer in a communication to the press draws the attention of the public to the cruel suffering which the Harijans have to bear by reason of untouchability”. The reason for this punishment was the Madura Harijan who had lost his eldest child cremated the body in the Madura Municipal burning ghat in a shed which was said to be set apart for caste Hindus, instead of in the one reserved for Harijans. The Harijan’s plea was, he did not know of any such reservation, that it was drizzling and that the former place was better. No caste Hindu raised any objection no: was there any proof that anyone’s feeling were wounded. The incident came to the notice of the Madura police who prosecuted the father of the child and another near relation on the ground that such act was likely to wound the feelings of others because the Harijans were untouchables.

35 Dr. Ambedkar, Dr. Babasaheb Ambedkar Writings and Speeches, Vol. 5, Education Department, Government of Maharashtra, 1989, p.43.
Another case is cited by Dr. Ambedkar, in which the sweepers of Floda village, Muzaffarnagar district were not allowed by the Tyagi Brahmins of the village to cremate the dead body of a sweeper in the caste Hindu grounds. The untouchables were forced to bury the dead body, instead of cremating it (The *Savadhan* of 22nd April, 1945).

Even after more than half a century of Independence, this problem has not been solved. There are many cases in which the problems of burying the dead have led to atrocities on the Scheduled Castes. Many villages do not have separate burial ground for the Scheduled Castes and Scheduled Tribes. Very few of them have lands of their own to bury the dead bodies. When they venture to bury the dead in the burial ground meant for the caste Hindus, the problem arises and there are clashes, attacks on the Scheduled Castes and Scheduled Tribes.

**Tea Shops and Hotels**

Another common cause of atrocities on the Scheduled Castes and Scheduled Tribes is the entry into tea shops and hotels in the villages. Almost all hotels and tea shops are run by caste Hindus and they are meant for the caste Hindus. They do not tolerate any Scheduled Caste or Scheduled Tribe to enter the hotels, sit along with others and use the plates, cups and saucers. In many villages, even today, separate plates and tumblers are kept outside the tea shops and hotels; the so-called untouchables have to use those plates and tumblers to take eatables and to drink coffee or tea, after which they should themselves wash the dishes and place them back. So long as the Scheduled Castes and Scheduled Tribes continue to follow this practice, there will not be any problem. Once they question this discriminating treatment and try to assert their right to equal treatment by entering the tea shop or
hotel, there would be attacks on them, leading to social boycott and other atrocities. 
These are the common scenario in the rural areas.

Love Affairs and Marriage

Love affair between a Scheduled Caste boy with a caste Hindu girl or a Scheduled Caste girl with a caste Hindu boy creates severe problems for the Scheduled Caste families. With the emergence of co-education in the schools and colleges even in the rural areas and with the free movement of the women-folk even in the villages to attend to day-to-day activities, there is ample chances for the youth of all castes and communities to move freely with each other, never bothering about the ‘high’ and ‘low’ of the social status, resulting in love affair in some cases. This ignites fury among the orthodox, caste-crazy parents, particularly when their son’s or daughter’s love affair is with a person from the Scheduled Caste or Scheduled Tribe. They won’t hesitate even for a second to cause any harm to the boy or the girl concerned, and to their parents and even to the entire Scheduled Caste people in the village. Even when some broadminded parents, out of love and affection to their children would not mind the love affair and even for the inter-caste marriage, the caste-drunk family members, neighbours and community people would never allow them to do that. They will incite the parents with provocative words “how dare these Untouchables do it? How could we tolerate this? What will happen to the prestige of our caste?” etc. Even the people belonging to the most backward classes or even from the scheduled tribe, do not tolerate this sort of inter-caste love affair or inter-caste marriage. The result is attacks and atrocities on the vulnerable people.
The following news item speaks for itself as to what an amount of cruel, gruesome and inhuman treatment would be meted out to the parents and relatives of the boy who eloped with a caste Hindu girl:

"A 42-year old Dalit woman was gangraped by nearly 14 people of a yadav family and then burnt alive in full public view on Wednesday. Her "crime": her son eloped with the daughter of one of the culprits.

Police have still not arrested the culprits at Kabraha village in Kanpur. Three policemen, including the station in-charge, have been suspended for abetting the offenders.

"The victim and her husband Rajendra, a Jatav and two sons, Sunil and Sudhir were held captive by the culprits for nearly eight days and tortured. The culprits then decided that the mother should pay the price for her son’s “wrong doing and raped her and burnt alive”.

The outrageous, inhuman and atrocious incident that happened in Vananooru in Bellary taluk was due to similar love affair and elopement. A Scheduled Caste youth named Keshappa, who was in love with the Valmiki girl Mariyamma had eloped with her from the village. Consequence of this: Yarramma, a Scheduled Caste woman, her husband and daughter were assaulted and manhandled and Yarramma was stripped and paraded naked in the streets of the village on 26.8.2001. The reason for this atrocity on Yarramma and her husband and daughter, according

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36 "Dalit Elopes, So Mother is Raped and Torched", Lucknow, July 8, 1996, Indian Express, Bangalore, dt.10th July 1996.
to the culprits was that Yarramrr.a helped the couple to run away from the village, which she had refuted.

Even if she had helped the couple to elope, the Caste Hindus should not have taken law into their own hands and punish her in such inhuman manner assaulting, manhandling and outraging her modesty. In such cases, all that the caste Hindu parents could possibly do is dissuade their children, if possible, from having any sort of contacts with the S.Cs. Despite this, if their children attain majority and choose to love and marry a partner from other caste, they cannot do anything legally except magnanimously accepting and blessing the couple. But the caste-ridden mindset of the so-called high caste people does not allow them to be broadminded and magnanimous; instead it makes them to commit atrocities on the innocent people.

**Refusal to do traditional jobs**

Refusal to perform the so-called ‘duties’ cast upon the ‘untouchables’ is another major social cause of atrocities on them. When they have realised the importance of human dignity and refuse to suffer any more indignities associated with untouchability and refuse to do certain unhealthy, unhygienic and obnoxious things free or for some pittance, assaults and inhuman atrocities are perpetrated on them. The types of atrocities committed against these vulnerable, helpless people in Karnataka have been narrated earlier.

Though occurrences of such cases of atrocities are common in the villages of Karnataka, only a few cases have come to light. When the SCs and STs make attempt to secure the rights that were not enjoyed by their ancestors, however
constitutional they may be, there is retaliation on then. In the thinking of the casteist forces, the untouchables should continue with their age-old occupation and age-old rituals\textsuperscript{37} whether they are in conformity with or repugnant to human dignity.

**ECONOMIC CAUSES**

The weaker sections of the society are not only suffering social degradation for ages together, but also they are the victims of economic deprivation and exploitation. Poverty is rampant among these people. They constitute major portion of the people below the poverty line. Majority of the deprived classes live in villages and their economic condition is highly deplorable compared to that of the negligible percentage of people who have migrated to cities and towns where the wages are slightly higher and labour opportunities are more. However, they too are not free from exploitation.

In fact, India's remarkable agricultural civilization and economy are built on the bones of the Dalit Agricultural Labour Castes and cemented with their blood and sweat. As it was then, so it is today. According to qualitative data I have collated from different sources, the rural Dalits shoulder more than 5 times as much of the burden of agriculture labourers than the non-Dalit, non-scheduled Dalit brethren do. There are agricultural labourers in non-Dalit castes too. But they do not constitute agricultural labour castes. Only the Dalits do. This is an important socio-economic feature of the Indian caste system. This historical backdrop is essential for a clearer

understanding of the age-old phenomenon of 'untouchability, an essential feature of
the caste system and of the recent phenomenon of atrocities.  

The life of the Scheduled Castes and Scheduled Tribes is struggle for
existence. They perpetually struggle for food and struggle for livelihood. In the
urban and semi-urban areas, the uneducated among them work as labourers in
factories, construction work, road works etc. The educated clamour for jobs in
government, companies etc. The uneducated in the rural areas work as agricultural
labourers. Only a few of them have lands mostly granted to them by government. It
is the life-time ambition and dream of these people to have a piece of land for
agriculture. Hence they frequently visit the Tahsildar's office and other revenue
offices with applications in their hands. Implementation of the Karnataka Land
Reforms Act 1973, has also helped some of these people to get their tenancy rights
confirmed, making them the owners of the land they were cultivating for years
together. But the enjoyment of these lands by the weaker sections is solely at the
mercy of the landed gentry of the higher social strata.

The other occupation relegated entirely to the 'untouchables' and pursued by
them since ages is leather work consisting of flaying and country tanning and
making the footwear. Since this job entails working under extreme unhygienic
condition, the casteist categories look down upon this occupation and also the people
who are engaged in it.

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38 Walter Fernandes, Emerging Dalit Movement, edited. Untouchability and Atrocities. Article by
Scavenging is another occupation specially assigned to the 'untouchables' in which men, women and children are engaged to earn their livelihood. The unhealthy conditions of this work and the stigma attached to it, makes it an exclusive occupation of the 'untouchables', making them sub-human beings in the Indian society.

With the advancement of education and the constitutional provisions of reservation in government job – thanks to the yeoman service of the great visionary – Dr Ambedkar – a few of the Scheduled Castes and Scheduled Tribes are working as peons, clerks, teachers and officers in government departments and public undertakings. By virtue of their merit people work in private concerns and undertakings. But they are negligible in number. Despite the reservation provisions followed for more than half a century, the top level posts in Class I (Group A) and Class II (Group B) are not filled up fully.

This is the scenario of the economic life of the Scheduled Castes and Scheduled Tribes. These people encounter several harassments, humiliations and atrocities, while they carry out these economic activities to earn their bread.

