Chapter-8
Conclusion and Suggestions

Selection of the research Problem:-

A problem, which can be primarily called a social problem but interlinked and interconnected – with religious problem, economic problem, political problem, occupational problem, residential problem, cultural problem and other innumerable problems interwoven in one problem is in fact is the social problem of caste and its offshoot untouchability. More than sixteen crores people are victims of the same and along with more than sixteen cores of people, remaining more that eighty four crores of people too are concerned in one way or the other. The enormity involved in the problem encouraged me to select it for my research. The laws/Acts/Legislations - are in fact the commands of the sovereign, passed by the legislatures. The laws on one subject that is untouchability and other caste based social disabilities easily outnumbered laws on any one particular subject in India. That is the reason which weighed high in my mind for selection of this theme. The Scholar understands that ultimately it is the law which can be helpful in solving the age-old problem of caste, untouchability, discrimination of caste based high and low etc.

There are several agencies and options available in India which can contribute their might for solving this vexed problem if they so sincerely desire but the fact is this that they do not desire from the bottom of their hearts to democratize and equalize Indian society as per the principles of liberty, equality and fraternity enshrined in the Indian
Constitution. Therefore it was felt that only and only and mainly the law can be yoke-mated as an instrument of social change. Almost more than 25 social legislations mainly regarding abolishing of untouchability and caste based disabilities have been enacted and these legislations have really played very effective role in easing the acute problem of untouchability and caste based disabilities if not Altogether removed it completely. The complete removal of untouchability and caste based disabilities was also possible and the same cannot be called a fanciful claim or utopian idea but this part does not remain in the hands of the legislature as after passage of the legislation, it changes hands and goes to the executive for its sincere and committed implementation and enforcement. So definitely we can say that the Indian Legislature has done its duty well. But the other organizations namely the Executive and the Judiciary miserably failed in their duties to wipe out the blot on the Hindu society i.e. the untouchability, caste based disabilities and the ill-treatment meted out to the Dalits in India, the biggest and the largest democracy of the world. The basis of this statement is the very poor rate of conviction under all the laws relating to the removable of untouchability and the caste based discrimination and disabilities faced by the Dalits as police indulge in lopsided investigation and judicial conviction under “The Scheduled Castes and the Scheduled Tribes(Prevention of Atrocities)Act,1989” is hardly three percent in the country and less than one percent in Gujarat State whereas the conviction under other laws is much higher. The Scholar found it quite significant and interesting to find out what actually people as such believe about the law as an instrument of social change and actually how much weight they attach to it or do they give more weight to other options for
social change which they might perhaps perceive with greater emphasis. The basic question that was upper most in Scholar’s mind was that the law as an instrument of social change is effective, faster and uniform in its application whereas other methods like social reforms for social change to be brought about by Saints and Mahants, Kathakars (Story-tellers), media etc. have no uniformity, no backing of the State power and it is voluntary in character which are the major drawbacks for bringing effective and faster social change in the Indian society.

The Scholar also understood that it is through law only the conditions of the Scheduled Castes and the Scheduled Tribes have improved considerably. The social change through other means is without any obligations and hence cannot be expected to produce desired results as is the case with laws passed by the legislature which entail responsibilities and duties on the part of large executive machinery of the State to implement the same. Here accountability and responsibility are created and specified and fixed for bringing social change through law which are totally absent in other means, methods and manners of social change. Thus the whole subject looked quite fascinating to the Scholar for selection of research in question. Moreover this is a topic with which every Indian is concerned in one way or the other. So the connectivity in modern usage and term is very wide and all encompassing. It seems that nobody in India can now overlook this subject in general and “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” in particular as it is an effective instrument of social change with very severe deterrence for those who try to violate it, try to bend it or try to ignore it or try to overlook it or try to neglect it or try to be funny with it. The normal law of the land has the provision of
the anticipatory bail and regular bail and the Supreme Court of India has conceptualized the idea of “No jail, bail” but this Act says, “Jail, no bail.” The anticipatory bail provision contained in the Code of Criminal Procedure, 1973, S.438 is also done away with in this Act and hence you can imagine the severity of its provisions. The Law, according to me, is really capable to unhook the people of India from the tyranny and repressive caste-born untouchability and numerous caste related disabilities forced upon the downtrodden people for ages.

It is also true that after the assassination of Mahatma Gandhi in 1948 and after the sad demise of Dr. B.R. Ambedkar in 1956 the Indian social panorama faced a real void which none is able to fill till to-day in reforming the caste-ridden Indian society full of all ills worth quick removal and cleansing the society on most urgent basis. All the social reform movements lastly launched by these two great sons of India in fact weathered away with their unfortunate departure from this world. Now whom to look up to for social reform and social change in India? In fact none excepting the law as an instrument of social change and our joint dedication, sincerity and commitment should be for its real implementation and enforcement and creating awakening and awareness about such law in the minds of the people of this country.

After selection and approval of research theme “Law as an instrument of Social Change – A Sociological Study of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.” it was decided in consultation with and on the advice of the Guide Professor to select field of study not only from urban area but also from rural area so that a balanced field of study will provide an opportunity to know the responses of both the urban people and the rural people
about the uniformly applicable social legislation i.e. “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.”

The respondents were selected by random sample method. The two areas i.e. (1) Ahmedabad City and (2) Ahmedabad Rural District were selected for this study. Ahmedabad City was named as “Urban” and the Ahmedabad District was named as “Rural” for sake of convenience. In urban area of Ahmedabad City, total 51 Brahmin respondents were selected from all parts of Ahmedabad City and 7 respondents were selected from Ahmedabad Rural District as per Appendix-1, the Kshatriya respondents both from urban and rural areas are shown in Appendix-2, Similarly the Vaishya respondents are as per Appendix-3, the OBCs respondents are as per Appendix-4, the Patel respondents are as per Appendix-5 and the SCs/STs respondents are as per Appendix-6.

Social reality pertaining to social norms with reference to Constitutional aspects, duty and reality:

Every society is based on its normative social order. Society frames norms, evolves yardsticks, lays down customs, mores and usages which finally evolve in due course of time as the norms of the society and finally practices emerge and solidify as the foundation on which the entire societal structure of society rests and the people connected with that social structure try to protect it against any onslaught from anywhere, with full force, rigidity and inflexibility. The Constitutional provision about abolition of untouchability (Article-17) and “The Untouchability (Offences) Act, 1955” and “The Protection of Civil Rights Act, 1955” (Amended in 1976) and finally “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” are in fact onslaught on the
age-old caste system and its offshoot untouchability and various caste based social disabilities connected therewith. The other provisions especially the fundamental rights of “Liberty and Equality” and the noble aim of creating “Fraternity” all in fact went against the age-old Indian (Hindu) social norms of caste and untouchability. Initially there was stiff resistance against any attempt for reforms in the normative Hindu life in which outrageous and atrocious practices were in vogue against the former untouchables and now the Scheduled Castes and ‘Dalit’ in popular parlance. We have seen at length in earlier Chapters about all caste-based discriminatory normative Hindu social order and hence the same is not repeated here. One by one all such social norms for example “Sati System” were done away with, not by the religious reformers, Saints, Mahants and the Sadhus. On the contrary some of them favoured such abhorrent social system and protected it from time to time but social reforms took place by using law as an effective instrument of social change. In fact it is a long legal journey in India which cleared all the social debris for over two centuries now and though it may appear slow but it is quite effective also as can be seen even in one example of legal ban on the practice of “Sati.” Such social norms and practice of “Sati” were laid down by the leaders of society at relevant time that a widow must end her life after the death of her husband. These were outrageous, atrocious, cruel and inhuman by all means and by all standards yet the protagonists of the “Sati” system tried their best to continue this evil social norm/practice much to the chagrin and dismay of the social reformers and the Government of the day. The orthodox Hindus especially the Caste Hindus still wanted to cuddle with “Sati” system but now such incident is rarity and the credit goes to the social legislation
and the men behind it and this is called law used as an instrument of social change that worked wonder against inhuman social norms/practice of the society.

Many such societal norms which were against humanity and outrageous as well as atrocious were done away with by various laws and finally a major blow was delivered by the Constitution of India as all laws and the Constitution declare that anything repugnant to the provisions of the Constitution or to the provisions of the laws is null and void and nothing shall override the provisions of the Constitution of India. Can anyone imagine the impact and the effects these laws have left on the society in connection with social change brought about by the laws as an instrument of social change? For giving procedural structure and strength, rules are framed under all the Acts laying down ways and means for their strict and appropriate implementation.


Here Scholar has tried to throw some light on the duty and reality prevailing about this Act. The rules made under this Act enjoins upon the State Governments to declare “identified area” where the State Government has reason to believe that atrocity may take place or there
is apprehension of recurrence of an offence under this Act or an area is
prone to atrocities. This is the duty cast upon the State Government. As
per this provision, for example, the Government of Gujarat has declared
11 districts as “notified area” for the purpose of this Act. Rule-3(ii) says
that the State Government shall order the District Magistrate and
Superintendent of Police or any other officer to visit the identified area
and review the law and order situation. Now this is the legal duty but
reality is quite different. Nobody visits such area and reviews law and
order situation with respect to this Act. Rule 3(1) (iii) says, in such area
the arms licences of persons, not being the members of the Scheduled
Castes or the Scheduled Tribes, their near relations, servants or employees
and family friends, if deemed necessary can be cancelled and get such
arms deposited in Government armory. This is the duty but in reality this
is never done in 11 districts of Gujarat which are declared as “identified
area.” Rule 3(1) (v) says that the State Government shall, with a view to
ensure safety of person and property, if deem necessary, provide arms
licences to the members of the Scheduled Castes and the Scheduled
Tribes. This is the duty but in reality this is never done.

Rule 3(x) says that the State Government shall deploy special
police force in the identified area. This is the duty. Reality is this that
nowhere in entire State of Gujarat special police force is deployed for
this purpose. So if one scrutinizes all rules, there are many pitfalls,
shortfalls, loopholes, lacunae and shortcomings in the enforcement of
both the Act and the Rules made there under.

As per Rule-16, the State Government shall constitute a high
power vigilance and monitoring committee of not more than 25
members. The Chief Minister is the Chairman of this Committee. The
high power vigilance and monitoring Committee shall meet at least twice in a calendar year in the months of January and July to review the implementation of the provisions of Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution under the Act, role of different officers/agencies responsible for implementing the provisions of the Act and various reports received by the State Government.

This is the duty of the Chief Minister of a State to convene the meeting of this State level vigilance and monitoring Committee twice a year regularly but in Gujarat, as reported by reliable sources, the same was not convened for a period of five years by the Chief Minister of the State. So this is the ground zero reality. There is earth and sky difference and distance between duty and reality in the implementation of this very important social legislation.

In fact, in India, after the independence, the new Constitution and the new laws have created a situation of transition of norms and values in social, economic, political and almost in all fields of human activities. Old norms and values have undergone a sea change and still the process is not over because of lack of desired level of will, education and more importantly the lack of creation of proper awareness in the people about the necessity for accepting new social norms and values and similarly saying good bye to the old social norms and values. The caste-based hierarchic stratified inequality, an old social norm of Indian social life has to be given a go bye and new norms of liberty, equality and fraternity have to be welcomed and due place has to be given by the society to this new democratic norms and values. The main problem is refusal of acceptance of the new norms and sticking to the traditional norms and
values and continuing the behaviour in accordance with the old norms and values. It is expected that when the transition period will be over, caste based problems will also be over, till then efforts have to be continued to ensure that the new norms and values replace old norms and values as early as possible. This is a desired social change to be brought about through the medium of law i.e. using law as an instrument of social change.

**Conclusion and suggestions with data:**

Well structured questionnaires were given to all of the respondents and they were required to fill up the same tick marking the options they think was right according to their perception of each question. Besides filling up the questionnaire as required, some enthusiastic respondents gave extra comments, remarks in addition to the options available in the questionnaire. The extra observations by the respondents are also, at times found very significant and valuable and hence their caste wise responses are as under:

**Extra observations of respondents**

1. **Brahmins:**

   A famous Brahmin writer who is one of our respondents said that he does not believe in the caste. He further said that he is Hindu by birth but his thinking and belief are totally rationalistic. He said that though both he and his wife are caste Hindus from different castes i.e. male from the Brahmin caste and the female from the Lohana caste they had to face difficulty at the time of their inter-caste marriage. He had married in the year 1964. In the beginning his mother did not permit his wife’s entry into their kitchen. Now everything is settled. This is a case of inter-caste marriage between two persons belonging to two high Castes.
despite that the caste curse haunted them. Another Brahmin respondent says that the caste-based discrimination can be removed by persuasion. He believes that damage is not done by the “Gnati” but by the “Jati.” It is not understood what he means by this statement? Perhaps he might have meant “Race” and “Caste.”

Whether it is an offence to use caste insulting words for Dalits? In response to this question one Brahmin says that not only for the Dalits but offensive and insulting words should not be used for anyone belonging to any caste. He gave an example of his caste stating that “We are Brahmins but people call us as “Bamanas” which is insulting.” One Brahmin in response of inter-caste marriage opined that a penal law against inter-caste marriage should be brought in force. Another Brahmin while answering question on social and national unity has felt that all ills of to-day’s society are because of the disruption of caste system. In connection with separate cemetery for caste Hindus and the Dalits one Brahmin expresses total ignorance about prevalence of untouchability saying that it might perhaps be there somewhere, another Brahmin says that the question of untouchability is not at all there now. In connection with traders practising untouchability while delivering victual to the Dalits, one Brahmin said tat it was not true that untouchability was practised by the traders while delivering victual to the Dalits. In connection with inviting Dalits on social occasions one Brahmin says that now persons belonging to all castes are invited. All are welcomed also but treatment to a person should be as per his “Karma” and that is necessary and he questions saying for example will you allow to take food with the scavengers along with your guests at your place? Like that. He asserted about discrimination implying that no Dalit or for that
matter anyone else can expect such acceptability from the Caste Hindu. In response to a question pertaining to social acceptance of Dalits by the Caste Hindus, he says yes, ready to accept Dalits but puts a rider that “only if they deserve.” He does not specify any standard or yardsticks as to how should Dalits become deserving for acceptability by the Caste Hindus. One Brahmin clearly says ‘No’ to accept Dalits qualifying his statement with the condition that the Dalits must deserve for it. One Brahmin says that everyone has his own ‘Samaj’. Further he says that the question of acceptance itself is wrong. In connection with acceptance of Dalits in bus, train, toilet etc., one Brahmin says that in public there is no point to see who does what in your vicinity.

In connection with choice of acceptance between Dalits and Adivasis, one Brahmin curtly says that the country and the society do not run as per his opinion and so saying he avoided his opinion. About Dalits and Caste Hindus’ participation in community dinner, one Brahmin says that the scriptures forbade even two persons belonging to Caste Hindu to take meals together on same carpet.(He called “aasan”). About entry of Dalit in caste Hindu’s house/kitchen, one Brahmin proudly says that my house and my kitchen are my personal property. Anyone can get entry with my desire and permission only. One Brahmin says that he has no objection if Dalits enter into the temple and its sanctum sanctorum but another Brahmin cautiously says that there is no need to say “No” to Dalits for entry into the temple and its sanctum sanctorum. About appointment of knowledgeable and well-versed Dalit priests in temples for officiation of rites and rituals, one Brahmin counter questions saying “Have you any objection if rites and the rituals are performed by the
Brahmins in temple and elsewhere?” He further asserts that the Brahmins have the rights to do the “Karmkand.” One Brahmin says that the question of Dalits performing “Karmkand” in religious ceremonies does not arise at all. He says that “first you identify and bring such Dalit who knows such religious rites and rituals.” In connection with reservation for Dalits in the private industries one Brahmin says that such decision should be allowed to be taken by the proper person. He further opined that irregularities are committed by formulating the law for providing reservation to the Dalits. In response to social change, one Brahmin specified that social change should not be there everywhere. He further says that for example, what is the necessity of change like gay relationship? He queried. About his feeling in connection with injustice done to the Dalits and to the Adivasis for centuries, one Brahmin has given a shocking statement that according to you it is injustice but it is a “Varnavyavastha” and for that everyone’s opinion may be different. About social leadership, one Brahmin says that he has no objection with regard to the social leadership being in the hands of the Dalits provided that they do not misuse it. Another Brahmin in answer to this question says that at some places social leadership in the hands of Dalits is misused. He has not specified it. In connection with the strictness of “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, he says that the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is one sided.

Besides their main responses given in the questionnaire, above are the extra comments of the Brahmins.
2. **Kshatriyas.**

About social change, one Kshatriya believes that social change should be brought about by the social reformers but such social reformers should first be properly educated and trained for the said purpose. Very excellent suggestion indeed! Regarding the situation created by "The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989", one Kshatriya has opined that bad situation has arisen. The Act is being misused. A Kshatriya, who has done Ph.d in Chemistry, feels that nothing mentioned in the question asked about remedy to remove defilement is needed to be done. This highly educated Kshatriya says that no objection in accepting victual from the Dalits vendors but does a volte face when he says, “I cannot say anything” with reference to acceptance of victual from Dalit vendors in subsequent question. Nine Kshatriyas are willing to accept Dalits on occasions like marriage, death, mourning, festivals, Garba, Bhajan, Bhojan, Cultural programmes, religious programmes etc. just for “Hindu unity” and not for promotion of equality and fraternity etc. Five Kshatriyas have expressed their opinions to accept Dalits on occasions like Garba, Bhajan, Mourning, Cultural programmes etc. for the sake of national unity and not for any other reason like brotherhood, equality etc. One Kshatriya has opined that he believes in the Swaminarayan sect and felt that unity is necessary. One Kshatriya’s logic and rationale being very clear says that the Dalits should be accepted on all occasions and he believes thus to remove the caste system. Another Kshatriya has said that to enhance Hindu unity and to remove caste system, the Dalits should be accepted. One Kshatriya says that he is prepared to accept Dalits only where the Dalits are invited.
One Kshatriya has said that he will accept Dalits on all occasions because all human beings are equal. Excellent!!! Another Kshatriya has said that Dalits should be accepted to remove caste system. One Kshatriya has classified the occasions on which Dalits should be accepted. He said he would accept Dalits on the occasion of death and mourning event (Shok- Sabha) and will not accept Dalits on the occasions of marriage and feast (Bhojan). In connection with inter-caste marriage, one Kshatriya opined that there should be consent from both the parties. By both the parties he perhaps implied the consent of the parents of both the parties and also of both the castes of the families of the boy and the girl. One Kshatriya opined that in private industry, the job should be given as per qualification and not as per reservation.

In connection with removal of caste based discrimination, one Kshatriya says that by “thought” discrimination of such nature should be removed. This is perhaps the best remedy for removing caste based discrimination as the UNESCO’s Constitution also says that, “Before war begins, it begins in the minds of men where defenses of peace must be constructed.” Like that if the Caste Hindus remove caste-ism from their minds where thoughts arise, the problem will be solved forever. One Kshatriya opposing the assistance/help, extended to the members of the Scheduled Castes and the Scheduled Tribes by the Government says that such assistance creates caste differentiation and the society gets divided in two parts as high and low and such step segregates the people from one another. In connection with participation in Dalits’ social functions, one Kshatriya said that he did participate in Dalits’ social functions because he does not believe in the discrimination. This Kshatriya was the Commissioner of Police of Ahmedabad City.
further said that there should be income limit for assistance provided to
the Scheduled Castes and the Scheduled Tribes. In fact such income
limit is already there. He also believes that injustice to the Scheduled
Castes and the Scheduled Tribes has almost been removed. Despite being
the Commissioner of Police, surprisingly, he does not know whether
the Indian Constitution has abolished untouchability. He also does not
know whether the untouchability and the discrimination based on caste
and the idea of high and low again based on caste is a social problem. It
seems ignorance is bliss for the Commissioner of Police, a very high
ranking IPS Officer who is supposed to enforce all the social legislations
in his jurisdiction and also remove the untouchability and the social
disabilities arising out of the untouchability and the caste. One Kshatriya,
an IPS officer of very high rank, Joint Commissioner of Police in
Ahmedabad City believes that the inter-caste marriages should be allowed
to happen as a routine thing and not to be focused attention on. His
views on forms of untouchability in Gujarat are that “incidence is not
much.” In connection with remedial measures for removal of defilement
due to untouchability, he says he did nothing. He is ready to accept Dalits
on all occasions. He says there is nothing different about them. He has
many times called the members of Scheduled Castes and the Scheduled
Tribes on his social occasions. He says he had never paid attention to
such details as to the caste of the shopkeepers. He says he will accept
tea, paan, meals etc. from wherever it is reasonable. In connection with
scavenging work, he says “Such work we do at home any way.” In
connection with his opinion about the Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act, 1989 he opined:
“but police should not have FIR mentality and evaluate evidence before charge-sheeting otherwise it is liable for misuse,”

One Kshatriya who is a Police Inspector in Ahmedabad City has said that he participated in Dalits’ social occasions because he was elected member in Taluka Panchayat from Congress in the year 1980. One Police Sub-Inspector from Ahmedabad City who is also a Kshatriya said that he had participated in Dalits’ social functions because of the friendship due to studying together and because we belong to the same village and for maintaining good image of Police Department. One Kshatriya who is a Police Constable in Ahmedabad City says that he does not believe in untouchability. He further says that he would accept victual from wherever the same is cheap and clean. In connection with Government assistance to the Scheduled Castes and the Scheduled Tribes he says that in India everybody should be treated equal and benefits should be extended to all on the basis of equality. Every poor should get benefit notwithstanding the fact that he may belong to any caste.

One Kshatriya who is IGP in rural area says that no incident of getting polluted has happened. He further says that it is not seen that the other party is a Scheduled Caste (Dalit). We happen to go to their social occasions as an acquaintance, friend etc. In connection with inviting Dalits on social occasions, he says that on such occasions caste is not seen. Another Kshatriya from rural area said that he had participated in Dalits’ social occasions because of his friend circle. He further says that he does not believe in the untouchability. He nobly says that he believes to walk on the path of Gandhiji and Ambedkar. Another Kshatriya says that to exhibit the man’s humanity he participated in Dalits’ social occasions. He further said that he had participated in Dalits’ social
occasions to see a man created by God from a man’s eyes. He also says that for removal of caste system he had participated in the Dalits’ social occasions.

3. Vaishyas

One Vaishya says that social change should be brought about by the electronic and print media because the same is faster and effective medium. Another Vaishya says that there is no concern for either the Varna or the caste, the social leadership should be in the hands of the competent persons. One Vaishya says that if invited, there is no objection in taking part in social occasions of the Dalits. One Vaishya says that yes, we will accept victual from the Dalits. One Vaishya says that the assistance given to the Scheduled Castes and the Scheduled Tribes by the Government should never be given. One Vaishya says that he has never participated in Dalits’ social occasions because their methods of speaking, walking and eating are different. One Vaishya says that Caste-based discrimination will be removed by good conduct with each other. One Vaishya says that the four options in question Q.No.28 relating to the inter-caste marriage are wrong but he has not stated any reason for the same. One Vaishya says that if the nature of person belonging to the Dalit Community is good, we had invited him. One Vaishya says that rites and rituals should be performed as per prescribed method.

One Vaishya in connection with appointment of Dalit priests in temples and religious institutions says that everyone has the right to do the business and our country India is free. One Vaishya says that man may do whatever he thinks fit in connection with acceptance of victual
from Dalit Shopkeepers. One Vaishya says that it is unnecessary for the Dalits to be educated for social leadership. One Vaishya has qualified his options with a condition that if cleanliness is there he will accept victual from the Dalits. One Vaishya is a writer. He says he had gone to attend Dalits’ social functions because he has relationship with the Dalits and further he stated that he does not believe in any caste based discrimination. One Vaishya says that the God is seating in everyone, with this philosophy and for social cohesion (Samarasata) he would like the system of Caste Hindus’ children dinning with the children of the Dalits. He further says that none is high and none is low and none is touchable and none is untouchable. One Vaishya says that society gets rejuvenated by change and everyone should get the benefits of such change.

4.& 5. OBCs and Patels

One respondent says that if there is good quality of the victual he has no objection to accept the same from the Dalits. One woman respondent (Kumbhar-Potter-OBC) has opined that she does not believe that anybody is a Dalit. All are equal- by thinking so. Pleasure and joy should be distributed, she felt.

One OBC says that he participated in Dalits’ social occasions because he does not believe in untouchability. This OBC respondent is a diploma Engineer. He further states that the State Government has increased distance by giving more facilities to the lower castes. He says that everywhere a person should be clean. He also says that the children of the Dalits and other children should be clean and cultured then only inter dinning should be permitted. He also says that there should be no
reservation, only qualification, merit. In connection with the acceptance of victual from the Dalit shop owners, he says that he has no objection if cleanliness is there. In connection with a question whether would he like to buy victual from the Dalits traders if Dalit traders sale victual with good quality and at lower prices, he says that he will prefer to take it from where it is cheap and good. In fact same is mentioned in the question itself despite that he avoided the correct answer may be under influence of caste. The same thing is mentioned in the question despite that he gave answer with some inhibitions. In connection with a question that what change has come due to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 he says, “but many Dalits misuse it.” This is not proved in our empirical research study. He has not furnished any example or details of misuse of the said Act by the Dalits. In connection with his personal opinion about the said Act, he said that a more strict and stringent law should be made against the Dalits who misuse the law. He has opined that no change has taken place in caste and the untouchability due to Government assistance. This assertion is not correct as due to the law only, the practice of untouchability is not there what it was 60 years ago.

From Ahmedabad rural two persons have opined that the assistance given to the Dalits by the Government should be properly utilized. There is also opinion that if both parties agree for the inter-caste marriage, then there should not be any objection. Other opinion is about the equality of rights that all citizens of this country should get, equal rights and equal assistance. In connection with what type of situation is created due to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, one respondent says that due to
this Act, the atmosphere of trust between the Dalits and the Caste Hindus does not survive. One respondent says that he had participated in Dalits’ social functions because of working together with the Dalits. One respondent says that the Government assistance to the Dalits should be continued if they are fit for the same. One OBC respondent says that marriage is the necessity of the human being and it is the system of creating society. Male and female with similar thinking can marry. Another OBC respondent says that it will be better to keep away the politics from the society. The work of disintegrating the society is done by the politics only. It is feared that caste is used as a weapon for one’s own selfish ends. Muslim OBC person response shows that not only in Hindu Society but now untouchability is also seen in all societies. In Hindu society it is a bit more discernible. He says that in fact untouchability is born when a man considers other man to be inferior to him.

In urban area of our study, a Doctor by profession has extra personal observations as under:–

(1) Every person of the society is part of the social leadership. If every person brings honesty in his work, nobody else is needed. (2) The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 should be there but it is misused. No false complaints should be made. (3) Caste based insulting words should not be used for anyone. (4) The social leadership should be in the hands of capable persons. (5) In connection with inter-caste marriage, he says that hybreed is always good. He further opines that the marriages should be decided after blood test ensuring that no hereditary diseases take place. (6) He says that in to-day’s time there
is no concern for Hindu society or Gandhiji’s philosophy. (7) He says that if one is economically sound, then there is no discrimination. This means that economic condition becomes base for discrimination. (8) In connection with acceptance of Dalits, he said that every person with good manners is acceptable by any other person. (9) Regarding appointment of Dalits who are knowledgeable and well-versed in rites and rituals as priests in the temples and religious institutions he says that all religious places, temples and the rites and the rituals should be closed down and stopped and instead it is necessary to open gymnasium, swimming pools, hospitals etc. (10) In connection with acceptance of victual from the Dalit shopkeepers he says that in today’s time nobody sees whose kettle or hotel it is, but people see the quality and prices. (11) He feels that society changes on its own (ipso facto) with political and social change. (12) No caste based assistance should be given but such people should be given Government assistance in whose area infrastructure is lacking and in such area Government assistance should be given to the members of any caste. (13) This professional person says, “Till to-day, really I do not know anything about the points/provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 or the Rules made under this Act.”

From Ahmedabad rural area respondents say that, “Our own opinion in all these matters is this that if we keep good relationship with the Dalit society and if we accept Dalits then only the Hindu religion will survive. This is what we believe.” Another respondent from Ahmedabad rural says that only the needy should be given the government
assistance. One respondent says that law should be applied only if really
the offence has taken place. Misuse of law should not happen. If misuse
takes place the same should be examined and checked.

6. The SCs/STs.

If we conclude data/information collected from the Dalit respondents, then picture emerges as under:-

In answer to how to remove the caste based discrimination one
Dalit says it can be done by the change of religion and inter-caste
marriage. One Dalit respondent says that where untouchability cannot
be practiced, mental untouchability is practiced. One Dalit says that it is
the duty of the Caste Hindus to remove the blot on the Hinduism. It is
not necessary for the Dalits, on their part, to beg for the equality. One
Dalit says that on certain occasions Dalits and the Adivasis are not called
at all for example the installation of idols done by the Caste Hindus in
village temple. (Pran-Pratishtha), Navaratri Mahotsava, public gathering/
meeting held in the village etc. Even when such meeting is held in
Panchayat office even then they are not called. One respondent says, “I
am a Dalit and I know real matter and therefore I give this answer. Nothing
happens to me but everything polluting happens to the Caste Hindus.”
One Dalit says that many problems arise in society due to the
discrimination of high and low and the untouchability. One Dalit who
was an IAS Officer and retired as Secretary to the Government of the
Gujarat and who also once worked as the Director of Social Welfare
says that the caste based discrimination can be removed by impartial and
strict enforcement of the Acts and the Rules in this regard. He further
says that by inter-caste marriage, the benefits of the intelligent and
promising youths of the Dalit Community go to the Cast Hindus and therefore he opposes inter-caste marriages. In connection with a question that what benefits accrue to the society by caste system, he says that to Scheduled Castes, no benefits accrue due to Caste System. He further says, “All are born equal and live equal and therefore society should make it possible by changing and through stringent law.” Further he expressed conservative assertion that people advance in life because of their castes but he qualified his statement saying that except Backward Classes, Scheduled Castes and the Scheduled Tribes and the OBCs. He added that social leadership should be in the hands of the Dalits on par with the other castes’ people on the basis of equality. In connection with his opinion about “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” he says that this Act should be enforced sternly and strictly.

One Dalit who has done Ph.D. and who is connected with various social movements expresses his own considered opinion about the said Act as under:-

“To make this Act meaningless, at all levels, from the stage of complaint till the stage of judiciary to give justice, all subterfuges/machinations have been used and the Act has been rendered meaningless/useless.” He also said that “Untouchability is not a blot on the Hinduism but Hinduism itself is a blot. Gandhiji says that Hindu religion means Varnavyavastha.” Another Dalit, little literate but highly intellectual, an Ex-Mill worker, about 90 years of age says that, “the social leadership should be in the hands of honest, powerful, impressive and erudite persons.” He narrated the situation created by the caste system and untouchability in Meshwa kantha villages and in the villages of the
Dehgam taluka of Ahmedabad district (Now Gandhinagar district) from where he is hailing. The Dalits had to fetch water from their own separate wells or from the rivers, if rivers are there in the villages. The Dalits could fetch water only in earthen pot vessels. They could not use utensils made of metals for fetching water. Vessels made of bronze, copper or any metallic vessels could not be used by them. The Caste Hindus did not allow them to use such vessels other than earthen pots and double earthen pots, one upon the other (Bedu-earthenware). A type of social ban was there in place. This had been a social practice approximately 70 years ago in the area of Dehgam Taluka of Ahmedabad district (Now Gandhinagar district). The Dalit Brahmins were forced to address themselves as “Garoda” only. Sixty years ago from now compulsorily the Dalits had to address the Caste Hindu Darbars (Kshatriyas) as “Bapa” (meaning father) and compulsorily they had also to address Patels as “Kaka” (means uncles). It will do if Patels were addressed as “Kaka” that means Patels used to be addressed as “Bapa” and “Kaka” both but nothing less than “Kaka.” In those days Dalits could not construct good house with roof tiles. If the Darbars/Kshatriyas, Thakor, Thakarda, Patels and others when they come to Dalits’ habitat, the Dalits in their own habitat and at their own residences could not sit on the cot. The Dalits had to stand up and keep standing till the departure of these Caste Hindus from Dalit Mohalla (Habitat). This was the unwritten social law declared by the Caste Hindus and enforced ruthlessly by them. The said social practices based on untouchability and concept of high and low based on caste still continue but since the wells and rivers have dried up and the water posts are caste wise provided in each villages separately, the question about not allowing the dalits to draw water in metal pots does
not survive and similarly the question of tiled roof of Dalits’ houses also stands mitigated to a large extent yet jealousy based on caste against the Dalits prevails. Rest remains as it was.