Land and Atrocities

Land has been the most coveted possession for the people in India. There is no wonder, the weaker sections in rural areas long to acquire land for their living. But according to the Hindu tradition, they are not supposed to hold land, hold any property of their own. Their duty is to serve the landlords by providing cheap labour. Since the interest of the dominant castes are well served by the prevailing caste system, possession of land by the weaker sections are not tolerated by them. They
feel that it is a threat to their social status and an affront to their caste hegemony. Therefore, to frustrate the attempts of the weaker sections to acquire land to enjoy them, the dominant castes do not have any scruples in resorting to violence against them. On account of land and land-related matters, many atrocities have been committed against the Scheduled Castes and Scheduled Tribes. More the S.Cs assert their rights to land, more the atrocities. A few of the cases relating to Karnataka have been cited already.

Besides preventing the weaker sections from acquiring and enjoying land, the dominant caste people grab the land of those people and also encroach upon the government lands, like gomal land, forest land, tanks etc., and annex to their existing land, in connivance with the authorities concern. In some cases, the land earmarked for weaker sections and poor people are also grabbed by the socially, economically and politically dominant groups illegally and even legally, as discussed earlier. The decision of the Supreme Court of India cited at page 251 is a classic case which shows how highest political power is used to grab the land earmarked for the SCs/STs and backward classes. These are also atrocities of the worst kind as the livelihood of the poor people are snatched away by dominant landed gentry, even before the benefit would accrue to them.

Implementation of the Karnataka Land Reforms Act created problems for the SCs and STs. Firstly, they were threatened not to file applications in Form 7, claiming tenancy rights. Those who dared to file the applications were assaulted and prevented from attending the Land Tribunals. Many of them were given police protection to attend the Tribunals. When tenancy rights were conferred on them,
they were not allowed to cultivate the land. There are many cases in which the tenants’ lands are in possession and enjoyment of the landlords.

Bonded Labour

For centuries together, the victims of caste system, untouchability, social discrimination and degradation had to work as bonded labourers, working day and night for the dominant castes. Their condition was no better than that of slaves. They had to work hard in the fields in burning sun, pouring rain and in biting cold and also work in the household of their ‘masters’ taking care of the cattle, cleaning the cattle-shed and the premises and always available at the beck and call of the ‘masters’ and their family members. Any mistake committed by them, however trivial it might be, was meted out with severe lashes. Anyone who attempts to run away from these tortures would be beaten up black and blue and/or the family members would be punished. In many cases the whole family had to serve the ‘masters’ and their families. The women-folk of the bonded labour family were misused and abused for various things including satisfying the carnal desires of the ‘masters’ (No question of untouchability, when it corresponds to sex). The children of the bonded labour had to work for the landlords and they also had to suffer untold miseries. The practice of bonded labour was systematised as a hereditary institution.

For all this round-the-year service, sacrifice and miseries, the bonded labour family was getting some foodgrains once or twice a year, some leftover food from the ‘master’s’ house and some dress annually, just to barely cover their body.

This state of affairs continued even after Independence, both covertly or overtly. Realizing the changed scenario, some of the landlords started putting up the
show of being benevolent caretakers of the bonded labour families, enticing them by providing them a little more things. The bonded labour system provided the landlords with very cheap labour for agriculture and other activities including maintenance of their household. Therefore, they continued to perpetuate this unsocial, anti-social institution though they were talking of liberty, equality, fraternity, fundamental rights, Gandhism and so on.

It was only after the Abolition of Bonded Labour System Act was promulgated and implemented strictly as part of the Twenty Point Economic Programme by Indira Gandhi, when she was the Prime Minister of India, that this system started seeing its gradual decline. During National Emergency, the administrative machinery in the State, particularly the Revenue Department was geared up to detect cases of bonded labour and to free them from the clutches of the landlords. Thousands of bonded labourers were freed and rehabilitated. But the reaction of the landlords was mostly antagonistic to this revolutionary social change. Since the matter was pursued rigorously, they had to give up their adamant attitude.

Though Bonded Labour System has been abolished and the victims have been freed and rehabilitated to certain extent, the practice continues in indirect form. Abject poverty among the weaker sections compel them to work almost like bonded labourers. It is convenient and comfortable for the landlords to have these labourers at cheaper cost. When they demand more wages, all sorts of atrocities are committed on them. When they stop working for the landlords and look for some other better opportunities, then also they have to face the wrath of the dominant castes in the form of atrocities.
P.S. Krishnan recollects atrocities related to bonded labour in his article "Untouchability and Atrocity" as follows:

"Another recorded ferocious example of atrocities in 1976, related to bonded labour in stone-quarrying is the case of Chikkabasavanahalli, Bangalore district, a village right at the doorsteps of the city of Bangalore. I remember the marks of whiplash on her back that Nagamma showed my team".

Atrocities on bonded labourers working in stone-quarrying in Kollegal, Kanakapura and Mandya and other taluks are very common. The case where the boned labourers were chained in their legs like animals, to prevent them from running away has also come to light.

**Demand for Higher Wages**

The wages paid to the Scheduled Caste labourers, whether it is in agricultural operations or elsewhere, are usually meagre, very much less than the statutory minimum wages. When these exploited labourers demand slightly higher wages, which are a little more than the prevailing wages and definitely less than the minimum wages, the landowners and other employers refuse to pay even that reasonable wages and perpetuate atrocities on the helpless poor labourers. Demand for higher wages is not tolerated by the dominant categories for they consider it as an affront to their hitherto unquestioned authority. It also means assertion of the untouchables for their rights. "How dare these mute, low caste people question us now? We should teach them a lesson". That is how the demand for increase in wages trigger off atrocities.

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Mass Atrocity on the Mining Workers

Kolar Gold Fields was on the maps of India and the world as a gold producing mine and one of the deepest gold mines in the world. When the mining was running in full swing under the John Taylor and Company (a British company which started the mine) and subsequently under the Govt. of India, the work force was between 25,000 to 30,000. Most of the workers were Scheduled Caste people from the erstwhile Madras state. In due course of time, the resources started dwindling and on account of mismanagement and alleged pilferage at higher levels, the mining started working at loss and the strength of the workers came down to about 4000. The Government of India decided to close the mine. Before taking up this decision, the Government of India had to take a few steps as a course of procedure and on humanitarian consideration, as the lives of about twenty thousand people including the family members of the workers are at stake.

The Government of India, firstly should have seriously considered the opinion of some experts and explored the possibility of starting new mines in and around K.G.F. where gold deposits are available. Secondly, in the alternative, the Government could have started some other industry in the area, to accommodate the displaced workers, after giving them training in necessary skills. Even if this is not possible, as a third alternative, substantial compensation should be paid to the workers, and measures should be taken to rehabilitate them. Experts would suggest some more alternatives to come to the rescue of these workers and their families, who are in highly deplorable condition, without any pay for several months.
"If there is a will, there is a way". Though this is an old, hackneyed proverb it is universally true and holds good for all times. Not only that, "if there is political will, there are several ways". Obviously, there is no political will to help these people. The government is totally apathetic towards the plight of these people. As a result, the people are facing endless problems, as their very livelihood is affected. Daily nearly 10,000 people, young and old, men and women – keep travelling up and down from K.G.F. to Bangalore and other places to work in some temporary jobs. The matter is before the High Court of Karnataka. God only knows how long this suffering would go on!

Why this inaction, indifference, negligence and apathy on the part of the government? Why no political party and no leader has come forward to fight for this cause? There is one and the only reason: The people who are affected are all from Scheduled Caste. Had it been the problem concerning the people of some other caste, it would have been taken up seriously and a solution would have been found out by now. Since it relates to the Scheduled Castes, no one seems to bother about it. This is the worst type of atrocity, mass atrocity, causing suffering to thousands of people, in this so-called welfare state.

POLITICAL CAUSES

Democracy is the modern type of government and it is the civilized form of government too. The Constitution of India establishes "SOVEREIGN, SOCIALIST, SECULAR, DEMOCRATIC, REPUBLIC" in India. The Preamble, the Fundamental Rights, the Directive Principles of State Policy and various other provisions of the Constitution expostulate that our ideals, aims and objectives are to establish social, economic and political democracy.
Dr. Ambedkar, the Chief Architect of the Constitution, while presenting the Constitution to the Constituent Assembly, clarified these aspects and urged the people to follow the ways of maintaining democracy in the country that:

"the first thing they must do was to hold fast to the constitutional methods of achieving their social and economic objectives and abandon the methods of civil disobedience, non-cooperation and satyagraha, for those methods were nothing but the grammar of anarchy".

Second thing he cautioned the people is regarding the danger that arose from hero-worship. "For in India Bhakti plays a part in politics unequalled in magnitude than the part it plays in the politics of any other country in the world. Bhakti may be a road to the solvation of the soul; but, in politics Bhakti or hero-worship is a sure road to degradation and eventual dictatorship."

The third thing people must do to safeguard the Indian democracy, Dr. Ambedkar said, was that they must not be content with mere political democracy but that they should make political democracy a social and economic democracy. He added that political democracy could not last unless there lay at the base of it social democracy which recognised liberty, equality and fraternity – as the principles of life. They formed an inseparable trinity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. They must acknowledge, he continued, the fact that there
was complete absence of two things in Indian society: equality in social life and equality in economic life.\textsuperscript{40}

Thus explaining the importance of social and economic democracy and the importance of equality in social and economic life, Dr. Ambedkar sounded grave warning to the nation which is often quoted everywhere:

"On 26\textsuperscript{th} January 1950 we are going to enter into a new life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man and one vote, one value. In our social and economic life we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which we … so laboriously built up\textsuperscript{41}.

These are the clarifications and caution Dr. Ambedkar gave to the people of this country, more than fifty five years ago, to safeguard and maintain our democracy. But what is happening today is diametrically opposite to what he had urged the people of India to ‘resolutely guard against’.

Instead of taking recourse to constitutional methods of achieving their social, economic and political objectives, people resort to satyagraha, strikes, bunds, violence and atrocities etc., causing loss of individual and nation’s property, loss of lives etc., affecting peace and happiness of the people and progress of the nation.

\textsuperscript{41} Constituent Assembly Debates
Hero-worship and 'Bhakti in politics' have become more rampant to the extent of committing assaults, murder etc on the opponents, self-immolation for the sake of their leaders or certain issues. Their Bhakti is so strong that they 'touch the feet' of their leaders to pay their respect to them. Some 'leaders' like this kind of practice from their followers and do all the favours to them and those who do not express their Bhakti in this way, are penalized.

Dr. Ambedkar made a very pertinent observation about the 'life of contradictions' prevailing as on January 26, 1950, the day on which the Constitution of India came into force. The contradictions were that 'in politics we had equality and in social and economic life we had inequality'. He, therefore, urged that 'we must remove this contradiction at the earliest moment'. But, even after more than half a century, the contradictions have not been removed. Though seemingly we have equality in politics, inequality in social and economic life is still continuing. People have become more and more caste-conscious, community-conscious, religion-conscious, regional-conscious, and linguistic-conscious and placing all these perochial feelings above the interest of the nation.

It is an incontrovertible fact that social and economic equality is the pre-requisite for the successful working of democracy. In the absence of social and economic equality, democracy is a farce, a mockery. Instead of striving to remove the social and economic inequality, the politicians fan the fire of differences, caste and communal hatred, for their selfish ends. In the preceding chapter we have discussed how caste and politics are inextricably intermixed. This political backdrop would enable us to study and understand the political causes of atrocities against the Scheduled Castes and Scheduled Tribes.
Representation of Scheduled Castes and Scheduled Tribes in Politics

Before Independence, the Scheduled Castes and Scheduled Tribes were not properly represented in politics and in the popular representative bodies of the State and the Centre. It is only after Independence, particularly after the Constitution came into force and since the First General Elections in 1952, that seats were reserved for these categories of people both in the State Assemblies and in the Parliament of India, proportionate to their population. Since then people belonging to Scheduled Castes and Scheduled Tribes have been elected from the Reserved Constituencies and they are represented in State Assemblies and the Parliament. Some of the members who belong to the majority party that forms the Government, become ministers.

In Karnataka there are 224 Assembly seats. Out of this, 33 seats are reserved for Scheduled Castes and 2 seats for Scheduled Tribes. Apart from this, there are reservation of seats in the Corporations, Municipalities, Zilla Panchayats, and Mandal Panchayats for the Scheduled Castes and Scheduled Tribes. Elections are conducted for these local bodies also and the members are elected from the reserved constituencies. One striking feature of the reserved constituencies is that, there are voters from the general categories also; but the concentration of Scheduled Castes and Scheduled Tribes is more. For the Assembly seats, almost all the SC/ST candidates contest from some party or the other. If there are independent candidates, they get defeated. Only candidates from the leading political parties like the Indian

42 Karnataka Legislative Assembly, "A Review of the Tenth Assembly", compiled and edited by Research and Reference Section, Karnataka Legislative Assembly Secretariat, Vidhana Soudha, Bangalore.
National Congress, Janata Dal, Bharatiya Janata Party, get elected depending upon the wave.

Elections and Atrocities

Though atrocities are committed on these vulnerable sections, not only in the reserved constituencies but also in the general constituencies, before, during and after the elections and in some cases continuously thereafter, very seldom these cases come to light. Many a time, some of the discriminating, humiliating treatments meted out to these people are considered to be quite normal and they are never considered as atrocities.

In Keeripatti reserved constituency in Madurai district of Tamil Nadu, none of the candidates is allowed to file the nomination during the last two General Elections. Casteist dominant groups attack the Scheduled Caste people who try to file the nominations for the elections and threaten them of dire consequences. Mortally afraid of the dominant castes and their threats, the SCs have not ventured to risk their lives. The authorities have done nothing in the matter to help the victims. Fortunately, this type of blatant political atrocities have not taken place in Karnataka.

However, preventing a particular S.C candidate from contesting the elections, threatening the S.C. voters to vote in favour of some particular candidate, preventing them by threat from going to the polling stations to cast their vote, attacking and causing hardship to them when a candidate is defeated and so on are not uncommon. These cases are treated not as atrocities but as general law and
order problem during elections and even in serious cases, some 'compromises' are made.

This type of atrocities used to occur during the Assembly and Parliament Elections. With the introduction of Panchayati Raj system in the State, all kinds of political atrocities are committed against the weaker sections during the elections to Zilla Panchayats and other local bodies at the grass root levels also.

Subtle Atrocities

Apart from the atrocities before, during and after elections as an aftermath, there are other subtle types of atrocities which are not physical but which cause more harm to their personality, affecting them psychologically and emotionally.

Before the three-tier panchayat raj system was introduced in Karnataka in 1986, village panchayats – Gram Panchayats as they were called – were functioning as the democratic institutions at the grassroot level. A few S.C. people also were members of the village panchayats. But they were not given any importance except taking their thumb impression or signature on the proceedings of the panchayat meeting. The researcher had himself seen the S.C. members being made to stand or squat on the floor in the meetings and during inspections of the village panchayats. Emphasizing and convincing the Chairman and other members of the panchayats that all members are equal and have equal rights irrespective of caste, creed etc., he made the S.C. members (who were reluctant and afraid in the beginning) to sit on the chairs, along with others. Though things have improved now and they are allowed to sit along with others in the meetings etc., they are not given due importance. They are usually taken for granted. Important positions are not given
to them. The opinion and the decisions of the dominant members are thrust on these people, which they have to accept even though they may not like it. If any one does not accept the mandates of the dominant members and tries to assert himself, he becomes the target for further humiliations and discrimination.

This state of affairs are prevalent not only at the lower level politics like that of the mandal panchayats, but at all levels, including State and National levels. Key positions and important portfolios are taken away by the dominant categories of people and unimportant and insignificant positions are given to the SC/ST members. Out of sheer political compulsions and to hoodwink the SC/ST voters, sometimes some important positions and portfolios are given to them. But still they are not allowed to exercise their powers fully. There are constant interference from above and even from colleagues, in their day-to-day functioning.

Besides, the SC/ST members and ministers are not allowed to function peacefully. There are sarcastic and oblique remarks about them and their caste. This need not be necessarily from the opposition parties. The same party members and ministers indulge in causing harassments to the SC/ST members and ministers, directly and indirectly. In the interest of party and its solidarity, the SC/ST members and ministers would be forced to do certain things and not to do certain things. But when it affects their interest, others normally have apathetic, sometimes even antagonistic attitude and all sorts of problems are created for them, which affect even their position. The "Bhoosa Prakarana" in which B.Basavalingappa was made the target of this sort of atrocity doctored by his own colleagues, is one such example. On a trivial issue state-wide agitation was organised against him and he
had to lose his position as minister. In this issue the casteist groups and even the press were antagonistic towards him.

There was a grand function organized by an educational institution in the State, in which the former Prime Minister of India, H.D. Devegowda, was the chief guest. Unavoidably, the State High Education Minister, B. Somashekhar, who happen to be from Scheduled Caste, was also invited to the function. But, while many District leaders, other ministers from the State were made to sit on the dais as guests, the concerned minister was not provided a seat on the dais along with other dignitaries, because of his caste identity as a Scheduled Caste. An open insult in the public. Somashekhar as an upright, sensitive person who treasures self-respect than anything else, all that he could do was, leave the place without attending the function. Nobody bothered about this and nobody expressed any regret or remorse. An educational institution could have the audacity to insult and humiliate a Cabinet Minister of the State and all other dignitaries perhaps, in a way were happy about it.

The Protection of Civil Rights Act categorically speaks “Insults or attempt to insult, on the ground of ‘untouchability’, a member of a Scheduled Caste shall be punishable with imprisonment...”43. But nothing happened.

When H.D. Devegowda, while functioning as the Chief Minister of Karnataka, was chosen to be the Prime Minister of India, many senior leaders from Janata Dal Party claimed to become the Chief Minister of the State. D. Manjunath, a senior minister in Devegowda’s Cabinet, who is also a veteran leader from the Scheduled Caste was one of the contenders. The other contenders were J.H. Patel

43 Section 7(1)(d) of the Protection of Civil Rights Act.

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and Siddaramaiah. When J.H. Patel succeeded in becoming the Chief Minister of the State, not only Manjunath lost the chance of becoming the Chief Minister, but also lost his minister’s position. As a vindictive action against him, he was not taken on the Cabinet as a minister, while the strong contestant of J.H. Patel for the Chief Minister’s post, Siddaramaiah became the Deputy Chief Minister, as he had the strong support of Devegowda.

As already discussed in the second chapter, Mallikarjun Kharge also faced similar, but not so severe situation, when so many ministers were appointed from his own district so as to bring down his stature.

The worst affected victim of this kind of subtle political atrocity was B. Basavlingappa. When S. Bangarappa was to be removed from the Chief Ministership on certain charges, Basavlingappa, a very senior, competent leader of the State in Congress Party, was one of the strong contenders for the Chief Ministership. The ultimate result was Veerappa Moily became the Chief Minister on 19.11.1992 and Basavalingappa who was a Cabinet Minister in Bangarappa’s Cabinet was unceremoniously dropped, which was a great shock and humiliation to Basavalingappa. Just before the further expansion of the Cabinet by Moily, according to the followers and close friends and relatives of Basavalingappa, with the uncertainty whether he would become a Minister or not and that it would be greater insult and humiliation if he did not become, Basavalingappa died. Indeed a great loss to the State and in particular to the exploited masses!

The humiliation meted out to President K.R. Narayanan, is a type of subtle atrocity on a Scheduled Caste person, which we have mentioned earlier: calling the
President of the Republic of India, as “an untouchable”. This is a classic example as to the unchanging mindset of the Indians regarding caste discrimination, which is being learnt and aped by the foreigners who are supposed to be broadminded people and people who respect human dignity.

This is the condition of the SCs/STs at the highest levels of power politics. At the District, Taluk and Mandal levels their position is still worst. Many of them will be members of the local bodies only for name sake. Because of their weak position and minority status, their voice is seldom heard. A few of them rarely become the head of the bodies, on account of reservation, yet the members of the dominant castes will have their way, even in such cases.