Talking about his own village “Halisa” in Dehgam taluka he says that the Chaudhary Patels were previously known as “Aanjana Patels” 50 years ago in their village “Halisa.” One Lallubhai Chaudhary’s son named “Bogho” died at the age of 18 years. There was custom in their community that on the 12\textsuperscript{th} Day after death they used to do the “Barmu” in which they offer feast of sweet called “Shiro” to all people of the village. This Chaudhary Patel Lallubhai came to the Dalitvas (residences of Dalits) on the day of “Barmu” and told Dalit Vankars to take away their dishes (Bhanaas) from his place. “Take away the Shiro” he said. One old Vankar named Lavji told the Chaudhary Patel, “Your very young son has died and hence we can neither take nor eat your Shiro.” By saying so the (Vankar) Dalits refused to take “Shiro” of the Chaudhary Patel. This wise counsel of the Vankar touched the hearts of all the Chaudhary Patels and thence onward till date the Chaudhary Patels are not doing any “Barmu” at all. This Dalit Vankar had told them “You can it, it cannot be eaten by us” and this sentence touched the inner social conscience of the Chaudhary Patels in a most natural way which brought about permanent social change in upper Caste Chaudhary Patels in one stroke of a lower caste Vankar Dalit’s word. This happened due to the Vankar’s conduct and word to a Caste Hindu Chaudhary Patel which brought social change in Chaudhary Patel’s age old social custom and tradition which even a law could not have changed as customs and mores are stronger than the law as has been rightly said in Sanskrit verse that “Shastrat Rudhi baliyasi” means the tradition/more is stronger than the
law. The question now arises is who can be called backward? Chaudharys or the Vankars?

A medical practitioner – MBBS Doctor from Scheduled Caste offered his detailed extra comments and opinions as under:-

The influential, men of status, well-meaning leaders from Caste Hindus and Dalits both, in village, City and Society should meet together and they should try to bring revolution in the society by beginning from their own houses through persuasion and all should join hands and set out for persuading people and should provide incentives, assistance and security for proper inter-caste marriages. For example, in past, Kasturbhai Sheth foregone his caste indicator surname and Lalbhai and Vikrambhai also gave their family the identity as “Sarabhai” and the same still continues. But that remained limited to their family only. A lot of difference can take place if Caste Hindus’ prominent leaders think about this and thus a ladder for social change can be obtained for change in the Varna/Caste system. All people, he implied, should give up their surnames which indicate their Varna or Caste. He felt that damage is indeed caused to the society and religion due to Caste System but he is of the opinion that if untouchability is removed and the idea of high and low is removed then there is no shortcoming in the caste system because the children get customary values and system from their parents and almost all villages of India had become self reliant because of the Castes only. For all skilled workers, the village had not to depend upon another village or other outsiders. Seldom such type of arrangement was available in any country of the world. However due to discrimination/untouchability/ Brahminism its main purpose is dead in today’s time and now all traditional industries stand almost annihilated due to modern technology.
Otherwise in a village, Potter, Blacksmith, Weaver, Chamar, Farmer, Trader, Tailor, Teacher, Brahmin, Solder, Sipai all had their own specialization and expertise and all used to be helpful to each other to look after their requirements. In times of happiness and distress they used to cooperate with one another. He further feels that in today’s time a class in Caste Hindus who misuses the caste, practices the untouchability and does injustice might be very less. The rest like religion, politics and society appear to be playing greater role. He further says that Dr.Baba Saheb Ambedkar, in his older age, did inter-caste marriage perhaps to set an example in the society. Dr. Savita was a Brahmin. He further felt that such marriage between Dr. Savita and Dr. Ambedkar can really bring positive change in the caste based discrimination of high and low and both the societies that is the Caste Hindus and the Dalits will respect each other and gradual social interaction and social relationship may also grow. The respondent (Dalit Doctor) at the end has said that all these are his personal opinions.

The above all are the remarks, comments, assertions, views, beliefs, averments, affirmations and statements made by the respondents belonging to all castes, communities and tribes. They have expressed their additional views on various matters related to the subject as above.

**Comparison of data and conclusion with objective of study:-**

The data gathered and the analysis done proves that so many social theories and beliefs are not in fact found correct and the social change in fact swept so many such theories, thinking and the general belief not only of the common people but also of the academicians and social scientists.
The theory of Chaturvarna is found totally shattered in all the four major Varnas i.e. (1) Brahmin (2) Kshatriya (3) Vaishya and the (4) Shudra. The Divine concept of creation of Chaturvarna system is not at all acceptable to the overwhelming majority of people. The people both urban and rural have in fact given unceremonious exit to the Chaturvarna system and this has happened in all varnas including in the varna of its protagonists.

Now let us see what the analysis of the data collected from the respondents offers us. Analyzing the data in sequence of the questionnaire, the first revelation is the longevity of the respondents. It is seen that longevity in the Scheduled castes is highest whereas the same is the lowest in OBCs and the Vaishyas. In educational excellence the Scheduled Caste is at the top. With 13.15% doctors, the Scheduled caste is the first as compared to all other castes in this regard so far as education is concerned. The Scheduled Caste has even surpassed the Brahmins in this connection. In the Post graduation education also the Scheduled Caste is on the top as compared to all Varnas and Castes taken into this study.

Service as an occupation of Brahmin has registered a decline from 58.8% to 52.94% so far as urban area is concerned whereas in rural areas it formed an upward trend from Nil to 42.85%. Decrease is also noticed in the traditional Brahminic occupation of astrology from 25.49% to 13.72% in urban area and from 71.42% to 28.57 in rural area respectively. This appears to be a major setback to the traditional Brahminical occupation but as seen everywhere the Brahmins are gaining their lost ground again as most of the T.V. Channels are full of astrology and the Pauranic tales. The traditional occupation of the Kshatriyas is the military service but
unfortunately none from the Kshatriyas is in the military so far as respondents of this study is concerned. Then the agriculture became the main occupation of the Kshatriya but in agriculture also the Kshatriyas are losing the ground as from 51.89% they have come down to 10.12% and from 72.72% they have come down to 27.27% in urban and rural areas respectively. But it is surprising that the Kshatriyas have surpassed all other communities in the matter of service as occupation. Till then it was the monopoly of the Brahmins in the service sector but now the Kshatriyas have scaled these new heights from 44.30% to 81.01% in urban area and from 27.27% to 63.63% in rural areas surpassing all other communities.

The Vaishyas have given up agriculture. They have also given up protection of cow. Both these were their main traditional occupations as Vaishya in the Chaturvarna System. Surprisingly they are also slowly losing their main hold on the business as other so many people from different castes have made inroads in the Vaishyas’ main occupation i.e. business. The Vaishyas’ business as occupation declined from 47.45% to 42.37% in urban areas whereas business as occupation of all other castes except OBCs has registered increase in business as occupation. In rural area the Vaishyas have maintained 100% business as an occupation.

The OBCs’ business as occupation has decreased from 38.25% to 35.5% in urban area whereas it has increased from 33.12% to 49.98% in rural areas. A quantum jump from 19.66% to 43.53% in urban area in Service as occupation of Patels is quite noteworthy.

The Scheduled castes have almost completely given up their traditional occupation of weaving so far as respondents of this study are concerned. The Vankars among the Scheduled Castes were doing this business. The Scheduled Castes’ persons who
were working as textile workers are almost deprived of their occupation due to the closure of the textile Mills. The tannery occupation of the Chamars from amongst the Scheduled Castes has almost been stopped. Now there is wonderful increase in the service as occupation of the Scheduled Castes as the same has increased from 26.31% to 86.84% in urban area and has remained static to 50% in rural area. There is more than 5 times increase in the business as occupation of the Scheduled Castes in urban areas and there is zero per cent business as occupation of the Scheduled Castes in the rural areas.

So far as the size of the family is concerned, the Brahmins and the Kshatriyas have the largest size of the family. The maximum number of persons in a Brahmin family is 10 whereas the maximum number of members in a Kshatriyas family is 14. It seems by and large the small family norm has been accepted by most of the people. The above two example are exceptions. In this study the maximum number of families have only 4 members in their family i.e. “we two, ours two” the Government slogan on the family planning has worked well.

Some people from all Varnas have done inter-caste marriages. These marriages are “Anulom” and “Pratilom” both. “Anulom” means husband belongs to a higher Varna or Caste whereas “Pratilom” marriage means the husband belongs to a lower Varna or Caste. 68.23% respondents from urban area and 58.81% respondents from rural area, from all Varnas and Castes believe that the inter-caste marriages will strengthen social and national unity. 65.31% respondents from urban area and 67.47% respondents from rural areas have respectively and very clearly opined that inter-caste marriages should take place and this is the opinion from people of all Varnas and all Castes. The percentage
of the rural people in this regard is higher than their counterparts in the urban area. All prohibitions placed on the people of India by Manu and his Manu Smriti and other such scriptures banning or discouraging inter-caste marriages have been rejected by the majority of the people. In fact this is a most positive sign of Indian orthodox society due to the impact social change brought about by Law. The village people usually are found lagging behind as compared to the urban people but in this case they are ahead of the urban people as their percentage is 67.47% in believing that inter-caste marriages will strengthen social and national unity. Again the rural respondents outsmart the urban respondents when 75.53% of them say that Government assistance should be provided to the couples who enter into inter-caste marriage as against 70.42% respondents from urban area believing the same.

The age-old theory of “Divinity” for creation of Varna and Caste is discarded lock, stock and barrel by the people as 96.11% people from urban area and 103.26% people from rural area have asserted that the idea of high and low is created not by the God but by the people and by the scriptures created by them. Thus the theory of divinity that the God had created different Varnas i.e. Brahmin from His mouth, the Kshatriya from His arms, the Vaishyas from His thighs and the Shudra from His feet, holds no relevance in modern times and respondents have firmly, very categorically and outrightly rejected the same. This is the sign of awakening on the part of respondents from the blind belief to logical and rationale belief.

This study has dented the main features of the Varna and caste system. From above percentage of respondents believing that the Caste and Varna system was not created by the God as claimed by few, is
testimony that birth based and graded hierarchy of caste is no longer held valid and acceptable to the people. The other feature of the caste system is the endogamy. Now the majority of people believe in the inter-caste marriages and majority of people also believe that Government assistance for inter-caste marriages should continue proves the point that endogamy is also threatened by the new social thinking and the change is sweeping both urban and rural areas of the State. The impact of hypergamy too is evidently impacted due to inter-caste marriages and people’s thinking in favour of inter-caste marriages. The occupation theory of caste also has lost its sheen as the manufacturing of textile is overtaken by the Vaishyas from the Ati-Shudra Vankars and the occupation of the tannery is taken over from the Chamars, the other Ati-Shudra, by the Caste Hindus. The people belonging to Ati-Shudra Varna have also adopted new occupations like teaching, military service and business etc. which used to be the occupations of Brahmin, Kshatriyas and the Vaishyas respectively. The restriction on food, drink, smoking etc. have also been dented by the new thinking of the people reflected in this study that the caste Hindus have expressed their readiness to accept Dalits on their social occasions and they have also started inviting them on their social occasions. The distinction in customs, dress and speech is also disappearing. As we have seen in this study and in this Chapter itself about the people’s extra comments wherein many Caste Hindus have not agreed with the caste based discrimination practised against the Scheduled Castes and the Scheduled Tribes and most of the time they talked about the equality and the merit. The concept of purity and impurity has been given good bye, by almost all the respondents except only two respondents from the OBCs who repeatedly talked about cleanliness.
The theory of pollution is also no longer valid as per the responses of the people as 88.64% Caste Hindus believed that the touch of a Scheduled Caste person does not pollute them and in fact nothing happens to them by such touch of a Dalit. So the theory of pollution is dented to an all time high extent of 88.64%. The rural people are racing close to their urban counterparts and their percentage in this regard is 87.33% is indicative of just neck to neck competition in throwing away the theory of pollution from the society and this study has amply proved this point in above analysis. The people have already dismissed with thumbing majority the claim of the “Divine creation” of the Varnas and the Castes. The sociological theory of prohibition of marriages outside one’s caste is also denounced and not held valid by the people in this study. The last theory or the feature of the caste is the separate locations of the Dalits from the Caste Hindus but in this study 90.69% Caste Hindus have expressly stated that they do not have any objection if Dalits reside in their area or society with them. Only 9.30% Caste Hindus have objection in this which is very negligible opposition to Dalits. The builders who hesitate to give flats or houses to the Dalits in their schemes must take a lesson from this study about the people’s thinking in this matter and shun the mentality and the presupposed notions that the high Caste Hindus will not purchase houses and flats from them if they give houses to the Dalits in their colony or society or flats. Thus this conclusion on this theory counterpoises the fears of the builders.

The theory of Sanskritization:- Srinivas’s theory of sanskritization is applicable to the lower caste people who imitate the customs, mores, culture, civilization of the higher caste people and try to identify with them to improve their social status. This theory is not
applicable to the Brahmins as Brahmins consider themselves highest in the caste-based hierarchy. But in this study it is found that this theory is also not applicable to the Kshatriyas as they consider themselves second to none. None of the Kshatriya respondents had shown his Varna as Brahmin, a supposedly higher caste but everyone in the Kshatriya Varna had stated “Kshatriya” as their Varna whereas the other lower order caste Patels had shown their Varna as Kshatriya, Vaishya etc. concealing their own varna “Shudra.” The OBCs have also done the same thing. Surprisingly the Sanskritization theory of Srinivas is defeated by the Scheduled Castes and the Scheduled Tribes as they also like the Kshatriyas, have not shown any other Varna other than their own Shudra and Atishudra Varna. Dr. B. R. Ambedkar “Theory of Imitation of higher Varna by lower Varna” is the same and matching with the theory of the Sanskritization of Srinivas. But the result of this study indicates that the Kshatriyas, the Scheduled Castes and the Scheduled Tribes have proved this theory wrong in their application to them. The Patels and the OBCs are desperately pursuing the theory of Sanskritization as real and pinching crisis of identity is faced by both these communities.

The desperation of Patels seeking identity elsewhere is shocking as 5% Patels from Urban area and 10 % Patels from rural areas respectively have claimed themselves as Kshatriyas. 63% & 60% Patels respectively from the urban and rural areas have claimed themselves to be Vaishyas. 6.66.% and 20% Patels respectively from the urban and rural areas have shown themselves as “Shudra” means only this percentage of Patels have honestly stated their real identity whereas rest all have tried to either hide it or to put up false claim of caste or Varna. 15% Patels from urban area and 10% from rural area have shown their
Varna as “Others” which is also false and misleading and aimed at hiding and concealing the original Varna. 6.66% Patels from urban area have left this column blank. Thus 93.34 % Patels are desperately seeking their identity elsewhere forsaking their real identity as “Shudra.”

Thus the communities i.e. the Patels and the OBCs have desperately tried to claim pseudo identity hiding their real identity. Percentage-wise both these castes are almost equal i.e.91.25 % OBCs and 93.34 % Patels respectively have shown pseudo identity of their Castes. The theory of Sanskritization of Srinivas is found to be at full swing in the case of these two Castes but not at all in the case of the Kshatriyas, the Scheduled Castes and the Scheduled Tribes. This sanskritization works in a converse way also. See the example of the celebration of the Navaratri in Gujarat wherein most of the men, women, girls and boys of all castes including the Brahmins participating in the “Garba” imitate the dresses worn by the lower Castes’ people i.e. Rabari and Bharwad who are Shudras.

99.56% Scheduled Castes and the Scheduled Tribes have shown themselves as Shudra and Ati-Shudra and here the theory of Sanskritization definitely seems failing.

73.34% and 65.40% respondents respectively from urban and rural areas have stated that caste based high and low hierarchy is bad and unnecessary. Just a microscopic minority of 9.60% from urban area and 9.48% respondents from rural area have stated that caste based high and low hierarchy is good and necessary. In other words 90.4% respondents from urban area and 90.52% respondents respectively from rural areas have stated that caste based high and low hierarchy is not good and necessary.
A surprisingly very high percentage of respondents i.e. 81.16% from urban and still higher percentage of respondents from rural area i.e. 83.13% respectively believe that the Caste, Varna, untouchability and discrimination based on caste should be abolished. Even 77.35% Caste Hindus from urban area and 79.82% Caste Hindus from rural areas clearly believe that the idea of caste based high and low should be abolished. Again the rural respondents have shown greater awakening and maturity than the urban respondents as seen from the above percentage.

On the other hand, the highest number of respondents i.e. 59.49% from urban area and 84.06% respondents from rural area have respectively opined that the caste-based discrimination should be abolished by persuasion. After persuasion, comes the law as an instrument of social change to be used to abolish the caste based discrimination and the third option is the inter-caste marriage. Thus, three remedies have been mainly emphasized by the respondents for abolition of caste based discrimination. The first as mentioned above, is the persuasion, the second is by using law as an instrument of social change in which 21.84% and 5.93% respondents respectively from urban and rural areas opined that caste based discrimination can be abolished by using law as an instrument of social change. 7.44% respondents from urban area felt that the caste based discrimination can be abolished by inter-caste marriage. None subscribed this view from rural area.

80.56. % respondents from urban area and 76.99% respondents from rural area respectively stated that caste system causes damage and is a hindrance to the national unity. 50.74% respondents from urban area and 46.63 respondents from rural area felt that there is no benefit
of the Caste system. How peoples’ total belief builds up can be seen from following analysis:-

Table N0.8-1

Inter connection between Caste and Untouchability.

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Urban</th>
<th>Rural</th>
<th>Opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>27.09%</td>
<td>31.07%</td>
<td>The Untouchability cannot be abolished because of the caste.</td>
</tr>
<tr>
<td>2.</td>
<td>22.16%</td>
<td>15.41%</td>
<td>Untouchability can be removed speedily if the Caste is removed.</td>
</tr>
<tr>
<td>3.</td>
<td>34.69%</td>
<td>36.15%</td>
<td>Caste is the root cause of untouchability.</td>
</tr>
<tr>
<td>Total%</td>
<td>83.94%</td>
<td>82.63%</td>
<td>-</td>
</tr>
</tbody>
</table>

Thus the combined opposition to caste has emerged from total 83.94% respondents from urban area and 82.63% respondents from rural area respectively, and all of them have blamed caste for untouchability and they felt that if caste is done away, then the untouchability can be very easily removed. This is in tune with the famous Sanskrit proverb “Muronasti Kutoh Shakhah” if there are no roots how can there be branches?

We have observed in this study that the knowledge of law, knowledge of Constitutional provisions and knowledge of legal provisions of the rural people is higher than the urban people. Here village people surpassed their urban counterparts. 84.38% respondents from urban area had stated that use of caste-based insulting words for the Dalits is an offence whereas still more respondents from the rural area i.e. 93.17% believed that use of caste based insulting words for the Dalits is an offence. It is really an
offence under S.3 (1)(10) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Thus the legal awareness of the people of rural area is greater than the legal awareness of urban people. This is yet against the general belief so far held by the people in this regard. 4.77% and 3.05% respondents respectively from urban and rural area believe that use of caste-based insulting words is not an offence. Again the percentage of rural respondents in this answer is less than the urban people. 6.91% and 1.38% respondents respectively from urban and rural areas have stated that “they don’t know” about this matter whether it is an offence or not. Again more than five times ignorance is there on the part of the urban respondents as compared with rural respondents and last in the category of “Cannot say anything,” 3.90% respondents from urban area and 2.33% respondents from rural area respectively believe so. This again is the point in favour of rural people.

4.58% and 2.33% respondents from urban and rural areas respectively felt that complete abolition of Caste and Varna system will create disorder in the society. Here again it can be seen that the respondents from rural area have scored a higher point, almost the double point over their counterparts from the urban area.

The theme of this research is Law as an instrument of social change- a sociological study of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. As we have seen in detail in previous Chapters about this that how tremendously the laws have impacted the Indian way of life changing the atrocious and horrifying treatment meted out to the members of the same religion crossing all limits of decency of public and private life and how law successfully rooted out most of these horrendous practices, customs, mores and
inhuman traditions and if these laws were not enacted and put in practice, Indian society and especially the Hindu society would not have changed at all as only law forcefully threw away lock, stock and barrel all such atrocious, outrageous, inhuman and discriminatory practices from the society.

A quick bird’s eye view of various important laws is as under:-

The Indian Penal Code, 1860 treated all people equally. The punishment hitherto had been as per the caste but the Indian Penal Code abolished it and made it as per the crime and not as per the caste. So all privileges enjoyed by the Brahmins, Kshatriyas and Vaishyas in commission of crimes against the people of the lower strata of the society were put to an unceremonious end forever and now nobody can even think of the old laws of Manu which gave immunity and impunity to the Brahmin offenders even from the heinous crimes like murder, rape and grievous hurts caused by the Brahmins to the rest of the people of India. Just try to imagine how effective the law is as an instrument of social change. Similarly The Indian Evidence Act, 1872 treated the evidence of all the persons equally without giving any weight to the evidence of high and low caste people or even the adult and child. The Code of Criminal Procedure, 1898 subjected all the Indians to the same uniform procedure of law. All inequalities based on the caste and religion, customs and culture, tradition and civilization were done away with through these laws and now nobody remembers the old laws under which the Indians were once governed. No other methods, no other alternatives would have proved effective to such an extent as law an instrument of social change has proved.
The 21 various Acts passed by the different Legislatures of the Indian Provinces and States respectively aimed at abolition of the untouchability and removal of various caste based disabilities from Indian society, also helped bring social change to a great extent. The restrictions of temple entry in the country are removed to a great extent by all these laws. Take Ahmedabad for example where restrictions were in existence for entry in temple for the members of the Scheduled Castes which are not there today. The credit goes to the Law as instrument of social change. Had law not been there the same restrictions on temple entry would have been continued till today.

These 21 Acts were SCs/STs specific. The Madras Removal of Civil Disabilities Act, 1938 (Madras Act XXI of 1938) is almost mother of all such SCs/STs specific Acts.

The Constitution of India gave lot of relief to the downtrodden people mainly the Scheduled Castes and the Scheduled Tribes. The Constitution abolished untouchability as per its Article-17. Thus what Gandhiji considered a blot on the Hindu religion was abolished by the law and not by any other instrument. The Constitution gave the principles of liberty, equality and fraternity to the people of India. It gave political reservation as well as reservation in the public services to the members of the Scheduled Castes and the Scheduled Tribes. Besides many other measures aimed at ameliorating the conditions of life of these sections of society were introduced in the Constitution of India.

As promised in the Constitution vide Article-17, the Indian Parliament enacted the Untouchability (Offences) Act, 1955

The Protection of Civil Rights Act, 1955 (Act No.22 of 1955) in fact it is an amendment Act of 1976 of the Untouchability (Offences)
Act, 1955. This Act repealed all these 21 Acts which were in force prior to the enactment this Act to the extent to which they are or any of the provisions contained therein correspond or are repugnant to this Act or to any of the provisions contained therein.

The law is in its place and the people behaviour is also in its place. Despite law, the untouchability is still practiced in all parts of India including the State of Gujarat. People have confirmed the existence and practice of untouchability in various forms in Gujarat as under:-

**Table N0.8-2**

**Confirmation about the existence and practice of Untouchability in various forms in Gujarat.**

<table>
<thead>
<tr>
<th>Sr.N0.</th>
<th>Urban</th>
<th>Rural</th>
<th>Forms of untouchability</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>43.35%</td>
<td>49.06%</td>
<td>Cemetery of Dalits and Caste Hindus is separate.</td>
</tr>
<tr>
<td>2.</td>
<td>30.45%</td>
<td>20.83%</td>
<td>Fetch water from separate well/tap or river banks.</td>
</tr>
<tr>
<td>3.</td>
<td>30.46%</td>
<td>12.77%</td>
<td>Vendors give victual from hands high above maintaining distance to avoid touch of the Dalits.</td>
</tr>
<tr>
<td>4.</td>
<td>40.91%</td>
<td>14.20%</td>
<td>Untouchability is practiced on Special Occasions</td>
</tr>
<tr>
<td>Total%</td>
<td>154.17%</td>
<td>96.86%</td>
<td>-</td>
</tr>
</tbody>
</table>

The above forms of the untouchability have been confirmed by the respondents. This shows the extent to which the government is required to put its efforts to wipe out the curse of the untouchability.
These are the forms in which the untouchability is observed in the State of Gujarat. Now let us see the observance of the untouchability noticed and confirmed by the respondents which is as under:-

Table N0.8-3

Observance of untouchability noticed and confirmed.

<table>
<thead>
<tr>
<th>Sr.N0.</th>
<th>Urban</th>
<th>Rural</th>
<th>Confirmation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>32.66%</td>
<td>5.93%</td>
<td>Yes</td>
</tr>
<tr>
<td>2.</td>
<td>22.76%</td>
<td>19.71%</td>
<td>To some extent</td>
</tr>
<tr>
<td>3.</td>
<td>3.03%</td>
<td>3.05%</td>
<td>On certain occasions like temple entry, meeting, at eating places etc.</td>
</tr>
<tr>
<td>Total%</td>
<td>58.45%</td>
<td>28.69%</td>
<td></td>
</tr>
</tbody>
</table>

Table N0.8-4

The caste-wise confirmation of the untouchability.

<table>
<thead>
<tr>
<th>Sr.N0.</th>
<th>Caste</th>
<th>Urban</th>
<th>Rural</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>SC</td>
<td>75.9%</td>
<td>50.00%</td>
</tr>
<tr>
<td>2.</td>
<td>Kshatriya</td>
<td>74.66%</td>
<td>36.27%</td>
</tr>
<tr>
<td>3.</td>
<td>Patel</td>
<td>58.32%</td>
<td>30.00%</td>
</tr>
<tr>
<td>4.</td>
<td>Brahmin</td>
<td>52.93%</td>
<td>14.28%</td>
</tr>
<tr>
<td>5.</td>
<td>Vaishya</td>
<td>38.97%</td>
<td>Nil</td>
</tr>
<tr>
<td>6.</td>
<td>OBC</td>
<td>50.00%</td>
<td>41.66%</td>
</tr>
<tr>
<td>Average%</td>
<td>-</td>
<td>58.46%</td>
<td>28.70%</td>
</tr>
</tbody>
</table>

Thus, all Castes and the Varnas have confirmed the prevalence of the untouchability in Gujarat to above extent. The
existence of untouchability means violations of the human rights of the Dalits on such a massive scale in Gujarat. In fact the untouchability is more prevalent in rural area than in the urban area despite that the picture emerged shows the observance of percentage of untouchability in rural area is less. The main reason for this is the higher awareness of the rural people about “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” and overcautious as they are and thinking that this study itself will entail some penal action against them, it seems, they might not have frankly admitted the prevalence of the untouchability in the rural area to the extent the frankness noticeable in admitting the prevalence of the untouchability in urban area by the urban respondents. This can be assumed from above facts. The rural people seem to be in denial mode in this regard.

81.65% and 80.90% respondents respectively from urban and rural area have supported or agreed with the Gandhiji’s view on the untouchability that untouchability is a blot on the Hindu society.

72.47% and equal number of respondents i.e. 72.47% respondents both in urban area and in the rural area believe that the untouchability and the caste based discrimination of high and low are the social problems. The Sociology says that any problem is problem only if people believe it to be a problem.

48.54% and 78.34% respondents respectively are aware that the Constitution of India has abolished untouchability. Here again the Constitutional awareness on the part of the rural people is quite high as compared to the urban people. This compels us to change our view about the rural people which we normally hold that the rural people are less aware about the knowledge of law than the urban people.
29.30% urban respondents and 10.80% rural respondents have stated that the Constitution of India have not abolished untouchability. Here again the ignorance on the part of the urban people is thrice more than the rural people. In this ignorance bracket even one very high ranking IPS officer holding the post of Commissioner of Police is also there which is quite surprising and shocking as well. 16.44 % urban and 06.08% rural respondents have stated that they do not know anything about this and here also the ignorance of law is higher on the part of the urban people as compared to the rural people.

5.68% and 4.75% respondents respectively from the urban and rural areas have opined that they cannot say anything about this matter. Here again the ignorance on the part of the urban people is higher than the rural people.

As far as the orthodox beliefs are concerned, the rural people appear more modern than the urban people. See this analysis. In a answer to a question that what actually happens if a low caste person touches or accidentally comes in touch with a person of a high caste, 9.98 % and 1.66% respondents respectively from urban and rural area said that the Caste Hindu gets impious and stands desecrated. Here also the percentage of urban people having such obnoxious thinking is much higher than the rural people. Thus six times more urban people are having such obsolete ideas as compared to the rural people.

Only 5.45% urban respondents believe that such person who is touched by a Dalit gets sin in his life. Again it is the height of absurdity that only urban people think like this and none from the rural area believes in such obnoxious proposition. 2.19% and 1.38% respondents respectively from urban and rural areas believe that touch of a Dalit to a
Caste Hindu incurs heavenly wrath and displeasure. Again the rural people are more modern in this regard as compared to the urban people. 3.49% respondents from urban area believe that all above will happen due to the touch or accidentally coming in touch with a Dalit to the Caste Hindus whereas none from the rural area respondents believes so. 4.95% respondents from urban area and 7.50% respondents from rural area believe that the touch of a Dalit pollutes caste Hindus. 9.98% and 1.66% respondents respectively from urban area and rural areas believe that caste Hindus become impious and desecrated by the mere touch of a Dalit. 86.23% and 89.44% respondents respectively from urban and rural areas believe that nothing from above will happen by the touch of Dalit to the Caste Hindu. Here also the percentage of people having such positive and modern thinking is higher in the rural people than in the urban people. Thus it is found that the rural people’s thinking is more rational than the urban people’s and this is against the popularly held belief by the general public.

Again the mindset of the rural people appears quite appreciable when they adopted remedies against the pollution caused to them by the touch of a Dalit. The following analysis proves that the rural people are better off so far such caste based blind beliefs are concerned as compared to the urban people. 33.12 % and 30.02 % respondents respectively from urban and rural areas stated that water was sprinkled on them by their parents or others to purify them from the touch of a Dalit. Here again such blind belief seems to be higher in urban area than in the rural area.

7.34% and 1.51% respondents respectively from urban and rural areas have stated that they touched Muslim to become pure again from
the touch of a Dalit. Here again almost five times more urban people had such outrageous view as compared to the rural people. 24.13% and 16.92% Caste Hindus respectively from urban and rural areas adopted other remedy to wipe out the pollution caused to them by the mere touch of a Dalit. Here again the urban people had adopted higher percentage of these other remedies than the rural people. This suggests that the rural people are quite advanced in their social thinking as compared to the urban people. This is quite disappointing to the social thinkers, social reformers and the agencies connected with social reforms. 24.69% and 36.36% respondents respectively from urban and rural areas stated that they had done nothing after the touch of the Dalits. In this aspect also the rural people are ahead of the urban people by 11.67%. This analysis and conclusion may baffle the experts who till now believed that the urban people are having modern thinking and positive attitudes in life because of higher education, urbanization, industrialization and higher impact of the electronic and print media on urban life.

If we see it with Dalits’ point of view then we found that the Dalits always feel that they are tolerated but not accepted by the caste Hindu society. The following are the observations made with data collected:-

10.18% and 12.39% Caste Hindus respectively from urban and rural areas are not willing to accept the Dalits at all on any occasions. This is the clear cut case of non-acceptance of the Dalits. 5.71% and 0.49% (1.96% Brahmin only opposes from rural area) from urban and rural areas respectively stated that the Dalits are not at all acceptable even in the bus, train, public garden, toilet, public urinal, even on occasional coming in contact or seating together, in all these the Dalits
are not acceptable. This is the height of inhumanity that an entire caste or race is totally condemned in this manner which shows that the Dalits are treated worse than even the animals. This is called the theory of exclusion of the Dalits from the main stream of Hindu life even though the Dalits are part of the same religion. 11.45% and 0.39 (1.96 % Brahmin only) Caste Hindus respectively from urban and rural areas have hesitatingly stated that the Dalits are acceptable to them if there is no other way out. This means that if there is some way out to exclude the Dalits they will immediately go for that option and will not accept the Dalits. If there is any escape route for not accepting the Dalits, well they will escape through that route but would not accept the Dalits. 23.00% and 14.85% Caste Hindus respectively from the urban and rural areas have specifically stated that they do not want to accept Dalits on the occasions like Garba, mourning, Cultural programme etc. Thus total 50.34% and 28.12 % Caste Hindus respectively from the urban and rural areas have stated firmly that the Dalits are not acceptable to them. Here again it can be seen that the rural people are more liberal than the urban people. But as has been rightly said in a proverb that there is always a silver line in the clouds, like that a silver line in this is that 67.5% and 100.00% OBCs respectively from urban and rural areas have stated that the Dalits are acceptable to them in all matters. Here again you can see the difference in the attitudes of the urban and rural people as 100% rural respondents have expressed their preparedness for the acceptance of the Dalits but the same is not the case in urban area. Similarly 60.00% and 90.00% Patels respectively from the urban and rural areas have stated that the Dalits are acceptable to them in all respects. Here again liberal-mindedness of the rural people is visible looking to
the high 90% of the rural Patels’ readiness for the acceptance of the Dalits. The other Castes have shown partial acceptance of the Dalits. The Brahmins have expressed partial readiness for the acceptance of the Dalits in the matters relating to religious functions, eating together and the Garba. The Kshatriyas have expressed readiness to accept Dalits only on the occasion of eating and marriage functions. The Vaishyas have expressed their preparedness for the acceptance of the Dalits only on the occasion of marriage and not on any other social occasions.