We could keep on narrating umpteen number of instances of subtle atrocities perpetuated on the SCs and STs at the political levels.

OTHER CAUSES AND MANIFESTATIONS OF ATROCITIES

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 has listed out in detail atrocities which are considered as offences to be punished in accordance with the Act. Similarly, the Protection of Civil Rights Act, 1955, also has enumerated the actions of people that would tantamount to the practice of untouchability and hence offences to be punished under the Act. As has been already observed, even the most flagrant commission of atrocity and/or practice of untouchability go unnoticed and unprotested for various reasons. Besides this, there are also several actions, attitudes and behaviour of the higher strata which are worst than the offences listed out in the Acts, which cause more insult, injury and mayhem to the individuals and their personality, than the atrocities
listed in the Acts. Yet, the victims have to ‘grin and bear’ and suffer these indigivities silently, as they are totally in a helpless condition. These atrocities are manifested in such subtle and sophisticated way that at the face of it, they do not appear to be acts of atrocities. But they do have very deep, lasting impact on the life and psyche of the victims, than the acts of physical injury or assault. This kind of sophisticated atrocities are committed by the elite at the higher levels.

**Official Atrocities**

Discrimination, ill-treatment, step-motherly attitude and harassments are more rampant in administration. When an official belonging to SC/ST caste joins service, from day one till he retires, he has to face some sort of problem or the other. Starting with oblique remarks, sarcastic comments regarding caste like ‘reserved category’, ‘Sarkari Makkalu’ (children of Government) etc., assigning him unimportant and unwanted compilations, always criticizing him as ‘useless’, upto issuing notices, suspensions, spoiling the Confidential Reports, transfers, departmental enquiries, punishments, etc., on trivial grounds, would be wreaked on him.

Officers at all levels also face similar problems, sometime or the other. Of course, there are many higher officers who are broadminded, impartial, encouraging, who recognize merit and appreciate. But some of them have some sort of prejudice towards the officers and officials belonging to SCs and STs. Somehow, they have their pre-conceived notion that SCs and STs are always selected for posts on the basis of reservation. They are not aware of the fact or they don’t like to accept that many of the candidates get selected on merit and that their performance as officers and officials is not only good but also better than that of others. So long as the
higher ups see these officers and officials through the coloured filters of caste, they miss to see the reality. Once they shift their perception that merit and good performance have nothing to do with caste, they could see the reality, they could see the potential of all their officials.

There is one weapon, which is used particularly in Government Service, to punish the subordinates and wreak vengeance on those who are not liked by the bosses: the Annual Confidential Report. The Annual Confidential Reports are supposed to be written by the superior officers in an impartial and objective manner. But, by and large, this important power vested in the superiors, is used whimsically, with their subjective outlook. If they like an official, even though he might be average, below average, or worst in certain ways, he will be given the best report. If they don’t like an official, however efficient, honest and sincere he might be, he will be given just a ‘satisfactory’ report or may be given an adverse report also. The worst affected victims are those belonging to the SC/ST category.

An adverse remark in the Annual Confidential Report of an official is a black spot in his career. It affects his future prospects for promotion to the next higher positions. For that matter, even an ordinary, average remark will not help an official much, for those who have ‘outstanding’ remarks will supersede. An adverse remark also affects the official concerned psychologically as he feels demoralized. Instead of peacefully attending to his job, and put in his best, he feels diffident, discouraged and victimized. His interest and initiative are killed. He is looked down upon by his colleagues and subordinates. If this recurs for some more years, it would cost him his job also, as they could be retired compulsorily under the Karnataka Civil
Services Rules, Rule 285. At one time, this rule was strictly enforced and as usual, the more number of victims were from the SCs and STs.

The researcher himself an S.C. was a victim to subtle atrocity in 1983. His immediate superior officers, the Deputy Commissioner (Collector of the District) and the Divisional Commissioner recorded outstanding remarks in his Annual Confidential Report. The Revenue Commissioner who always signs the report without any comment, left a note “I agree with the assessment of the Deputy Commissioner and the Divisional Commissioner (The Reporting Officer and the Countersigning Officer). However, in one matter of land reforms, the officer did not take action as per government direction”.

This was a vague, unsubstantiated general remark, which cannot in any sense be considered as an adverse remark. All the same, this was, communicated to the officer (i.e., me, the Researcher) as ‘adverse remark’. When the officer gave his explanation and requested the Chief Secretary to expunge this general observation by the Revenue Commissioner, a reply was received within one week that the remarks could not be expunged. In the administrative history of Karnataka, this must be the only solitary case in which adverse remarks were made by the Revenue Commissioner, ignoring and superceding the “outstanding remarks” by the immediate superiors and a reply was received from the government within a week’s time. The glaring caste prejudice of the senior most officers of the State could be very evidently seen. On account of this harassment, the officer suffered mental torture and his seniority was considerably affected. However, he could not be deprived of his promotion, which was the sole intention in spoiling his confidential report. Thanks to the benign superior officers who were impartial, upright and most
competent, for their excellent reports, the victimized officer (i.e., the researcher) did not lose his promotion.

In respect of officers and officials belonging to other categories, the story is different. Even if they are inefficient, indifferent, corrupt, because of their caste support and political support, nothing happens to them. On the contrary they keep climbing up the official hierarchy in a routine manner and posted to 'plum' posts and to places of their choice. Most of the important key posts are held by the officers from the dominant categories. Very rarely a Scheduled Caste officer is posted to such posts, however competent he might be. This type of discrimination is very commonly seen. Whichever party comes to power, this practice of discrimination continues to be the same. These phenomena are not peculiar only to Karnataka. They are prevalent in other States and in the Government of India, too, perhaps in some cases more intensely.

To avoid harassments to the SC/ST officers and officials, V. Karuppan has suggested “Any adverse report of confidential report of the SC officers should pass through one or more senior Secretaries, preferably SC officers, in the case of SC officers and in the case of subordinate staff one or more head of the administrative offices may be nominated to review the confidential reports whenever they were adversely commented”44.

In fact, there are circular instructions issued by the State Government and by the G.O.I. that the adverse remarks in the confidential reports of the officers and officials belonging to the Scheduled Castes and Scheduled Tribes should be viewed

44 V. Karuppan, IAS (Retd.), "Abolishing Untouchability - Ensuring Civil Rights in this Country", Dalit Liberation Education Trust, Madras, India, p.7.
leniently and that the rating should be taken as the rating at the next higher level. 
like ‘D’ rating should be taken as ‘C’, ‘C’ as ‘B’ as ‘A’ and ‘A’ as outstanding. But 
this is not followed in practice.

As already mentioned, it is not only in respect of writing of the confidential 
reports, but in the case of general treatment, transfers, promotions and postings, 
discriminations, humiliations and atrocities are perpetuated against the officers and 
officials of the weaker sections in a very subtle and refined manner. Every one has 
telling stories to relate about their experience encountered sometime or the other in 
their career. But, they do not normally venture to protest or revolt, lest more 
harassments are inflicted on them. Here again, the severe victims are those who are 
assertive, active and straight forward. The weak and the docile among them are 
somehow, tolerated and they escape from such tortures.

Apart from facing subtle forms of discrimination, harassment and sufferings 
in the field of politics and in career, they encounter delicate situation which may not 
look like atrocities on the face of it, but cause even more mayhem. For instance, it 
has become customary among the people in general and among the colleagues in an 
office or institution, to enquire about the caste of a person, even when he is a casual 
aquaintant. Those who belong to higher caste do not hesitate to reveal their caste. 
May be, they are happy and even proud to do that. How about those who belong to 
the lower categories? They feel humiliated. They can’t utter any lie, and hide their 
caste, nor reveal their caste, easily. However, when the caste is revealed, the sudden 
change in the attitude of the enquirer, if he were to be from the higher strata, adds 
insult to injury.
Discrimination on the basis of caste, the practice of untouchability and caste feeling have gone so deep in the minds of the upper caste people that they reflect in their day to day languages also. There is a proverb in Kannada “Ooru iddakade holageri” meaning in English, “where there is a village there is an S.C. colony” implying that where there is good, there is bad and/or where there is cleanliness, there is dirt and squalor. These types of sayings hurt the feelings of Scheduled Castes and affect their psyche.

Land Grabbing

There are other types of atrocities, not just subtle, but blatant, in which the legitimate rights conferred on the Scheduled Castes and Scheduled Tribes are taken away in a surreptitious manner by the ex-landlords. Under the Karnataka Land Reforms Act, 1973, tenancy rights were conferred on the tenants who were actually tilling the land and ex-tenants are supposed to be the owners of those lands. On records, this is the actual legal position. But in reality, the lands are all with the ex-landlords who were feudal lords from the dominant castes in the villages and the so-called owners continue to serve their masters for paltry sum that is paid to them as wages. They dare not disclose the secret to any authority, during enquiry, though protection was assured to them. In Northern Districts of Karnataka, hundreds of acres of land in respect of which tenancy rights were conferred on the farmers who are mostly from the weaker sections the lands continue to be in the possession and enjoyment of the ex-landlords. Though there are ways and means and sufficient provisions in law to retrieve the land to the tenants and to give them protection, they are mortally afraid of the landlords and do not come forward to speak out the truth.
Same is the position with regard to the lands granted to the weaker sections under Karnataka Land Grant Rules and Karnataka Land Reforms Act as surplus land, despite the provisions that these lands cannot be alienated and that even if alienated, should be retrieved to the original grantees.

Even the lands which were enjoyed by the weaker sections in places nearer to the cities like Bangalore, Mysore, Tumkur and other developing cities in the State are now in the possession and enjoyment of the dominant communities who are economically advanced and politically powerful. They have fabricated the records and have purchased lands from the weaker sections by paying them very nominal price, with speculative motives. Most of the dealings are ‘benami’ transactions effected to circumvent the provisions of the Karnataka Land Reforms Act and the Land Ceiling Act and prime lands have been knocked off by the unscrupulous, greedy elements, virtually cheating the poor, innocent, ignorant and illiterate people.