Out of the Dalits and the Adivasis, whom do you have no objection to accept was the question posed to the respondents. Instead of giving answer by making a choice of either of the two, 15.50% and 16.65% respondents respectively from the urban and rural areas have asserted firmly that they do not want to accept any of them. They rejected both, the Dalits and the Adivasis. In urban area the Scheduled Caste is more acceptable than the Adivisis and in rural area Adiviasis are more acceptable than the Scheduled Castes. In urban area 7.83% Caste Hindus prefer Dalits over Adivasis whereas not a single Caste Hindu prefers Dalits in the rural area whereas 6.81% Adivasis are preferred in urban area also and 6.18% Adivasis are preferred in rural area also. On an average the Adivasis are preferred more than the Dalits. The reason may be that the untouchability is attached with the Dalits but same is not the case with the Adivasis.

69.83% and 77.13% Caste Hindus respectively from the urban and rural area stated that they prefer both the Scheduled Castes and the Scheduled Tribes. Again the extent of understanding seems to be higher in rural people than the urban people as more rural people as compared to urban people prefer the Scheduled Castes and the Scheduled Tribes.
Opposition to Dalits:

23.70% and 45.27% Caste Hindus respectively from urban and rural areas have objection if a Dalit boy weds a Caste Hindu girl. Vice versa is also objected to by the Caste Hindus. 22.55% and 27.63% Caste Hindus respectively from urban and rural areas have objection if a Caste Hindu boy weds a Dalit girl. 11.23% and 10.17% Caste Hindus respectively from urban and rural area have objection in both the above events of marriage. 9.30% and 5.08% Caste Hindus respectively from urban and rural areas have objection if a Dalit resides in the Caste Hindu area or society. 8.30% and 5.00% Caste Hindus respectively from urban and rural areas have objection if Dalit buries/cremates his dead near and dear one in a Caste Hindu crematorium. 6.32 % and 3.33% Caste Hindus respectively from urban and rural areas have objection if a Dalit girl participates in a Caste Hindu Garba in village or city. 8.64% and 8.00% Caste Hindus respectively from urban and rural areas have objection if Caste Hindus and Dalit participate in a community meals. 9.19% and 5.15% Caste Hindus respectively from urban and rural areas have objection if a Dalit enters in their houses. 12.19% and 6.18% Caste Hindus respectively from urban and rural areas have objection if a Dalit enters into the kitchen of the Caste Hindus. 5.85% and 3.33% Caste Hindus respectively from urban and rural areas have objection if a Dalit enters into a temple. Higher objection is there in the case of the entry of the Dalit into the Sanctum sanctorum of the temple. 6.12 % and 6.18% Caste Hindus respectively from the urban and rural areas have objection if a Dalit enters into the Sanctum Sanctorum of the temple. One surprising and unfounded objection is also there on the part of the Caste Hindus. 6.00% and 3.33% Caste Hindus respectively from urban and rural areas
have objection if a Dalit gets good/high job/service. In fact this is a strange objection on the part of the Caste Hindus. 6.48% and 3.33% Caste Hindus respectively from urban and rural areas stated that they have objection in all the above matters.

**Participation:**

80.31% and 87.42% Caste Hindus respectively from urban and rural areas have stated that they had participated in the social functions of the Dalits like birthday, marriage, death, Barmu, Bhojan, Bhajan, party etc. 50.13% and 66.85% Caste Hindus respectively from urban and rural areas have stated that sometimes they had participated in the Dalits’ social functions whereas 30.25% and 20.65% Caste Hindus respectively from urban and rural areas have stated that many times they had participated in the social functions of the Dalits. 13.42% and 8.63% Caste Hindus respectively from the urban and rural areas have stated that they had never participated in the Dalits’ social functions. The reasons for not participating in the Dalits’ social functions are also furnished by the Brahmins and the Vaishyas. 2.53% Brahmins and 1.69% Vaishyas both from urban area have stated that they had not participated in the Dalits’ social functions because attending such Dalits’ social functions adversely affects their social status and prestige.

**Exclusion of Dalits:**

On a question whether they had ever invited any Dalit to their social functions, the Caste Hindus’ responses are as under:-

22.41% and 5.33% Caste Hindus respectively from urban and rural areas stated that they had never invited any Dalit to their social
functions. 3.87% and 6.67% Caste Hindus respectively from urban and rural areas have stated that the Dalits cannot be called or invited as it lowers their social prestige. 6.44% and 6.85% Caste Hindus respectively from urban and rural area stated that the Dalits were not invited in our social functions but they were subsequently called after the functions were over to collect the left over. 61.64% and 50.97% Caste Hindus respectively from the urban and rural areas have stated that they had invited Dalits to their social occasions once only. 3.90% and 13.85% Caste Hindus respectively from urban and the rural area stated that they had invited the Dalits to their social functions many times whereas bare minimum 0.75% and 3.38% Caste Hindus respectively from urban and the rural areas have stated that they had always invited the Dalits on their social functions.

The total of (1) Always invited, (2) many times invited and (3) Once invited is 66.29% in urban area and 68.3% in rural areas and invited as “Gharak” is 6.44% and 6.85% respectively in urban and rural areas. Thus the theory of total exclusion is not at work but the theory of exclusion cannot be ruled out altogether. It is evidently there and is noticeable in analysis as mentioned above.

The responses of the people especially the Caste Hindus whether they would like their children in schools or elsewhere sitting together and taking their meals with the Dalits’ children were solicited to know their mindset about the caste based discrimination practiced in the mid-day meals programmes in the schools. 81.56% and 91.55% Caste Hindus from urban and rural areas respectively gave affirmative responses stating that it gives birth to social cohesion and equality. Here also the rural people are ahead of the urban people. Here the theory of exclusion again
plays a role when 12.63% and 6.67% Caste Hindus respectively have said “N0” stating that it leads to bad culture in their children. This can be termed as theory of exclusion from the nascent stage. Here again the rural people are better placed as their percentage in this regard is just negligible as compared to the urban people. The theory of pollution has not yet died completely as 1.39% and 1.66% Caste Hindus respectively from urban and rural areas have stated that this inter-dinning by the children in school will pollute our children. Again the theory of exclusion comes in the picture when 4.40.% and 00.00% Caste Hindus respectively from urban and rural areas believe that their children will go astray in the bad company of the children of the Dalits due to community meals in the schools. Here again none believes in this viewpoint from rural area and there percentage is zero.

The responses of the Caste Hindus whether they would like to give residential facility to the educated, well placed and cultured Dalits like Government Officers, employees, teachers, Professors in their village, city in a Caste Hindu area/Mohalla/pol/society/colony/kasba etc. are as under:-

81.57% and 90.26% Caste Hindus respectively said “Yes” in this matter. Here again the percentage of the rural people is higher as compared to the urban people. The theory of exclusion comes when 9.24% and 6.30% Caste Hindus respectively from urban and rural areas said “N0” in this regard. This means that the Dalits are not acceptable to them. A very strange response also emerged when 4.44% and 3.48% Caste Hindus respectively from urban and rural areas opined and stated that the Dalits are acceptable for housing facility in our area, society only if they remain our “Yes men/henchman and remain under our control.” This control may be the age old caste based discriminatory
control which they want to exercise over the Dalits even in a free and
democratic country like ours. The height of dislike, hatred and contempt
is noticed in the Caste Hindus when they asserted with all firmness that
even the shadow of the Dalits is not acceptable to them. 1.91% Caste
Hindus from urban area held such dismal view and here again not a
single Caste Hindu from rural area has such obnoxious view that even
the shadow of a Dalit is not acceptable to him. This can be called a
“Peshwa-mentality” of medieval age when in Poona the Peshwas had
put a blanket ban by a State Proclamation that the untouchables should
not come out of their houses before 9.00 AM and after 3.00 PM as
during this period the shadow is longer due to the rising sun and the
setting sun so that the Castes Hindus are not polluted by the touch of the
shadow of the untouchables. It is really horrifying that some Caste Hindus
and that too from urban area are having such outrageous and atrocious
view about the Dalits. This is the pinnacle of the theory of the isolation
and exclusion both. It is more shocking that all the Caste Hindus i.e.
Brahmins, Kshatriyas, Vaishyas and the OBCs are holding such horrifying
view point against the Dalits, who are the part and parcel of the same
Hindu religion.

On a question whether the Caste Hindus would like the
appointment of Dalits who are well-versed in rites and the rituals in
religious places like temples, religious institutions etc., 67.53% and
50.97% Caste Hindus respectively from urban and rural areas gave
affirmative answers. 54.72% and 37.44% Caste Hindus from urban
and rural area also gave affirmative answers for performing such rites
and rituals by Dalits who are knowledgeable and proficient in this
connection on their birth, marriage or on any such other occasion. Only
29.96% and 19.15% Caste Hindus respectively from urban and rural area areas in favour of reservation in private industries for the Dalits.

Overall non acceptance of victual by the Caste Hindus from the Dalit shop owners and the vendors is 89.31% and 67.77% respectively from urban and rural areas even when the quality of the victual is good and the same being sold by the Dalits at lesser prices. This is nothing but the non-acceptance and exclusion of the Dalits by the Caste Hindus due to caste discrimination and untouchability. 13.95% and 5.81% Caste Hindus have stated that they do not have any type of relationship with the Dalits. This is the operation of theory of exclusion to its highest extent as these Caste Hindus are concerned.

**Social change:**

62.80% and 67.89% respondents respectively from urban and rural areas believe that change must come in the society. Thus majority of people does not want a static and stagnated society and therefore they welcome the change in the society, but how social change should be brought about is a very important matter. 40.62% and 38.22% respondents respectively from urban and rural area felt that the change should be brought about by the social reformers. 32.02% and 44.71% respondents from urban and rural area felt that the change should be brought about by the News papers and T.V. Channels (by the Media). 22.48% and 26.19% respondents respectively from urban and rural areas felt that the change should be brought by the Saints, Sadhus, Mahants, Rishis, Munis, Kathakars, Bhajnicks and others like them and lastly 21.31% and 12.62% respondents respectively from urban and rural areas
stated that the change should be brought about by medium of law, by using law as an instrument of social change.

85.22% and 85.83% respondents respectively believe that people advance in life due to their own intelligence. This negates the theory of fatalism and good deeds of the previous life as propagated in the Hindu scriptures.

It seems, on the basis of this study that to some extent now people have changed their belief about low and high profession and the stigma attached to the so called low occupations as 30.88% and 14.98% respondents respectively from urban and rural areas have shown readiness to do the scavenging work. Caste-wise such preparedness is as under:-

37.25% and 14.28% Brahmins respectively from the urban and rural areas have shown their readiness to do the scavenging work. Similarly 29.11% and 27.27% Kshatriyas respectively from urban and rural areas are prepared to do the scavenging work. 26.25% and 8.33% OBCs respectively from urban and rural areas have shown their willingness to do the scavenging work. The economically very powerful Patels 23.33% and 40.00% respectively from urban and rural areas have also shown their preparedness to do the scavenging work. 22.03% and Nil% Vaishyas have shown their readiness to do the scavenging work. This indicates that the people are now giving up all sorts of inhibitions so far as various occupations including the occupations hither to been held as low occupations.

57.00% and 62.88% people respectively from urban and rural areas stated that the various types of assistance/help given by the Government to the members of the Scheduled Castes and the Scheduled Tribes should be continued.
Confirmation of injustice done to the Dalits:-

45.63% and 50.33% respondents respectively from urban and rural areas stated that lot of injustice has been done to the Dalits and the Adivasis for centuries in India. Average percentage of injustice done to the Dalits and the Adivasis comes to 88.09% and 96.19% in urban and rural area respectively as confirmed by all the respondents of this study. This includes category of injustice done prior to independence and the category of negligible injustice done to the Dalits and the Adivasis.

Social leadership:–

A quite unexpected result has come from analysis of the responses of the people about the social leadership which is as under:-

42.97% and 39.95% respondents respectively believe that the social leadership should be in the hands of the elected representatives of the people. This is surprising because day in and day out there are media reports about the corruption indulged in by the elected representatives of the people and all sorts of nepotism and acts of hooliganism indulged in by them in the houses of Parliament and the State Legislatures throughout the country and almost all generally have loathsome attitude towards the politicians. Another big surprise the analysis offers in this study is this that next place after the elected representatives of the people is given to the Dalits. 33.96% and 31.80% respondents respectively from urban and rural areas have stated that the social leadership should be in the hands of the Dalits, and they have further stated that they have no objection in it, if the Dalits are competent in all aspects. 14.49% and 11.13% respondents respectively felt that the social leadership should be in the hands of society’s high Caste people whereas at the bottom
comes the category of the Saints and Mahants. Only just 7.64% and 23.90% respondents respectively from urban and rural areas stated that the social leadership should be in the hands of the Saints and the Mahants. Why such a low category and the last preference is accorded to the otherwise highly revered and respected class of people has also its own social message. This is a question of social leadership and not political leadership and therefore the Saints and Mahants should have been favourites of the people but the analysis proves that they are not enjoying the faith of the people to the extent the elected representatives and the Dalits are enjoying. This analysis should be a “wake up” call for the Saints and the Mahants.

About the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989:-

77.07% and 93.19% respondents respectively from urban and rural area stated that the ill-treatment against the Dalits has been reduced due to this Act. Thus the necessity of the Act in question has been accepted. 64.49% and 64.52% respondents respectively from urban and rural area have stated that Dalits’ and Adivasis’ honour is properly protected by this Act. 32.99% and 34.12% respondents respectively from urban and rural area have stated that besides the protection of the honour of the Dalits and the Adivasis, adequate protection is available for property and for all social disabilities. 36.75% and 41.22% respondents respectively from urban and rural area stated that police is compelled to play a positive role in social change.
The alleged misuse of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989:-

There is wide range of allegations that the said Act is misused by the Dalits and by the Adivasis against the non-Dalits and non-Adivasis but this is not proved in this study as 98.74% and 100.00% respondents respectively from urban and rural areas stated that no complaints against them had ever been made by anyone under “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.” Only 1.25% respondents from urban area stated that complaints against them under this Act had been made but on further analytical examination, their claims are found false as no details are furnished by them about the cases allegedly made out under the said Act against them. Therefore, the 1.25% respondents’ claim about the complaints is totally incorrect and misleading. Thus the study proves that “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” is not misused at all as generally alleged. This is respondents’ confirmation and therefore the hue and cry raised about the Act by certain vested groups proved groundless, baseless and misleading, aimed at achieving some mischievous purposes.

39.90% and 33.01% respondents respectively from urban and rural areas stated that social change has come due to this Act and hence it must be continued and strictly enforced. 18.73% and 24.03% respondents respectively from urban and rural areas stated that Dalits get social justice due to this Act. 18.18% and 13.47% respondents respectively from urban and rural areas stated that Dalits are effectively protected due to this Act. The summary of positive responses from the people about this Act is as under:-
Table N0.8-5

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Urban</th>
<th>Rural</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>30.90%</td>
<td>33.01%</td>
<td>Social change has come due to this Act and hence it must be continued and strictly enforced.</td>
</tr>
<tr>
<td>2.</td>
<td>18.73%</td>
<td>24.03%</td>
<td>Dalits get social justice due to this Act.</td>
</tr>
<tr>
<td>3.</td>
<td>18.18%</td>
<td>13.47%</td>
<td>Dalits are effectively protected due this Act.</td>
</tr>
<tr>
<td>4.</td>
<td>11.97%</td>
<td>30.00%</td>
<td>This Act is more strict &amp; severe. (Act has to be like that only.)</td>
</tr>
</tbody>
</table>

Thus it can be seen that there are number of positive aspects of the Act which have been taken note of by the people and appreciated in various manners mentioned above and mentioned appropriately everywhere in this research study.

Suggestions:-

On the basis of data collected we can conclude that there are some defects in the law relating to the atrocity i.e. “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” and the Rules made there under. The defects noticed make the law relating to the atrocities lame and lackadaisical which requires prompt rectification to make the law effective to combat the ills arising due to the practice of
untouchability, caste-based discrimination, mainly of high and low and plethora of other such discriminations and numerous other social disabilities. With data analysis, observations and long public service, Scholar felt not only to give suggestions but also recommend certain modifications in aspects of existing Act, for improvement of legal system and to implement the Act successfully and positively. The same are as under:-

1. The first and foremost suggestion is to amend S.3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 which is as under:-

“S.3. Punishment for offences of atrocities.-(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-
(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;”

In almost no Indian law such words “within public View” are used except the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 which are not only unnecessary but also harmful to the interests of the victims of the atrocities. It is learnt that one Superintendent of Police (S.P.) of a district in Gujarat ordered his subordinate police officers to close down large number of atrocity related cases because the atrocities, as interpreted by him were not committed “Within public view.” Such a provision frustrates the very spirit of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The Superintendent of Police (S.P.) probably might have contemplated that “within public view” means public must be physically present there and watching the crimes of atrocity being committed by the accused on the victim.
Such provision also gives immunity and impunity both to the wrong-doers as the perpetrators of the crimes under this Act may intentionally insult or intimidate with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place like his Office, Chamber, farm house, ware-house, garden, factory premises etc. taking care to ensure that this is not seen by any one and hence no offence under the said Act can be made out. It is surprising that such a provision “within public view” is not there so far as heinous crimes like murder, dacoity, robbery, kidnapping, rape etc. are concerned then why such provision is inserted in this Act is not understandable at all.

So the suggestion is to delete “within public view” words from S.3 (1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989

2. The Protection of Civil Rights, Act, 1955 contains various provisions regarding the caste based social disabilities, religious disabilities and other disabilities. There is widely spread belief that after the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 came into force, the Protection of Civil Rights Act, 1955 stands repealed by the said Act but this is in fact not correct as the Protection of Civil Rights Act, 1955 also continues to be in force and is required to be enforced but due to such mistake on the part of the police and other agencies, this Act of 1955 has almost became redundant and forgotten. It is therefore suggested that all disabilities based on caste should be made atrocity offences and all the provisions of the Protection of Civil Rights Act, 1955 should in toto, be amalgamated in the Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act, 1989 and there should be one single law to deal with all sorts of injustice meted out to the Scheduled Castes and the Scheduled Tribes. It will remove all the misunderstanding and dichotomy if this is done. This will create uniform and unified legal structure on the subject of atrocity which will be stronger than the present one.

3. Most of the IAS and IPS officers do not have proper knowledge about the said Acts and hence for them, as they are the main authorities connected with the implementation of these legislations, in their main departmental examinations a full one hundred marks special paper should be included and the passing standard in the same should be the minimum 60% marks so that they study these laws carefully and implement them properly. Similarly in the curriculum of departmental examinations of all the police officials of all the ranks and the revenue officials of all the ranks, Paper on these laws should be included and it should be made mandatory to pass departmental examination with this subject and then only they will be confirmed in the their service and will be eligible for their annual increment.

4. No definition is laid down of the “Atrocity” in The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and hence the word “Atrocity” must be defined and the scope of atrocity should be enlarged to accommodate all offences under the Protection of the Civil Rights Act, 1955 and even other disabilities not covered in the said Act too should be included. The scholar would like to give a provisional definition of the offence of “Atrocity” as under:-
“Atrocity” means and includes any act of a member of a non-Scheduled caste or a non-Scheduled Tribe against the member of a Scheduled Caste or a member of a Scheduled Tribe involving any Caste/Tribe based insults, humiliation, discrimination, deprivation, compulsion, acts and omissions connected therewith, social, religious and cultural disabilities exercised against any member of the Scheduled Caste or the member of the Scheduled Tribe, with or without intention, which involves practice of any untouchability in any form and manner at any place within the territory of India and it also includes all offences under the Protection of the Civil Rights Act, 1955.”

5. Only limited matters are at present included in the offences of the atrocity, just only 15 types of atrocities are mentioned in Section 3(1) and 7 types of atrocities are mentioned in Section 3(2) of the said Act. Thus only 22 types of conduct on the part of the Caste Hindus are considered to be atrocity. This is very limited scope of the law and hence it should be enlarged including other disabilities also which are mentioned in the subsequent suggestions.

6. The injustice in service matters like not filling up all vacancies of backlog should also be included as an offence of atrocity.

7. Denial of promotion to the members of the Scheduled Castes and the Scheduled Tribes on flimsy ground due to caste hatred too should be made an offence of atrocity.

8. Not abiding by the provisions of the Act and Rules should also be made an offence of the atrocity.
9. Non utilization of funds meant for the members of the Scheduled Castes and the Scheduled Tribes and utilization of the said funds elsewhere should also be made an offence of atrocity.

10. The punishment prescribed under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is not only inadequate but surprising also. For example, same type of punishment is there for 15 different types of offences narrated in S.3 (1) of the said Act. Same punishment is there in a case in which a Scheduled Caste person is made to eat human excreta or he is simply insulted. The punishment in the former should naturally be more stringent and very high than the latter. The punishment of all the 15 offences prescribed is as under:-

“Shall be punished with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.”

In fact if a woman belonging to a Scheduled Caste or a Scheduled Tribe is disrobed and paraded naked, then the punishment should not be less than life imprisonment as frequently Dalits women and girls are stripped naked and paraded in the streets and on the public roads in a broad day light and the perpetrators of this heinous crime do not at all bother for the law. Exemplary punishment is needed in this regard and the punishment for stripping naked a woman and verbally insulting a member of scheduled Caste or the Scheduled Tribe cannot and should not be the same by any logic, reason or yardstick.

11. There should be provision in the said Act itself that if the involvement in negligence of duty or in any other offence under
this Act of the Chief Minister of the State, Concerned Minister, the Chief Secretary and other Secretary level Officers or the Director General of Police (D.G.P.) of the State is there, automatic the registration and the investigation of the case should be taken over by the Central Bureau of Investigation (CBI) as no local police will be able to do anything in such cases due to local political influence and pressure. In such cases there shall be no need for the Central Bureau of Investigation (CBI) to obtain permission from any quarters.

12. The President of India should declare all the “identified area” as “Scheduled Area” so that externment proceedings by the Judicial Magistrates can be done.

13. The attitude of the court also requires to be changed as many courts in India dismissed/discharged the cases of atrocities because the investigation was not done by the Deputy Superintendent of police (Dy.S.P.). The Cases of atrocities are not independent and only containing the offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 but along with the offences under the above Act, offences of Indian Penal Code (IPC) are also there and therefore the Courts cannot take the plea that as the case is not investigated by Deputy Superintendent of Police (Dy.S.P.), the case of a Dalit or an Adivasi can be thrown in the dustbin i.e. dismissed or discharged. The Court is duty bound to give justice in the offences under the Indian Penal Code (IPC). Supposed a Dalit is abused and stabbed in the stomach with a knife by a Caste Hindu, then there will be Section 3 (2)(v) of the Scheduled
Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 along with section 326 (Voluntarily causing grievous hurt by dangerous weapons or means) of the Indian Penal Code (IPC) for which the punishment is life imprisonment or with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine. The Dalits and Adivasis are at present being denied justice by the Courts by such attitude. This practice is required to be stopped at once by the Chief Justice of India by issuing suitable administrative instructions to all Courts in the country. The Indian Penal Code (IPC) offences can be investigated by any officer of the police Department not below the rank of a Head Constable. This is quite queer situation in which for the omission of the police, the victims of atrocities are penalized by refusing justice to them. It is alright if you do not want to give justice to the SCs/STs for the lapse on the part of the police department under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 but at least give them justice in the offences under the Indian Penal Code (IPC) as you are already giving justice to the Caste Hindus under the Indian Penal Code (IPC) then why do you deprive the downtrodden people from justice which they lawfully deserve and are eligible for the same?

14. All courts in the country are required to be administratively instructed by the Chief Justice of India that the cases of atrocities cannot be discharged merely on the ground that the case is not charge-sheeted by the police within 30 days. The victims cannot be penalized for the fault of the police.
15. Some courts are immediately releasing the accused on bail, immediately on submission of charge-sheet by the police to the court. This practice too should be discouraged by the active intervention in the matter by the Chief Justice of India through administrative order.

16. If the charge-sheet is not submitted by the police within 30 days, then also the courts bail out the accused. This practice should also be discontinued by the positive intervention of the Supreme Court.

17. Up till now the courts were demanding the Caste Certificate of the Scheduled Caste and the Scheduled Tribe. Even on production of the same, the courts used to dismiss the cases of the atrocity but now the courts have gone a step further and have started asking for the Caste Certificate of the Caste Hindus like Brahmin, Kshatriya and the Vaishya. Now the question arises as to from where these Caste Certificates can be obtained as the Government has not appointed any officers for issuing Caste Certificate to the high Caste Hindus as they do not need it. Despite that a new demand is being placed by the judiciary in order to frustrate the cases of atrocity in the courts and finally discharge them for want of adequate and sufficient evidence. Suppose a Darbar(Kshatriya) is an accused. He gives statement before the police that he is a Darbar(Kshatriya). Then he gives statement before the Court on oath that he is a Dabar(Kshatriya). Nobody in the entire judicial proceedings contests his claim of being a Darbar(Kshatriya). This is sufficient proof of his caste and no further evidence is required. Previously the same courts used to convict the accused without asking for the Caste
Certificate of the high Caste Hindus and then all of a sudden why the courts have started asking for the Caste Certificates of the high Caste Hindus is a million dollar question.

Again the suggestion is intervention of the Supreme Court to set right the lower judiciary by appropriate administrative order on uniform pattern throughout the country.

18. Then the courts dismiss the case of the atrocity on the ground that the Deputy Superintendent of Police (Dy.S.P.) was not appointed to investigate the case even though the case might have been fully investigated by the Deputy Superintendent of Police.(DY.S.P.) Till now they were not dismissing the atrocity case like this but recently they have started doing this. This can also be corrected only by the intervention of the Apex court and the same is hereby suggested in the benefit of the victims and in the interest of the justice.

19. As per Section-18 of the said Act, anticipatory bail to the accused of atrocity case cannot be granted despite that the lower courts and even the High Courts have granted anticipatory bails violating the established law of the land. Suggestion is this that the Supreme Court must intervene in the matter and correct the rot in the system.

20. The said Act vide Section-17 (1) has authorized the District Magistrate, Sub-Divisional Magistrate,(DM/SDM)/Executive Magistrate/Deputy Superintendent of Police (DY.S.P.) to declare area as atrocity prone and take preventive measures but this provision is subject to Section- 17(3) where the State Government is required to issue notification in the Official Gazette, make one or more schemes specifying the manner in which the officers referred to in
sub-section (1) shall take appropriate action specified in such scheme or schemes to prevent atrocities and to restore the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes. In Gujarat such notification by the State Government is never issued and hence the officers mentioned in Section-17(1) are not in a position to declare an area as atrocity prone area and take preventive action as stipulated in Section -17(2) of the Act. This is not done even after 20 years since the enactment of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. In fact Section-4 of the Said Act is attracted in this regard but again who will bell the cat?

21. So many Non-Governmental Organizations (N.G.Os.) are doing so many different works. Even they take care of the animals but hardly there is any N.G.O. which is doing the work of abolition of the untouchability and removal of the caste based discrimination and disabilities. It is suggested that in India whoever wants to start an N.G.O. must by law be mandated to do at least a part of this gigantic work in the interests of the unity of the nation.

22. Regular Refresher Courses should be conducted for Police, Prosecutors, Lawyers, Doctors, Judges, Magistrates and all the Sarpanchs, Taluka and District Panchayat Presidents and the Mayors of all cities for creating awareness about “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” and “The Protection of Civil Rights Act, 1955” and to impress upon them how crucial these legislations are, not only for the Scheduled Castes and the Scheduled Tribes but also for the unity and integrity
of the nation and further exhort them to pay committed attention to the problems faced by the downtrodden people due to the caste based disabilities and prevalence of untouchability in their areas and the concrete measures they are supposed to undertake in this regard.

23. Under the said Act the property of the offenders can be attached and the property of the convict can be forfeited. But it seems that there is not even a single case of attachment of property or forfeiture of property respectively of the offenders and the convicts in the State of Gujarat since the said Act came into being.

24. Both the rates i.e. high rate of acquittal and the low rate of conviction are required to be improved and all the persons responsible for this mess must be proceeded against appropriately.

25. The 50% victims of the atrocities do not lodge complaints and 85% complaints are not registered by the police. Strong measures are needed to be taken against police for non-registration of such large number of complaints of the Scheduled Castes and the Scheduled Tribes.

26. The Act is not compete in itself and requires so many amendments in it and many have been suggested as above.

27. A separate provision is required to be made in this Act to the effect that S.193 of the Code of Criminal Procedure, 1973 shall not be applicable to this Act and that the charge-sheet by the police can be directly filed in the Court of Sessions and the committal proceedings by the Magistrates should be done away with so that the delay in prosecution can be effectively curtailed. There was such a provision
in the POTA Act (The Prevention of Terrorist Activities Act) earlier which enabled the police to file charge-sheet directly before the Sessions Judges i.e. the Designated Court.

28. A very strong public movement against the evil of untouchability and the caste based discrimination is required to be launched both by the Government and by the various N.G.O.

29. In cases where the Special Courts have awarded inadequate sentences, there should be mandatory provision in the law enjoining upon the State Government to file appeal against such inadequate sentence under the said Act.

30. Economic exploitation of the members of the Scheduled Castes and the Scheduled Tribes in any form and mode should be made an offence of the atrocity.

31. False implication of a member of the Scheduled Caste or the Scheduled Tribe should be made an offence of atrocity.

32. Consistent and persistent publicity about the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 should be done through Doordarshan and other public media like Radio broadcasting, newspapers, street play, puppet shows etc. which may be quite helpful in eradication of the atrocities on the members of the Scheduled Castes and the Scheduled Tribes.

33. All adverse and derogatory remarks against the SCs/STs contained in the scriptures like the Ramayan, the Purans and Smrutis etc. should be expunged on the grounds of the repugnancy with the Constitutional and legal ethos which will ultimately be beneficial
for eradication of untouchability and atrocities on the members of the SCs/STs in due course of time.

34. Provisions should be made in the Act itself that no political party can issue any whip in the concerned Legislatures if the matter under discussion or for voting is concerning atrocities on the members of SCs/STs.

35. Provisions should be made in the Act itself for deletion or expunction of anti-SCs/STs literature and for putting a ban on the books, pamphlets, brochure, leaflets, journals, periodicals etc. which spread any malicious anti SCs/STs propaganda.

36. The National Commission for the Scheduled Castes and the National Commission for the Scheduled Tribes should regularly submit their Annual Reports to the Government of India and the Government of India should place such reports on the table of the Parliament within a month from the date of submission of such reports to it. Non-compliance of this provision should be made a cognizable offence of atrocity.

37. The compensation amount given to the victims of the atrocities should be enhanced from time to time as the Dearness Allowance (D.A.) of the Government servants and other groups who take such benefits is enhanced from time to time. The rates of compensation for the victims of the atrocities have remained static for last so many years.

38. The Hindus in large number migrate from India and go to various countries of the world. Even in foreign countries also they carry caste, untouchability and caste based concept of high and low and discrimination based on it, along with them and hence it is suggested
that “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989” should be converted into an International Law and the United Nations Organization (UNO) should play a positive role in this direction at an early date.

39. In the Universal Human Rights Declaration of the United Nations Organization (UNO), the “Caste” should be added along with the “Race” wherever it is existing there at present in the said International Document on Human Rights and the same protection which is given to the victims of “Racial discrimination” should also be given to the victims of the “Caste based discrimination” anywhere in the world.

40. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 should be made applicable to whole of India as the Protection of Civil Rights Act, 1955. More than 20 years have passed since the commencement of the Act on 30th January, 1990 yet no efforts seem to have been made to extend this Act to the State of Jammu & Kashmir.