In addition to this, there are other types of direct and indirect economic atrocities committed by the dominant sectors. The lands that are earmarked for the weaker sections are unjustly grabbed by such unscrupulous elements. In an Empowerment Workshop conducted for the SCs and STs in Administrative Research Institute during February 1996, some of the elderly participants shared that land, which is now called “Sadashiva Nagar”, a very posh, costliest locality in Bangalore, where Ministers, film stars and the elite of the society have their residence, was earmarked by the Maharaja of Mysore for house sites to be granted to the SCs and STs. There is no any wonder in it, as a similar case has come to light recently.
The Supreme Court of India has passed a judgement as follows:

The Supreme Court today directed a trust headed by former Prime Minister Chandra Shekhar to hand over a sprawling 51-acres of land around his famous ashram on the outskirts of the capital to the Haryana government within two months.

Imposing a cost of Rs.25,000 on the Bharat Yatra Kendra Trust for illegally occupying village land and directing Government to take back the land, a bench comprising Justice R.P. Sethi and Justice K.G. Balakrishnan severely criticized the roles of Chandra Shekhar, Haryana Government and the Bhondsi village panchayat.

"The manner in which the gram panchayat and the State Government have dealt with the matter shows that they were over-shadowed by the towering personality of Chandra Shekar, Chairman of the Trust", it said while delivering its verdict in the PIL filed by Dr.B.L. Wadhera alleging irregularities in the manner in which gifts were made to the trust.

Justice Sethi, writing the judgement, said: "His giant stature, hovering over the office bearers of the gram panchayat and officials of the State Government appears to have factually immobilized them in the discharge of their duties which resulted in their succumbing to the heavy weight of the influential respondent".

Justice Sethi said: "The land, which was intended to be used for the Scheduled Castes and Backward Classes, admittedly, the oppressed section of the society apparently appears to have been usurped by the Trust under the

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45 Deccan Herald, April 19, 2002, "S.C. (Supreme Court) Cancels land gifted to Shekhar's Trust".
shadow of the politically influential personality and stature of its Chairman".

Forest land measuring 33 acres was gifted to Chandra Shekar's ashram for the purpose of construction of a civil dispensary and another piece of land measuring 18 acres was gifted to the ashram for construction of a college and polytechnic. The bench said neither the state government nor the ashram could satisfy it "regarding the legality and validity of the gift deeds" which were made without compliance of condition made in the government order granting approval to the gift. "The gram panchayat has dealt with property of its inhabitants in a reckless manner with the object of depriving the people of the area, the users of the land under the Village Common Land Act and Rules made thereunder", Justice Sethi said.

This is one of the cases that has come to light. God only knows how many such cases are there throughout the country, including Karnataka, in which properties and lands of the "oppressed sections" and the lands earmarked for them have been snatched away unjustly, by the 'towering personalities' and 'heavy weights' who are capable of 'immobilizing' the administration, at all levels. Tanks which have been dried up, measuring hundreds of acres and government lands have been taken away by the politically influential personalities either in their name or in some 'benami' names, which would have otherwise been granted to the poor, needy people. Thus the oppressed sections of people are deprived of the benefit of livelihood which would have otherwise accrued to them. And this is one of the worst forms of atrocity.
False Caste Certificates

Special provisions are made in the Constitution of India for the upliftment of the suppressed and oppressed people, by providing them reservations in government jobs, in the legislative bodies and also in admission to educational institutions and in providing educational facilities like scholarships, hostel facilities etc. Even in other matters like developmental, economic and welfare activities, certain priorities and special concessions are given to this target group. To avail these benefits, the Scheduled Caste and Scheduled Tribes people should produce caste certificate issued by the competent authority, in proof of their belonging to the Scheduled Caste or Scheduled Tribe. It is the Tahsildar of the taluk where the person ‘ordinarily resides’, who is empowered to issue the caste certificates after due verification though the other revenue authorities above the rank of the Tahsildar like the Assistant Commissioner (Sub Divisional Magistrate) and the Deputy Commissioner (District Magistrate) are also competent to issue the caste certificates.46

But, at times it so happens that the people who do not belong to these categories fraudulently obtain SC/ST certificates and claim the benefits meant for the real SCs/STs who have suffered the onslaughts of caste system and untouchability for ages together and who are still suffering. This is done by some people by misusing the names of the castes which look synonymous with the names categorised as Scheduled Castes and Scheduled Tribes. For instance, ‘Maleru’ (meaning those who live in the hills) is a Scheduled Tribe in Chikmagalure district. There is another caste which is called ‘Maaleru’, but it is written as ‘Maleru’. The

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46 This procedure applies to the Backward Classes also, as reservations are made for the various categories of Backward Classes in government jobs educational institutions and so on.
outcaste women among the Brahmins condemned for illicit relationship with non-Brahmins were allowed to live in the temple premises, doing the manual work, including threading the flowers as garland (maala) for the deities. In course of time their children and families were called as ‘Malerus’ pronounced ‘Maaleru’, meaning those who prepare garlands in the temples. These people who are not Scheduled Tribes also started claiming the status of Scheduled Tribes.

Similarly ‘Kurubas’ in Coorg district are Scheduled Tribes. But there are cases in which some people belonging to Kuruba caste in other District, who are categorised under Backward Classes, also get the Caste Certificate from Coorg District, as S.T. Kurubas. Kadu Kuruba and Jenu Kurubas of the hill regions in Mysore district are Scheduled Tribes. They are very poor and very backward in many respects. But the ‘Kurubas’ who are not tribals, who do not have tribal characteristic features, living in villages, towns and cities, also claim the status of Scheduled Tribes. In Dakshina Kannada district, there is a very backward tribe categorised under Scheduled Tribe called ‘Naiks’. There are also ‘Naiks’ and ‘Nayaks’ among Brahmins and caste Hindus. There are cases in which some of these people have also claimed to be Naiks of the Scheduled Tribes, by producing false caste certificates.

‘Beda Jangama’ is another tribe included on the list of Scheduled Tribes. ‘Beda’ here obviously means ‘hunter’, who lives in the hills and forests. This name was misused by some “Lingayats’ who claimed to be ‘Beda Jangamas’. It is a fact that ‘Jangamas’ are ‘Lingayats’. Not only that, they are also the priestly class among the Lingayats who enjoy a superior status. Those who claimed ‘Beda Jangama’ status tried to justify that they are ‘Beduva’ (one who goes house to house
for alms) Jangama. However, this name has been deleted from the S.T. list of Karnataka as there are no ‘Beda Jangamas’ in any part of Karnataka and as this name was misused by some people to claim S.T status fraudulently.

There are also cases where the non-SCs and STs have obtained false caste certificates as SCs and joined educational institutions and also government jobs.

Now the question arises, how could producing false certificates by the non-SC/STs and claiming benefits meant for SCs & STs, would tantamount to atrocity? On the face of it, of course, it does not look like an atrocity, as no harm is caused to any one. But, if we go a little deeper into the matter, it would become clear that it is one of the worst forms of atrocities. When a non-SC person obtains a false caste certificate and joins an educational institution particularly in a professional or technical course he gets all the educational facilities meant for SCs and he would also get a better job. To that extent a real, genuine SC student is deprived of this opportunity. Similarly, when a non-SC candidate produces a bogus SC caste certificate and joins a service in government, again to that extent another genuine SC candidate is deprived of the opportunity and this affects not only that candidate, but his entire family. An opportunity to pursue good education and an opportunity to join a service, makes a world of difference not only in a person’s life, but it transforms the lives of the members of the entire family for generations together. As the saying goes, “we can count how many seeds are there in an apple. But we cannot count how many apples are there in a seed”.

By depriving this opportunity to a genuine SC by fraudulent means, his life is affected, his livelihood is affected, the lives of his family members are affected
and his chances for better economic and social status are also unjustly taken away for ever. This type of atrocity has a lasting adverse effect on the lives of the deprived people.

The seriousness of this problem is seldom understood by the government. Due to political pressure, the Government of Karnataka issued an order in 1986 not to take any action against those officers and officials who had joined government service prior to that order, by producing false caste certificates. Those who had joined government service in different capacities by cheating the government and depriving the genuine candidates are very happily continuing in service till today, getting regular promotions and other benefits. However, government is taking action in cases pertaining to the period after 1986, though not very seriously. If there are official or political pressures, as in other matters, the cases of false caste certificates would be decided in favour of the accused officials.

Another significant aspect relating to the matter of false caste certificate is that, only when somebody makes a complaint, the matter comes to light. Otherwise, the persons who produced bogus caste certificates to enjoy the benefits, be it in the field of education or employment, will go scot-free. Even when people come to know about such fraud, they are so good that they do not like to ‘harm’ the culprits and their families and therefore, they keep quiet.

Now to prevent candidates joining government service by producing false caste certificates, the government has introduced the procedure of verifying the caste certificate, before a candidate joins service.
Caste Certificate Verification

The Directorate of Civil Rights Enforcement (DCRE) is entrusted with the task of verification of false caste certificate issued in respect of SCs/STs and the enquiry is made by a Deputy Superintendent of Police and the enquiry report is then submitted to the District Level Caste Verification Committee for final decision. The District Level Caste Verification Committee is chaired by the Deputy Commissioner of the District and the District Social Welfare Officer acts as a Member-Secretary.

As per the notification issued by the Government of Karnataka vide No.SWD/132/SAD/97 dated 08.02.2000 vide Amendment to Rule-4, the State government is empowered to constitute a District Level Caste Verification Committee for each district to verify the caste certificate issued in respect of the persons belonging to the SCs/STs. Accordingly, Caste Verification Committees have been created in each district and are functioning at present.

Before obtaining the final decision from the District Level Caste Verification Committee, no action can be initiated and no prosecution can be launched on the basis of DCRE enquiry report in the light of the Supreme Court judgement.