41. Action should be initiated under Section-4 against public servants, irrespective of their Status and rank, for neglect of their duties required to be performed under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Rules made thereunder, wherever it is found that the provisions of the Act and Rules are not enforced by the concerned Public Servants, required to be enforced by them under this Act.
### APPENDIX-1

#### 1. BRAHMIN RESPONDENTS AND THEIR LOCALE

<table>
<thead>
<tr>
<th>Ahmedabad City (Urban)</th>
<th>Number</th>
<th>Ahmedabad Rural District (Rural)</th>
<th>Number</th>
</tr>
</thead>
<tbody>
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<td>1. Sabarmati</td>
<td>3</td>
<td>1. Aslali</td>
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</tr>
<tr>
<td>2. Chandkheda</td>
<td>8</td>
<td>2. Viramgam Town</td>
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<tr>
<td>3. Motera</td>
<td>1</td>
<td>3. Sanand</td>
<td>1</td>
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<tr>
<td>4. Gulbai Tekra</td>
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<td>4. Barwala</td>
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<td>5. Naroda</td>
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<td>6. Paldi</td>
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<td>7. Odhav</td>
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</tr>
<tr>
<td>8. Satellite</td>
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</tr>
<tr>
<td>9. Isanpur</td>
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<td>10. Ghatlodiya</td>
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<td>11. Navanaroda</td>
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<tr>
<td>12. Bopal</td>
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<td>13. Bapunagar</td>
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<td>14. SaijpurBogha</td>
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<td>15. Juna wadaj</td>
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<td>16. Vejalpur</td>
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<td>17. Amraiwadi</td>
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<td>20. Khadiya</td>
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<td><strong>Total</strong></td>
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<td><strong>Total</strong></td>
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\[51+7 = 58\]
### APPENDIX-2

#### 1. KSHATRIYA RESPONDENTS AND THEIR LOCALE

<table>
<thead>
<tr>
<th>Ahmedabad City (Urban)</th>
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<th>Ahmedabad City (Urban)</th>
<th>Number</th>
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<td>1. Naroda</td>
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<td>3. Saijpur</td>
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<td>26. Gomtipur</td>
<td>3</td>
</tr>
<tr>
<td>4. Bapunagar</td>
<td>1</td>
<td>27. Sabarmati</td>
<td>1</td>
</tr>
<tr>
<td>5. Asarwa</td>
<td>1</td>
<td>Visat Petrol pump</td>
<td></td>
</tr>
<tr>
<td>6. Vejalpur</td>
<td>1</td>
<td>28. Satyam Flats</td>
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</tr>
<tr>
<td>7. Bodakdev</td>
<td>4</td>
<td>29. Samarpan Flat</td>
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</tr>
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<td>8. Kathawada Road,</td>
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<td>Ellisbridge</td>
<td></td>
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<td>Naroda</td>
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</tr>
<tr>
<td>9. Nandan Duplex,</td>
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<td>30. Paldi</td>
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<td>Naroda Road</td>
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<tr>
<td>10. Krishnanagar</td>
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<td>31. Odhav</td>
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<td>11. Noblenagar</td>
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<td>13. Odhav</td>
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<tr>
<td>14. Shahibaug</td>
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<tr>
<td>15. Ghodasar-Vatva</td>
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</tr>
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<td>16. Danilimda</td>
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<td>17. Jashodanagar</td>
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<td>18. Amraiwadi</td>
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<tr>
<td>19. Haveli</td>
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<tr>
<td>20. Bopal</td>
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</tr>
<tr>
<td>21. Satellite</td>
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</tr>
<tr>
<td>22. Ellisbridge</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>23. Madhupura</td>
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<tr>
<td>24. Sabarmati ‘D’ Cabin</td>
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<td><strong>Total</strong></td>
<td><strong>79</strong></td>
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<table>
<thead>
<tr>
<th>Ahmedabad Rural District (Rural)</th>
<th>Number</th>
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</thead>
<tbody>
<tr>
<td>1. Navarangpura</td>
<td>1</td>
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<tr>
<td>(working in rural area)</td>
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<tr>
<td>2. Sarkhej</td>
<td>3</td>
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<tr>
<td>3. Bagodara</td>
<td>1</td>
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<tr>
<td>4. Bavla</td>
<td>1</td>
</tr>
<tr>
<td>5. Mandal</td>
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</tr>
<tr>
<td>6. Koth(Gangad)</td>
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</tr>
<tr>
<td>7. Bhavla, Ta.Daskroi</td>
<td>1</td>
</tr>
<tr>
<td>8. Kharad, Ta. Dhandhuka</td>
<td>1</td>
</tr>
<tr>
<td>9. Bopal</td>
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<tr>
<td><strong>Total</strong></td>
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\[79 + 11 = 90\]
### APPENDIX-3

#### 3. VAISHYA RESPONDENTS AND THEIR LOCALE

<table>
<thead>
<tr>
<th>Ahmedabad City (Urban)</th>
<th>Number</th>
<th>Ahmedabad Rural District (Rural)</th>
<th>Number</th>
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</thead>
<tbody>
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<td>1. Naroda</td>
<td>5</td>
<td>1. Rampur</td>
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</tr>
<tr>
<td>2. Shahibaug</td>
<td>2</td>
<td>2. Dhandhuka</td>
<td>1</td>
</tr>
<tr>
<td>3. Ghodasar</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Vejalpur</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Manek Chowk Mandavi-pol</td>
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</tr>
<tr>
<td>6. Naranpura</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>7. Paldi</td>
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</tr>
<tr>
<td>8. Vasana</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Ambawadi</td>
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<td></td>
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</tr>
<tr>
<td>10. Saijpur</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>11. Krishnanagar</td>
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<td></td>
</tr>
<tr>
<td>12. Navavadaj</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Bodakdev</td>
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<td></td>
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</tr>
<tr>
<td>14. Keshavnagar/Sabarmati</td>
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</tr>
<tr>
<td>16. Vastrapur</td>
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<td></td>
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</tr>
<tr>
<td>17. Sabarmati/Ramnagar</td>
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<tr>
<td>18. Maninagar</td>
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<td>19. Chandkheda</td>
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<tr>
<td>20. Shahpur Darwaja</td>
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<td>21. Dafnala</td>
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<td>22. Parshwnath Township</td>
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\[ 59 + 2 = 61 \]
## APPENDIX-4

### 4. OBCs RESPONDENTS AND THEIR LOCALE

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<td>29. Kuber Nagar</td>
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<tbody>
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<td>1. Dholka</td>
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</tr>
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<td>2. Barwala</td>
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<tr>
<td>3. Bhadiyd</td>
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</tr>
<tr>
<td>4. Dholera</td>
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</tr>
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<td>6. Manpura, Ta. Mandal</td>
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<tr>
<td>7. Bagodara</td>
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<td>8. Mandal, Ta. Viramgam</td>
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<td>9. Mota Goraiya</td>
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<td>10. Lilejpur, Ta. Dholka</td>
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<td>11. Rampur</td>
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<td>12. Koth (Gangad), Ta. Dholka</td>
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80+12=92
## 5. Patel Respondents and Their Locale

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<td>2. Sabarmati</td>
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<td>3. Kubernagar</td>
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<td>Thakkarbapa Nagar</td>
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<td>4. Chandkheda</td>
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<td>23. Ranip</td>
<td>2</td>
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<tr>
<td>5. Ghatlodiya</td>
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<td>24. Vastral</td>
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<td>9. Ankur Chaar Raasta</td>
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<td>10. Ghodasar</td>
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<td>11. Aslali</td>
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</tr>
<tr>
<td>12. Thaltej</td>
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<tr>
<td>13. Vejalpur</td>
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</tr>
<tr>
<td>14. Naroda</td>
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<tr>
<td>15. Satellite</td>
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<td>16. Vasna</td>
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<td>18. Kochrab Ashram</td>
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<td>20. Saijpur Bogha</td>
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</tr>
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<tbody>
<tr>
<td>District (Rural)</td>
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<td>1. Sarkhej</td>
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<tr>
<td>2. Bavla</td>
<td>1</td>
</tr>
<tr>
<td>3. Viramgam</td>
<td>1</td>
</tr>
<tr>
<td>4. Muta, Ta.Bavla</td>
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<tr>
<td>5. Asalali</td>
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<tr>
<td>7. Detroj</td>
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<td>8. Nana Ubhada, Ta.Mandal</td>
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60+10=70
### APPENDIX-6

#### 6. SCs/STs RESPONDENTS AND THEIR LOCALE

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<th>Ahmedabad City (Urban)</th>
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<td>1. Dholka</td>
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<td>3. Dariapur</td>
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<td>2. Sarkhej</td>
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</tr>
<tr>
<td>4. Chandkheda</td>
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<td></td>
</tr>
<tr>
<td>5. Shahibaug</td>
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<td>6. Asarwa Himgiri Society</td>
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<td></td>
</tr>
<tr>
<td>7. Ranip</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Saijpur</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Amraiwadi</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Naroda Road</td>
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</tr>
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<td>11. Bapunagar</td>
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</tr>
<tr>
<td>12. Saraspur</td>
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<td></td>
</tr>
<tr>
<td>13. Danilimbda</td>
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<td>14. Sabarmati</td>
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<tr>
<td>15. Navawadaj</td>
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<td>16. Ramol</td>
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<td>17. C.T.M.Chaar Raasta</td>
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<td>18. Isanpur Vatva</td>
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<td>20. Naroda</td>
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<td>21. Meghaninagar</td>
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<td>Kalapi Nagar</td>
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<td>22. Naranpura</td>
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<td></td>
</tr>
</tbody>
</table>

**Total** | **38** | **Total** | **2**

**38+2=40**
Questionnaire/Interview Schedule
for the respondents


Part-I Preliminary information.

1. Name: Shri/Shrimati :__________________________________________
2. Age :_______________________________________________________
3. Caste, Sub-Caste :___________________________________________
4. Educational qualifications:_______________________________________
5. Address :_____________________________________________________
6. Marital Status : Married:☐ Unmarried ☐ Other ☐
7. Religion :_____________________________________________________
8. Original Occupation of the family :
9. Occupation of the family now :
10. Total members in the family : Male members :_______________ Female members :_______________
11. Has any member of your family done inter-caste marriage ?
   Yes ☐ No ☐
12. If yes, what is the caste of male/female in inter-caste marriage?
   (1) male ☐
   (2) Female ☐
13. Was Government assistance taken in inter-caste marriage?
   (1) Yes. ☐
   (2) No. ☐
14. How is their inter-caste marriage going on?
   (1) Successful ☐ (3) Problematic ☐
   (2) Tense ☐ (4) Peaceful ☐
15. Please state if there is any reason about the above question of inter-caste marriage.

16. Had any hue & cry been raised, uproar, trouble, problem etc. taken place at the time of inter-caste marriage? Yes. N0.

17. If yes, please furnish brief details about it.

18. Whether both parties visit each other’s house? Whether they attend each other’s social functions? Yes N0.

19. As per your own viewpoint, which Varna/Caste you believe, you belong to?
   1) Brahmin  2) Kshatriya  3) Vaishya
   4) Shudra  5) Ati-Shudra  6) Other

PART-2. ABOUT CASTE.

20. Who created the idea of high and low?
   1) God  2) Men  3) Scriptures  4) None

21. How is the Caste-based hierarchy of high and low?
   1) Good and necessary.  2) Bad and unnecessary.
   3) Can’t say anything.  4) Any other reason.

22. Should the idea of high and low based on caste be abolished?
   1) Be abolished.
   2) Not to be abolished.
   3) To continue it with few changes.
   4) It makes no difference if abolished it or not.

23. How caste-based social discrimination can be abolished?
   1) By using law as an instrument.
   2) By persuasion.
(3) By compulsory inter-caste marriage. [ ]
(4) Please briefly mention any other way you know. [ ]

24. What benefit does society get by the caste system?
(1) No benefit. [ ]
(2) Benefit is there in crises and on social occasions. [ ]
(3) It is convenient in marriage of boys and girls. [ ]
(4) It benefits in educational matters. [ ]

25. Does caste system damage national unity?
(1) It is damaging. [ ]
(2) It is not damaging. [ ]
(3) The caste is hindrance/obstruction in achieving national unity. [ ]
(4) National unity is strengthened only by the caste system. [ ]

26. It is not possible to abolish untouchability due to the caste system. What do you believe in this regard?
(1) Untouchability cannot be abolished because of the caste. [ ]
(2) Caste has no concern with the untouchability. [ ]
(3) Untouchability can be removed speedily if caste is removed. [ ]
(4) Caste is the root of the untouchability. [ ]

27. Is it an offence to use insulting words about the Caste of the Dalit?
(1) Yes. [ ]
(2) No. [ ]
(3) Don’t know. [ ]
(4) Can’t say anything. [ ]

28. What do you think/believe about inter-caste marriage?
(1) It will strengthen social and national unity. [ ]
(2) It will create bitterness in the society. [ ]
(3) It will produce cross-breed people in the society. [ ]
(4) It will lead to doomsday, destruction and downfall of the society. [ ]
29. Should inter-caste marriage take place or not?
   (1) It should take place. 
   (2) It should not take place. 
   (3) Under no circumstances it should take place. 
   (4) Other opinion. 

30. What is your opinion about financial incentives given by the Government for inter-caste marriage?
   (1) Such incentives should be given. 
   (2) Such incentives should not at all be given. 
   (3) Caste system will break down and it will be detrimental to the society and to the nation due to such incentives being given by the Government for inter-caste marriages. 
   (4) Incentive amount should be increased for such inter-caste marriages and residential accommodation should be provided by the Government to such couples. 

31. Can social and national unity be strengthened in society by completely abolishing caste and varna system?
   (1) Yes. 
   (2) No. 
   (3) Complete abolition of caste and varna system will create disorder in the society. 
   (4) Other opinion. 

**Part-3 About untouchability.**

32. According to you, how is the form of untouchability in Gujarat?
   (1) The cemetery of the Caste Hindus and the Dalits are separate, 
   (2) They fetch water from different wells/taps or river banks. 
   (3) The traders and the vendors give commodities, victual etc. not hand to hand to the Dalits but from their hands held high above to avoid polluting touch of the Dalits. 
(4) Untouchability is practiced on special occasions like marriage and various celebrations.  
   (5) In all above.  
   (6) Not in any of above.  
   (7) Special remarks, if any.  

33. Is untouchability practiced in your village/area?  
   (1) Yes.  
   (2) No.  
   (3) To some extent.  
   (4) It is practiced on certain occasions like temple entry, marriage functions, at eating places, house-entry etc.  
   (5) Other observations.  

34. “Untouchability is a blot on Hindu society and it is the duty (Dharma) of every Hindu to remove it.” Do you agree with such thinking/idea of Gandhiji?  
   (1) Yes.  
   (2) No.  
   (3) Can't say anything.  
   (4) I do not believe that any harm would have been done to the Hindu religion due to the untouchability.  

35. Is untouchability and discrimination of high and low based on caste a social problem?  
   (1) Yes.  
   (2) No.  
   (3) Don't know.  
   (4) Can't say anything.  

36. Has the Constitution of India abolished the untouchability?  
   (1) Yes.  
   (2) No.  
   (3) Don't know.
37. What actually happens if a low caste person touches or accidentally comes in touch with a person of a high caste?
   (1) Gets polluted. □
   (2) Gets impious or desecrated. □
   (3) Gets sin. □
   (4) Gets degraded/aspersion. □
   (5) All above will happen. □
   (6) Nothing above will happen. □

38. Please frankly state what remedy had you adopted on being polluted by the untouchability in the past?
   (1) Took bath. □
   (2) Water sprinkled by parents or others. □
   (3) Touched the other religioner (Muslim) or you were advised to do so. □
   (4) Other remedy. □

Part- 4. Regarding social acceptability of Dalits.

39. Are you prepared to accept Dalits on social occasions like marriage, death, mourning meeting, Celebrations of festivals, Garba, Bhajan,(Devotional songs' assembly), eating occasions, cultural programmes, religious programmes etc.?
   (1) Yes. □ In which matters? □
   (2) No. □ In which matters? □
   (3) If there is no way out, no escape to accept Dalits, we have to accept them due to helplessness. □
   (4) Not willing to accept Dalits on any occasion. □
   (5) Dalits are not acceptable even in bus, train, Public garden, Public toilet, Public urinal – or even occasionally coming in contact or seating together, in that also they are not acceptable to us. □

40. Out of the Dalits and the Adivasis, whom do you have no objection to accept in above social matters?
(1) Dalits (Scheduled Castes). ☐
(2) Adivasis (Scheduled Tribes). ☐
(3) Both are acceptable. ☐
(4) None of them is acceptable. ☐

41. Please state which matter you would object to, out of the following matters?

Please tick the option which according to you is correct.