The following Statements give the details of total number of cases – statewise, regionwise – under investigation etc., in respect of SCs/STs false caste certificates up to December 2000.
## Scheduled Castes/Scheduled Tribe False Caste Certificate Enquiries by The Directorate of Civil Rights Enforcement

<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Year</th>
<th>No.of petitions received</th>
<th>No.of petitions disposed of</th>
<th>No.of petitions pending</th>
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<td>Upto 1997</td>
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<td>962</td>
<td>09</td>
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<tr>
<td>2</td>
<td>1998</td>
<td>123</td>
<td>101</td>
<td>22</td>
</tr>
<tr>
<td>3</td>
<td>1999</td>
<td>82</td>
<td>56</td>
<td>26</td>
</tr>
<tr>
<td>4</td>
<td>2000</td>
<td>79</td>
<td>20</td>
<td>59</td>
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<tr>
<td>Total</td>
<td></td>
<td>1255</td>
<td>1139</td>
<td>116</td>
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*Source of statement: DCRE, Karnataka*

### Particulars of Disposal

1. Cases registered prior to 08/09/1995 based on The enquiry report of DCRE 518 518
2. Enquiry reports disposed of 541
3. False 80

Total 1139
### Details of False Caste Certificate Cases Registered – Regionwise

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Region</th>
<th>Under Investigation</th>
<th>Pending Trial</th>
<th>Convicted</th>
<th>Acquitted</th>
<th>Otherwise disposed of</th>
<th>Transferred</th>
<th>Stayed by Court</th>
<th>Stayed by G.O. (1986)</th>
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<td>(1)</td>
<td>Bangalore Hqrs.</td>
<td>--</td>
<td>04</td>
<td>01</td>
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<td>14</td>
<td>08</td>
<td>56</td>
<td>170</td>
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<td>--</td>
<td>03</td>
<td>08</td>
<td>--</td>
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<td>01</td>
<td>14</td>
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<td>06</td>
<td>09</td>
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<td>01</td>
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<td>65</td>
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## False SCs/STs Caste Certificate Cases under Investigation

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<th>Sl. No.</th>
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<th>No. of cases under investigation</th>
<th>District</th>
<th>Cases under investigation</th>
<th>For more than six months</th>
<th>For more than one year</th>
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<td></td>
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<td></td>
<td>Haveri</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Bijapur</td>
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<tr>
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<td>Shimoga</td>
<td>16</td>
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<td></td>
<td></td>
<td></td>
<td>Chitradurga</td>
<td></td>
<td>02</td>
<td>02</td>
</tr>
<tr>
<td>7</td>
<td>Mangalore (Region)</td>
<td>02</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
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<td><strong>02</strong></td>
<td><strong>02</strong></td>
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260
### Pending Trial Cases

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Region</th>
<th>Total No. of cases pending trial</th>
<th>District</th>
<th>Total No. of cases pending trial</th>
<th>For more than six months</th>
<th>For more than one year</th>
<th>For more than two years</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bangalore Hqrs.</td>
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<td></td>
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<td>2. Chamarajanagar</td>
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<td>3. Bijapur</td>
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<td>01</td>
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<td></td>
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<td></td>
<td>3. Chitradurga</td>
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<td>4. Shimoga</td>
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<tr>
<td>Total</td>
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<td>43</td>
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<td>43</td>
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</table>
## Convicted Cases

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Cr.No. and PS SCs of Law</th>
<th>Date of Registration</th>
<th>Name of caste of accused</th>
<th>Details of conviction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>139/86 of Mudhol P S. U/s 177, 181, 198, 419, 420 IPC</td>
<td>29.9.86</td>
<td>Chidananda Nagappa Alur Kolidhor (ST)</td>
<td>Six months simple imprisonment and fine of Rs.1000/-</td>
</tr>
</tbody>
</table>
| 2.     | 77/92 of Shikaripura PS. U/s 419, 420, 466, 468 IPC | 28.5.92             | 1. Sumana Bai  
2. Mangaloom  
3. C’ndrashekar (Maleru ST) | Convicted – State has preferred appeal for enhancement of the punishment |

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### Statement showing the number of caste verification cases pending and disposed of before the State Level/District Level Committees

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>No. of reports sent (upto December 2000)</th>
<th>No. of reports sent to District Caste Verification Committee</th>
<th>No. of reports directly sent to the District Caste Verification Committee</th>
<th>No. of cases decided by the State Level Committee – December 2000</th>
<th>Pending with State Level Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>541</td>
<td>355</td>
<td>131</td>
<td>30</td>
<td>No action</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>20</td>
<td></td>
</tr>
</tbody>
</table>

- Criminal cases ordered to be Registered
- (1 case has been stayed by the High Court)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>No. of reports sent (upto December 2000)</th>
<th>No. of reports sent to District Caste Verification Committee</th>
<th>No. of reports directly sent to the District Caste Verification Committee</th>
<th>No. of cases decided by the State Level Committee – December 2000</th>
<th>Pending with State Level Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>541</td>
<td>355</td>
<td>131</td>
<td>30</td>
<td>No action</td>
</tr>
<tr>
<td></td>
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</tbody>
</table>

- Criminal cases ordered to be Registered
- (1 case has been stayed by the High Court)
A close perusal of the statements of atrocities given here reveals certain important aspects:

1. There has been a gradual, steady increase in the number of cases of atrocities, every year. This is an alarming situation in which, with all the efforts of the Governments and the implementation of the Acts, instead of the number of cases coming down, it is on the increase. This shows the continued intolerance and vehemence of the upper strata and also the growing awareness among the victimized people. An officer of the Directorate of Civil Rights Enforcement expressed his views during the interview by the researcher that it is a natural development that the number of cases of atrocities is on the increase due to the fact that the people, who were hitherto weak and submissive, are now asserting themselves.

2. The number of cases given in the statement is the official figure of the cases reported, the cases which have come to light and cases that have been registered. There are several cases of atrocities that have not been reported by the victims for the sheer fear of further victimization, harassments and attacks. Even when the affected people venture to report the matter, they are threatened with dire consequences and therefore, they become passive sufferers. Even at the stage of registration of the case, undue pressure is brought on the complainants and they are forced to withdraw the complaints. In many cases, some sort of a compromise is forced upon the victims and the matter is closed. Therefore, the figures furnished in the statements do not project the correct picture as to the number of cases of atrocities in the State.

3. The number of cases in a few districts like Gulbarga, Raichur, Kolar, Bellary, Koppal is more compared to other districts. This indicates the
awareness among the Scheduled Caste and Scheduled Tribe people is more in these districts. More awareness and more assertion lead to more atrocities. Backwardness of the districts is also one of the reasons for the more cases of atrocities. In districts like Dakshina Kannada, Udupi, and Uttara Kannada, the cases are less. This is due to certain factors like literacy rate is high in these districts and social and legal awareness among the people in general is also high, with the result, people generally have respect for law and they do not like to embroil themselves in unnecessary criminal cases. Yet, these districts are also not totally free from this social evil.

4. So far as the Scheduled Tribes are concerned, the cases of atrocities are less in number. Reasons for this are:

(a) The percentage of population itself is less than that of the Scheduled Castes.

(b) The victims of atrocities are the real tribals living in the hills and forests.

(c) The newly added castes on the list of Scheduled Tribes like Valmikis, Nayakas, Parivaras are touchables, originally categorized as Backward Classes. Therefore, there is hardly any case of atrocity on them on the basis of caste and untouchability. In some cases, it is some of the people from these castes who perpetuate atrocities on the Scheduled Castes.

(d) In view of their secluded living in the hills and forests, the real tribals like Jenu Kurubas, Kadu Kurubas, Soligas, Koragas and others do not have any contact or social interaction with the caste Hindus and villagers. But they are not free from atrocious treatments. The main
perpetrators of atrocities and exploitations on these poor, innocent people are mostly the officials of the Government. The officials of the Forest Department, in particular the forest guards are the worst enemies of the tribals. Right from the beginning, the tribals have been part and parcel of the forests and hills. But now attempts are made to drive them out of the forests to the peripheries and to deprive them of the forest produce which were the main source of living for them.

"The forests which were viewed in the past as life support system for the tribal community are now viewed as raw material subject to corporate ownership by the capitalists coming from outside the area. 47

The tribals are at the mercy of the forest guards when they seek permission for cutting bamboos or timber for fences, house building and agricultural implements, or for firewood and when they are employed as wage labourers. The forest officials demand tribes in cash and kind from them. Police officials at the lower levels are another big menace for the tribals. The officials of these departments exploit and harass the tribals in all possible ways including raping the tribal women. The other exploiters are the contractors, middle-men who deal with forest produce. These cases of atrocities never come to the notice of the authorities for obvious reasons. Some of the voluntary organizations who work for the welfare of the tribals also compromise the matters when such incidences occur, as they cannot antagonize the officials. Therefore, even the cases shown as atrocities on the Scheduled Tribes are meagre compared to the actual atrocities perpetuated on them.

47 Report of the National Commission for Scheduled Castes and Scheduled Tribes: Atrocities on Scheduled Castes and Tribes: Causes and Remedies, Govt.of India, New Delhi, April, 1990, p.29.
Regional and Language Issues

Mysore State as it used to be called in the olden days and now Karnataka, has been maintaining cordial relationship with its neighbouring states, before Independence and even after Independence. The princely State of Mysore had closer ties with Madras State which was one of the provinces in India. The Maharaja of Mysore was a highly revered personality not only in the neighbouring southern states, but also in other states of the country. Gandhiji himself, a state guest several times, called Mysore State "the nearest approximation to 'Ramrajya'"\(^48\). There is a palace of "Mysore Maharaja" in Ooty, Nilgiris in Tamil Nadu. Maharaja was a devotee of Lord Venkateshwara at Tirupati. Of all the states in the country, it is only Karnataka which has its guest house, choultries in Tirumala, Tirupati, run by Karnataka Charities, started by the Mysore Rulers. The last Maharaja of Mysore, Sri Jayachamarajendra Wodeyar was highly acclaimed as a scholar and a philosopher, who used to participate in philosophical and religious conferences and conventions in the country and in foreign lands. He was the Governor of erstwhile Mysore State and Madras State. Even after Independence the cordial relationship with other states continued, but for the border dispute with Maharashtra, after the State Reorganisation in 1956.

People from different parts of the country have settled in Karnataka, particularly in the State Capital, Bangalore. There are Punjabis, Gujarathis, Maharashtrians, Sindhis, Rajastanis and others besides the Andras, Tamilians and KerlaiteS, from the neighbouring States, settled in Bangalore and other cities of

\(^{48}\) Quoted by Omvedt Gail in Dalit and the Democratic Revolution, p.125.
Karnataka, running business establishments, factories, industries, hotels, educational institutions etc. Some of them also work in different offices - Government and private. In the olden days educational institutions and colleges in the State were affiliated to Madras University. The famous Central College in Bangalore was one of them. The famous freedom-fighter, statesman and scholar and the first Indian to become the Governor General of India, C. Rajagopal Acharya (popularly called "Rajaji") was a student of Central College, Bangalore. But most of the people from Tamil Nadu are construction workers, labourers, vegetable vendors, plumbers, carpenters and so on and again most of them are from the lower strata. Though the people of Karnataka maintain cordial relationship with most of the outsiders, some sort of animosity has been developed among the people of Karnataka and Tamil Nadu, in the recent years. The victims of this sort of strife are as usual the SCs and STs and other weaker sections.

The linguistic protagonism of the DMK and AIADMK was the basic cause for this animosity. In course of time, some of the people of Karnataka started Kannada Chaluvali Movement⁴⁹ to patronize and promote Kannada language and to prevent the importance of other languages, particularly Tamil. Organization of the fans of Rajkumar, the matinee idol of Kannada filmmdom, called "Rajkumar Abhimanigala Sangha" and other film fans associations also started encouraging and patronizing Kannada films.

Kannada in the State language, the official language and the language of the people. Those who choose to stay in Karnataka have a moral responsibility to speak

⁴⁹ Vatal Nagaraj, Narayana Kumar, Dr. Chidananda Murthy are well-known stalwarts of these movements.
Kannada, learn Kannada as a language in the schools and colleges and true to the salt, they have to be loyal to the State. The concept of "Sons of the soil" and giving priority to "Mannina Makkalu" is a highly valid principle. The age-old proverb "Be a Roman in Rome" has been coined with a meaning. Why they did not say "Be an Englishman in England" or "Be an American in America?" The reason was, the Romans were highly patriotic people, who loved their country more than anything else and they were ready to make any sacrifice for the sake of the country. Hence this proverb. So, this principle holds good for the country as well as to the State. The only point that is relevant to the study here is, whenever and wherever there is some clash on some grounds, the worst affected and the easy targets are the weaker sections, whether it is in Karnataka or in Tamil Nadu.

**Cauvery Water Dispute**

For decades together, Karnataka and Tamil Nadu are sharing Cauvery water amicably between themselves. There have been good years and bad years, so far as the seasonal conditions in the States are concerned. Even when there were scarcity and drought, due to failure of rainfall in the State, no one ever heard of any dispute or problem between the two States regarding Cauvery water. One really wonders, why this problem has cropped up only in the recent years, causing law and order problems, loss to the public properties and assault on innocent people? It all started in 1992, when the AIADMK was in power in Tamil Nadu under the Chief Ministership of Jayalalitha and when Bangarappa was the Chief Minister of Karnataka. The problem was politicized, creating serious law and order problem in both the States, resulting in attacks on Tamilians living in Karnataka and on Kannadigas living in Tamil Nadu. The main targets were the SCs / STs and other
weaker sections who were labourers, construction and road workers, and people living in the slums. Small business establishments and shops were destroyed. It was quite surprising that the forward caste people and their business establishments were not touched. The people belonging to the higher strata living in areas like Malleshwaram and their business establishments like Iyengars Bakery, Iyengar Tyres, etc., were safe in Karnataka. Similarly, nothing happened to the forward caste Kannadigas in Tamil Nadu and their business like Udupi Hotels, Kamath Hotels, etc. The worst sufferers in both the States were the poor working class belonging to SCs and STs and other weaker sections.

The AIADMK Government under Jayalalitha, the Cauvery Water Dispute in 2002 again created this time even the Leaders and Legislator who happened to be Tamilians were attacked for no fault of theirs. M. Bhaktavatsalam and Scheduled Caste MLA belonging to the AIADMK party from KGF, was assaulted by some people in the premises of Vidhana Soudha, when he was coming out of the Assembly, during November 2002.

M. Gopinath, Editor of Times of Bahujan, is of the view that only when Jayalalitha, who is from the forward caste, becomes the Chief Minister of Tamil Nadu, Cauvery Water dispute is racked up just to cause hardships to the farmers of Karnataka who are mostly from the Backward Classes and to favour the farmers of Tamil Nadu who belong to forward castes.

Whatever may be the controversy between the two States, regarding Cauvery Water, the fact remains that whenever there is a dispute and consequent law and order problem, the targets of attacks are the weaker sections in both the States.

**Controversy over Thiruvalluvar Statue**

Thiruvalluvar is a great saint-poet from Tamil Nadu who lived more than two thousand years ago (2 BC) and contributed a monumental work THIRUKKURAL, to the humanity. This great treatise which deals with the principles of righteous living, has been translated to maximum number of languages in the world, next only to the Bible and the Koran. Thiruvalluvar went on to become one of the greatest scholars of all time. Thiruvalluvar has been highly acclaimed all over the world as a great philosopher who has given practical wisdom and knowledge applicable at all times to all nations and to all human beings.

The Bangalore Tamil Sangam proposed to install the statue of this great personality. The statue was made, the authorities of the Bangalore City Corporation resolved to allot a place in front of the famous Ulsoor Tank and the statue was also installed. The only thing remaining to be done was (and still is) unveiling the statue, in a ceremony. The then Chief Minister of Karnataka, S. Bangarappa had agreed to unveil the statue on 1st September 1991. Everything was set to go. In the meantime, some of the Kannada protagonists opposed to unveil the statue of the Tamil poet. Resultantly, not only the function to unveil Thiruvalluvar statue did not take place, but also the statue erected on a pedestal continues to be kept covered for more than a decade.

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51 The Heritage of Dalits - Those who stood by the Dalits - compiled and edited by Harish Ramachandran, Dinesh Kashikar and Dr. Manikantan Menon. Published by Vyakti Vikas Kendra, India, Bangalore, p.28.
Now the question is, why there is opposition to unveil the statue of Thiruvalluvar? And who are the people opposing this? The ostensible reason is that Thiruvalluvar is a Tamil saint-poet, therefore there is no need to have his statue in the Capital of Karnataka. The people who oppose the unveiling of the statue are supposed to be Kannada patriots. If language is the only issue, how the famous Central Public Library in Cubbon Park is named after Seshadri Iyer and his statue is installed in the library premises? How there is a well-flourishing Ashram, and resort on Hebbal Road and hotels in the name of Ramana Maharshi, a saint from Tamil Nadu? How the famous Town Hall in Bangalore is called after Puttanna Chetty - a Tamilian? There is the 'Kamaraj Road' - continuation of Brigade Road towards Commercial Street. There are residential areas named "Bharathi Nagar", called after the famous Tamil National poet Subramanya Bharathi and "Rajaji Nagar" called after C. Rajagopal Achary, a Tamilian. An important road is named after "Raja Ram Mohan Roy" (who is not from Karnataka) and his statue is erected in front of Woodlands Hotel. Besides, there are also statues of the British rulers, in the City.

When such is the case, why there is opposition only for unveiling the statue of Thiruvalluvar? The real reason is said to be that, Thiruvalluvar is from the untouchable category\(^{52}\) and those who oppose for unveiling his statue may or may not be Kannada patriots, but definitely they are instigated by casteist elements. The efforts of the Dalit Sangarsh Samiti and Bahujan Samaj Party to get the statue unveiled, are in vain. These organizations and the people belonging to the deprived

sections have a strong feeling that from the highest social strata, upto Backward Classes the casteist elements could tolerate anyone irrespective of State, language, etc. When it comes to SCs/STs and weaker sections, however great the personality may be, they do not just tolerate. On some flimsy grounds or the other, they oppose, in this case the unveiling of the statue of Thiruvalluvar and in other cases they attack and cause injury and hardships to the weaker sections.

If one could see the whole issue in an impartial and unbiased manner, it would be quite clear that having the statue of Thiruvalluvar in one corner of the city will in no way affect the interest of the people of the State or its language or culture.

People have been urging and representing to the Government of Karnataka since many years now, to install a statue of one of the greatest leaders of the country and former Deputy Prime Minister of India, Bapuji Jagjivan Ram, in the city. Their requests and representations have become cry in the wilderness as the political bosses have turned deaf ears to this demand.

When the casteist elements cannot wreak vengeance on the SCs/STs, perhaps due to the fear of law, they express their venom by defiling the statue of Dr. Ambedkar, who is revered by the weaker sections and Backward Classes as God or even more than God. Thus, the caste-crazy persons derive sadistic pleasure in hurting the feelings and sentiments of the deprived sections. There are cases in which such incidents have led to law and order problem also.
The latest case in this series is the decision of the Government of India to remove Babu Jagjivan Ram's Memorial from Krishna Menon Road in Delhi. The following news item in Deccan Herald\textsuperscript{53} gives the details of the matter:

The Babu Jagjivan Ram Memorial Protection Forum will burn the effigy of Union Minister for Urban Development and Poverty Alleviation, Ananth Kumar in Bangalore City on January 25 to protest against the Centre's decision to remove Babu Jagjivan Ram's memorial from Krishna Menon Road in Delhi. Addressing a press conference in Bangalore on Thursday, Forum Convenor Dr. L. Hanumanthaiah said a black flag demonstration would be staged against Mr. Ananth Kumar at all the functions he attends in Bangalore in the future. The Centre will be showing disrespect to the national leader if it removes his memorial, the Forum members said. A statewide agitation would be launched if the Centre goes ahead with its move, they added.

Babu Jagjivan Ram is one of the great national leaders who fought for India's freedom along with Gandhiji and held several high posts as Cabinet Minister and as the Deputy Prime Minister of India. Besides being a great statesman and administrator, he was the champion of the cause of the marginalized sections. What necessitated the Centre to take the decision to remove his memorial, one is at a loss to understand. It is nothing but a calculated chicanery to disrespect, humiliate and reduce the stature of a national leader, just for the simple reason that he happens to be from the Scheduled Caste.

\textsuperscript{53} "Jagjeevan Ram Forum to stage protest" - \textit{Deccan Herald}, dt.24\textsuperscript{th} January 2003 under BRIEFS, p.3.
These are some of the discriminations, harassments, intimidations and subtle atrocities perpetuated on the vulnerable sections and even on their leaders.

(11) REPERCUSSIONS OF ATROCITIES

Atrocities perpetuated on the weaker sections have impacted their lives in different ways as it was already seen. With ever-growing awareness among the exploited classes, through education, job opportunities, economic advancement, however small it might be, and exposure to the philosophy of Dr. Ambedkar, they have started asserting themselves, reclaiming their identity, self-respect, equality and equal rights with others. When their just claims have not been appreciated and encouraged by the orthodoxy and on the contrary when more atrocities are committed against them, they are taking recourse to certain different methods to meet the situation. The consequences are also different.

Conversion:

One of the major repercussions of continued discrimination, practice of untouchability and atrocities against the oppressed sections has been conversion—conversion to other religions. It is based on simple logic and simple human instinct. When you are not wanted in a place, and when you are ill-treated and humiliated and all sorts of inhuman atrocious things repugnant to human dignity are inflicted upon you why you should be there? Exactly this is the response which impelled Dr. Ambedkar to take his vow in 1935 itself. “Even though I am a born Hindu, I will not die a Hindu”\textsuperscript{54}. It is a natural human instinct to extricate oneself from the clutches of caste discrimination and inhuman treatments and go to a place where he

\textsuperscript{54} Keer Dhananjaya, Dr. Ambedkar: Life and Mission, Popular Prakashan, Bombay, 1971, p 502.
is loved and respected as a human being on par with others. This is happening for a few centuries now.

When Mohammedans established their rule in India, it is said that people were forced to convert themselves to Islam.

St. Thomas, one of the twelve apostles of Jesus Christ came to India in 57 A.D. It is said the process of conversion started at that time only. This process received greater impetus during the British Rule. The Christian Missionaries who were establishing their educational institutions and churches in India, started spreading their faith and also education among the depressed classes, which also led to conversion to Christianity. The process is still continuing. The converts were mostly from weaker sections and also from the Backward Classes. In Karnataka, the number of people converted to Christianity was more in the labour concentrated areas like Bangalore, Kolar Gold Field, Mysore, Bhadravathi and so on. Presently, there are considerable number of Christians and churches in all the Districts, Taluks and major cities and towns and even in villages. Significantly, among the rural Districts, Bidar has more converts mostly from Scheduled Castes.

The response of the Hindu activists and that of the higher strata is contempt for such conversions. They condemn conversions and blame Christians for wooing the Hindus, particularly the SCs/STs and Backward Classes. They also try to convince the Hindus in the lower strata not to convert to any other religion.

When the Scheduled Castes converted to Islam, in Meenakshipuram, Madurai District in Tamil Nadu, there was much hue and cry, particularly among the
swamijis, matadhipathis and Hindu protagonists and they tried to dissuade the weaker sections from taking such extreme steps.

Being unable to tolerate such conversions, some fanatics had burnt a Christian priest and his two sons alive by burning a jeep in Orissa. What a cruel inhuman act?

Conversion to Buddhism:

Dr. Ambedkar himself was a victim of the evil practice of untouchability. Several times in his student days and even in later years, he was subjected to untold humiliations and torture. Talking about this great personality, M.O. Mathai in his famous, once banned book, gives the caption to the chapter as “A Victim of Obscurantism and Barbarous Intolerance”. Dr. Ambedkar observed, Hindu society was just like a tower which had several storeys without a ladder or an entrance. One was to die in the storey in which he was born. He pitied the souls of those persons who said that according to their philosophy, there existed God in animals as well as in animate things and yet treated their co-religionists as untouchables.

It was out of sheer dejection, frustration and well-founded wrath to rescue his people from being treated as sub-human beings and also to fulfil his vow ‘not to die as a Hindu’, Dr. Ambedkar decided to convert himself and his people to Buddhism. It was not a decision taken in a hurried manner. He took more than twenty years to

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55 The priest was Rev. Graham Steins and his sons were Paul and Timothy. They were doing social service for lepers of Santha Tribe in Orissa.
56 Mathai, M.O. and ICS Officer, who was Personal Secretary for several years to Pandit Jawaharlal Nehru, when he was the Prime Minister of India, in his book, Reminiscences of the Nehru Age, Vikas Publishing House Pvt. Ltd., New Delhi, 1978, p.24.
think and arrive at a mature decision. In the meanwhile he had studied Buddhism thoroughly as he did with other religions and also wrote his immortal book “Buddha and His Dharma”.

On October 14, 1956, in an unprecedented historic event, at Deeksha Bhoomi at Nagpur, Dr. Ambedkar, along with more than three lakhs of his followers, got converted to Buddhism. He had the immense courage and divine satisfaction in converting to Buddhism, a religion which has no Chaturvanyya, caste system and caste discrimination and yet a faith which is part and parcel of Bharatiya culture. He had taken care that his conversion would not harm the tradition of the culture and history of this land.

There were messages welcoming the great leader and his followers to Buddhism from the Prime Minister of Burma Uba Sway and former Prime Minister of Burma U Nu, Dr. Arvind Barva of Calcutta H.W. Aamarsuriya from Colombo and others. It is very important to note that no message from any great Indian leader such as Pandit Nehru, Dr. Radhakrishnan, C. Rajagopalachari or Dr. Rajendra prasad was received on the occasion, not to speak of Veer Savarkar58. Obviously, they were not happy with this conversion. Were they angry? No reaction was expressed openly.

Dr. Ambedkar had plans to convert more and more of his followers throughout the country in similar congregations as the one at Nagpur. Seeing the enormous, overwhelming response at Nagpur, his people in other parts of the country were also enthusiastic to follow suit. But alas! Even before two months of

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58 Keer Dhananjaya, Dr. Ambedkar: Life and Mission, Popular Prakashan, Bombay, 1971, 01. 
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his conversion, the great leader was not alive. Whether fulfillment of his mission caused the death or his mission was the cause for his death? Only time has to answer this intriguing question. However, the process of conversion to Buddhism started in 1956 in a large scale is continuing even today and it is mostly the so-called untouchables who convert to Buddhism following the footprints of Dr. Ambedkar.

The response of the staunch caste Hindus is that they are dead against any conversion, be it conversion to Islam, Christianity or even to Buddhism. They consider that conversion to any religion is a threat to Hinduism. Even though they take all steps to prevent the weaker sections from converting to other religions, they do not want to change their attitudes and behaviour with regard to caste and the treatment of the weaker sections.

Emergence of Dalit Organizations:

One of the consequences of atrocities on the SCs and STs in Karnataka is the emergence of the Dalit Sangarsh Samithi. It actually started with the atrocity on one of the leaders B. Basavalingappa, in the name of “Bhoosa episode”. With more and more atrocities, the artists, leaders, literateurs and educated among the exploited people felt the need to organize themselves and to agitate against inhuman treatments inflicted upon their people by the dominant castes. There is no one single organization for the whole state. With their different splinter groups, they have established themselves even in rural areas. As powerful pressure groups, they have been successfully agitating through representations, demonstrations, bundhs, etc., whenever and wherever there are injustices done to their people. Sometimes, they are accused of expressing their anger and agitating very violently. They justify their approach by saying that compared to the inhuman treatment meted out to their
people, the expression of their anger is just nothing, so long as it is done through legal, parliamentary ways.

Unity and Consolidation:

Perpetuation of atrocities has also led to the unity of the people who sail on the same boat, so far as the discriminatory treatment of the caste Hindus are concerned. The worst affected people like the SCs and STs, most backward classes, converted Christians and other exploited people feel that they are ‘Dalits’ and their sufferings are common at the hands of the dominant casteist groups. Therefore, they should unite and fight for the common cause. Their meaningful articulations through frequent interactions, sharing their sufferings and expressing their agonies through different fora gave enough publicity to their problems and also has have sharpened the awareness among the oppressed people.

Emergence of New Literature and Art

With a view to voice the sufferings of the oppressed people and to express their grievances, to create awareness among the people and to assert their identity and their rights, many magazines are brought out periodically. There are many articles written and books published which are generally called ‘Dalit Literature’.

Atrocities on the weaker sections have also given rise to a new form of art based on the folk lore. The exploited people express their sufferings through folk songs, folk dance, and street plays and folk dramas. The artists and writers are both from SCs/STs and from the most backward classes and converted Christians who
have great concern for the welfare and well being of the weaker sections. This includes writers from other countries also.

**Atrocities Lead to Violence:**

When perpetual atrocities and continuous harassments and torture become unbearable, the victims react and revolt in an aggressive and violent manner which precipitate further violence and atrocities on them. When everything is said and done, people comment that though the victims were harassed, 'they should have acted with restraint'. The victims justify their stand saying that there is a limit to everything. When things go beyond the limit, it is but natural for them to retaliate. Of course, the victims cannot, on this score, take law into their hands and try to settle the score. It will only worsen the situation as, with their weak, helpless condition, they are subjected to further attacks, which they cannot withstand. Violence and counter-violence are not the solution to the problem. However, it is for the dominant castes to realize the importance of human values in a civilized, democratic society and have a shift in the internal structure of their primitive caste paradigm.