(1) If Dalit weds Caste Hindu girl. ☐
(2) If Caste Hindu weds Dalit girl. ☐
(3) Objection in 1 and 2 both. ☐
(4) If Dalit resides in Caste Hindus’ locality/area or society. ☐
(5) If Dalit buries/cremates his dead near and dear one in a Caste Hindus’ crematorium. ☐
(6) If Dalit girl participates in a Caste Hindus’ Garba in village or city. ☐
(7) If Dalits and Caste Hindus participate in community meals. ☐
(8) If Dalits enter into your house. ☐
(9) If Dalits enter into your kitchen. ☐
(10) If Dalits enter into the temple. ☐
(11) If Dalits enter into the sanctum sanctorum of the temple. ☐
(12) If Dalits get good/high Service/job. ☐
(13) No objection in any of the above. ☐
(14) Objection in all above. ☐

42. Have you ever any day participated in a Dalits’ social functions like birth, marriage, death, Barmu, Bhojan, Bhajan, Party etc.?

(1) Yes, ☐
(A) Sometimes. ☐
(B) Many times. ☐
(2) No, never. ☐
(3) Participated as a service caterer, for example: light, pandal, T.V./Radio repairing, mike provider, construction worker etc. We have provided services on payment but except that we have not participated in the Dalits’ social functions.
Participation in Dalits' Social functions adversely affects our social status and therefore we do not participate.

Reasons of participation:

(1) ______________________________________________________
(2) ______________________________________________________
(3) ______________________________________________________

43. Have you ever invited Dalits on your social occasions like birthday, marriage, death of relative, Barmu, Bhojan, Bhajan etc?

(1) Never.   
(2) Once.   
(3) The Dalits cannot be called because it lowers our social prestige.   
(4) Not invited on social occasions but after social occasions were over, they were called as “Gharak” for collecting food and were given bit of food separately in open spaces.

44. Would you like your children in school or elsewhere sitting together and taking their meals with Dalit Children?

(1) Yes, it gives birth to social cohesion/equality.   
(2) No, it leads to development of bad culture (Sanskar) in children.   
(3) Children get polluted.   
(4) Children may go astray in bad company due to the community meals.

45. Would you like to give residential facility to the educated, Cultured Dalits like Government Officers, Employees, Teachers, Professors in your village, city in a Caste Hindu area/Mohalla/Pol/Society/Colony/Kasba etc?

(1) Yes.   
(2) No, not at all.   
(3) Never.   
(4) If they remain as our “Henchmen/Yesmen” and under our control.   
(5) Even their shadow is not acceptable to us.   

46. Would you like the appointment of Dalits who are well-versed in religious rites and rituals in religious places like temples, religious institutions etc?
47. Would you like to get such religious rites and rituals performed by the Dalits who are knowledgeable and proficient in this connection, on birth, marriage or on any such other occasion in your family?

(1) Yes. ☐
(2) No. ☐
(3) Never. ☐
(4) If we do so, we incur sin and get religiously polluted. ☐

48. Would it be considered appropriate to enact a Law or frame rules for reservation in private industries?

(1) Yes. ☐
(2) No. ☐
(3) Never. ☐
(4) This should be left to the discretion/sweet will of the industrialists. ☐

49. Would you like to take meals, tea, Snacks, Paan from Dalit hotel owners, tea kettle runners, Lodge owners, Paan shop owners etc.?

(1) Never, in no circumstances. ☐
(2) If there is no Caste Hindus’ hotel, tea stall, Paan Shop in the vicinity. ☐
(3) If there is no other remedy available to satisfy hunger, quench thirst etc. ☐
(4) Always prefer. ☐

50. If tea, Paan, Bidi, meals etc. are served by the Dalits at very cheap rates and with good quality in Hotels and Lodges run by the Dalits and such stuff is served by others, other than Dalits at higher rates and of lower quality then from whom would you accept such services?

(1) Not from the Dalits. ☐
51. How is your relationship with Dalits and Adivasis?

(1) Very close.
(2) Close.
(3) Average.
(4) Not at all.

Part-5. Regarding social change.

52. What is your opinion about emerging social change in Castes which gives equal status to the Dalits?

(1) Change must come in social order.
(2) Caste should remain as it is in social order.
(3) Society gets fragmented due to social change in the caste system.
(4) Society becomes more modern and strong due to social change in the caste system.

53. How social change should be brought about?

(1) By the social reformers.
(2) By the Saints, Mahants, Rishis, Munis, Kathakars, Bhajniks and other such like-minded religious people.
(3) By medium of Law, by using Law as an instrument of social change.
(4) By the news papers, T.V. Channels, and publicity media like Radio etc. through persuasion.

54. What do you think/believe about social change?

(1) Change is the rule of the society and it must take place.
(2) Change rejuvenates society.
(3) Change should not take place.
(4) Society should run as it is running maintaining “Status Quo.”

55. What do you think are the reasons by which people advance in life in Social,
Educational, Economic, Political etc. matters?
(1) By one’s own intellectual power/strength. 
(2) By one’s own caste. 
(3) By one’s good acts of the previous life. 
(4) By influence and relationships. 

56. Would you like to do the scavenging work which is done by the members of the Valmiki society in Government service?
(1) Yes. 
(2) No. 
(3) Never. 
(4) Howsoever high salary and howsoever high post is given, despite “No.” Even if we are starving. “No.” 
(5) Not applicable. 

57. Government gives various types of assistance/help to the members of the Scheduled Castes and the Scheduled Tribes. Should such assistance be continued?
(1) Yes. 
(2) No. 
(3) Uncertain. 
(4) Other reply. (Please specify) 

58. Do you feel that injustice is done to the Dalits and the Adivasis for centuries in India?
(1) Yes, lot of injustice is done. 
(2) No, no injustice is done. 
(3) Injustice was done prior to the independence, now it is removed. 
(4) Perhaps a little bit, negligible—ordinary injustice might have been done. 

59. In whose hands, social leadership should be?
(1) In the hands of society’s high Caste/Varna people. 
(2) In the hands of the elected representatives. 

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60. Has the caste-based ill-treatment against Dalits been reduced due to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989?

(1) Reduced. ☐
(2) Increased. ☐
(3) No difference. ☐
(4) Friction between the Dalits and the Caste Hindus has increased. ☐

61. What change has come in society due to The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989?

(1) ill-treatment done to the Dalits is reduced. ☐
(2) No change in the caste-based ill-treatment meted out to the Dalits. ☐
(3) An awe is created in the minds of the perpetrators of atrocities on the Dalits. ☐
(4) A fear is created that caste-based ill-treatment meted out to the Dalits would be counter-productive, ill-affordable and would counterblast. ☐

62. What type of situation is created by “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989”?

(1) Dalits’ and the Adivasis’ honour is properly protected. ☐
(2) Besides the protection of honour of the Dalits and the Adivasis, adequate protection is also available for property and against all social disabilities. ☐
(3) Police is compelled to play a positive role in social change. ☐
(4) All the three above have happened. ☐
(5) Situation of “Status quo” only is there. ☐

63. Has ever a complaint against you under “The Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act, 1989 been made?
(1) Yes. □
(2) No. □
(3) If yes, reason. □
(4) Brief facts of the disposal, pendency etc. of the case. □

64. Your personal opinion about “The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.”
(1) Social change has come due to this Act and hence it must be continued and strictly enforced. □
(2) Due to this Act, bitterness has increased between the Dalits and the Caste Hindus hence it should be abolished. □
(3) Actually there is no need for such a law. □
(4) This Act is more strict, severe. □
(5) Due to this Act, a big hiatus is created between the Caste Hindus and the Dalits. □
(6) Dalits get social justice due to this Act. □
(7) Dalits are effectively protected due to this act. □
(8) This Act should be abolished. □
(9) It will not make any difference if this Act is not there. □
Law as an Instrument of social change -

Questionnaire/Interview Schedule (Gujarati)

<table>
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<tr>
<th>برناوی</th>
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<tbody>
<tr>
<td>(١) ناام</td>
<td>شری/شریماتی</td>
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<td>(٢) عمار</td>
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<td>(٣) بائت-پہلیت</td>
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<td>(٤) شکولنیک بانکال</td>
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<td>(٥) سرناں</td>
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</tbody>
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| (٦) مالونا دکھاۓ | پنیرشیت ☐ اپنیرشیت ☐ انپ ☐ |
| (٧) پمبر | |
| (٨) اسکال میوگنیک ویوک/سپسی | |
| (٩) مالونا میوگنیک ویوک/سپسی | |

| (١٠) کھونوں کا ڈاکٹر سامبو ہی؟ | پوپ چباۓ سامبو ☐ سملی سامبو ☐ |

| (١١) آپنہ کھونوں میں کئی ایک اینترسنیک لہن کریں؟ | ☐ نا ☐ |
| (١٢) کئی لمبا، تو اینترسنیک لہن میں پوپ/ملیئنیک کالہ کریں؟ (١) پوپ ☐ (٢) سملی نا ☐ |
| (١٣) اینترسنیک لہن اینگیئنی کارکانن سہلی سمیھیہ؟ | ☐ نا ☐ |
| (١٤) اینسرن یونیت اینترسنیک لہن کہیں ہیں؟ (١) ساحاتاپکا ☐ (٢) تناپفوپا ☐ (٣) سومنالہچقا ☐ (٤) شہتیپفا ☐ |
| (١٥) اپنہا پرشن انگیئن کئی کارکان ہیں تو جوابو۔ | |
| (١٦) اینترسنیک لہن کم سے کئی وڈکا/مداخل کے انگ لہن کئی سمجھ پچا ہیں؟ | ☐ نا ☐ |
| (١٧) کئی لمبا تو تینی ڈیکوک بیجیت آپو۔ | |

| (١٨) اینکما اینلے پلا سکتی جنیگا گھاڑے آپنا-جا ہی؟ انگ جنیگا گھانی سیمینیک پرپنگہمہ حاری آپو ہی؟ | ☐ نا ☐ |

| (١٩) یہ کئی کھیڈیاں یاں تیکی مکا کھا جاھاں/جاہاں مکا گھاوان ہی؟ | |
| (١) یباکلا : ☐ (٢) بائیش : ☐ (٣) بیش : ☐ |
| (٤) ہوڈ : ☐ (٥) سامپنڈ : ☐ (٦) انپ : ☐ |

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(20)  ગીતીનીજીતા બેઠાયા કોને સમજા છે?

(1) વાગવાને
(2) મમતાયે
(3) સામર્થ્યે
(4) કેટલાકે નહીં

(21)  જાતી આધારિત ગીતીનીજીતા પ્રથા કેટી છે?

(1) સારી અને જરૂરી
(2) પણ અને વિનદારી
(3) કેટલી શક્ત નહીં
(4) અન્ય કારણ

(22)  જાતી આધારિત સામાજિક ગીતીનીજીતા બેઠાયા દૂર કરવો કોણે?

(1) દૂર કરવો કેટલાકે
(2) દૂર કરવો કેટલાકે નથી
(3) રોપડ હેડ્ભાર સાથે વાત રાખવો કેટલાકે
(4) દૂર વાગ ન વાગ કે દૂર પણ વાગ નથી.

(23)  જાતી આધારિત સામાજિક બેઠાયા કેટી રીતે દૂર કરવો કોણે?

(1) અયાતાઓ હાથપોથી તરીકે ઉપયોગ કરીને
(2) સમજાવવાડી
(3) હાસ્યસાધક અંતરરાષ્ટ્રીય જવાબી
(4) અન્ય કેટલા રીતે જે આવ્યા જાણતા હોય તે દૂર્કામ જાણાયો.

(24)  જાતી પ્રધાની સમાજને શું જાણી વાખ છે?

(1) કેટલી કાયદો બાત કરી
(2) સંકલન સમયમાં તથા સામાજિક પ્રસંગોને કાયદો વાખ છે.
(3) છોકરા/છોકરીના વાખમાં અનુભવિત રહે છે
(4) શાખાસાથી વાખતા કાયદો વાખ છે.

(25)  જાતી પ્રધાની રાજધાની ગેટાટાને લુખશાલા વાખ છે કે કામ?

(1) ગેટાટા વાખ છે
(2) ગેટાટા બદલું નથી
(3) રાજ્યકો ભેટા હંમેશા કરવામાં જાતી વાખવું છે
(4) શાખાસી જ રાજ્યકો ભેટા મજબૂત બન છે.

(26)  જાતી પ્રધાની લીંબુઓ અસમૃઘતા દૂર કરવી શકાતી નથી તેમાં આપનું શું માનવું છે?

(1) જાતીને લીંબુઓ અસમૃઘતા દૂર કરની શકાતી નથી
(2) જાતીને અસમૃઘતા સાથે કોણે નિરદાલ નથી
(3) જાતી દૂર કરવામાં આવે તે અસમૃઘતા જણની દૂર કરી શકાય છ.
(4) જાતી જ અસમૃઘતાનું મૂઢ છે.
(27) शास्त्रीय अध्यायनक शाखाओं द्वारा दिल्ली में वापसी के बाद जुटा गया हो ?
   (1) ना.
   (2) ना.
   (3) ना.
   (4) ना.

(28) अंतर्वातीय वाक्यों में आय शुरु में चौ ?
   (1) तेनाथी सामाजिक तथा राष्ट्रीय अंजता दिख बाधो.
   (2) तेना कराराती समाजमा कवाया जिन्मि बाधो.
   (3) तेना करारे समाजमा पुर्वपंचक (पराम प्रजा) पेशा बाधो.
   (4) तेनाथी समाजमा नामिक परी करो अने अन्य बाधो.

(29) अंतर्वातीय वाक्यों घर और धेंगे के नहीं ?
   (1) घर झूठी.
   (2) घर झूठी.
   (3) घर झूठी.
   (4) अन्य आविष्कार.

(30) अंतर्वातीय वाक्यों में तरल नागरिक प्रोलिफकन आवे चे के विशे आफू शुरु मंतव्य चौ ?
   (1) आफू प्रोलिफकन आफू झूठी.
   (2) आफू प्रोलिफकन झूठी ना आफू झूठी.
   (3) तेम रवाधीं मानिस व्यवस्था तूटी जबाधी समाज तथा देशाने पुरावण बाधो.
   (4) आ मटे प्रोलिफकन रकम व्यव्यावस्था तेम रची वनवानी संज्ञा सरकार करी आपनी झूठी.
   (5) अन्य.

(31) मानिस अने पर्यवेक्षणातील संपूर्णपक्षानेन नाहुनु करवाची समाजमा सामाजिक अंजता अने राष्ट्रीय अंजता मंतव्य वापसी करी ?
   (1) ना.
   (2) ना.
   (3) मानिस अने पर्यवेक्षणात संपूर्णपक्षानेन नाहुनु करवाची समाजमा अंवयवशा सर्वश्री.
   (4) अन्य.

भाग-3 : अस्मृतियाँ कांगे

(32) आपणी दृष्टिकों गृहरस्तांमध्ये अस्मृतियांना स्वाध वेंदुं चौ ?
   (1) सविकर्ता-अस्मृतियाळा समाधान असलग चौ.
   (2) सस्त्रस-सस्त्रस सूचे, ताशे के नदीस गाढी बनाने चौ.
   (3) वेष्टिके गेना दाखी वीज वस्तुरंग आपणे चौ.
   (4) सामाजिक प्रसंगे देया के जमा, उपवशीली विवेकेंमध्ये अस्मृतियांना आवरण वापस चौ.
   (5) उपर्युत्तम वापस.
(33) શું તમારા આંખ, વિસ્તારમાં અસ્વચ્ચતા પળાય છે?
(1) જા.
(2) ના.
(3) આપેલ ચંદ્ર અંબે.
(4) અમુક પ્રકાશમાં જ પડાય છે. દલલ મેદિર પ્રવેશ, વસ્તુ, વોજન, પ્રકાશપ્રવેશ.
(5) અંખ.

(34) "અસ્વચ્ચતા હીં વસ્તુ ઉભા છે અને તે મુદાપૂ ભૂલ દેખી હૂં ધરમ છે."
સોયા ગાંધીજીના વિચાર સાથે આપ સમબંધિત હાથ છો?
(1) જા.
(2) ના.
(3) લૂકકી કાઢી ના સાય.
(4) અસ્વચ્ચતાથી કોઈ સુકાશન હીં ધરમ ભરો ભરો તેઓ કું માનતો નથી.

(35) અસ્વચ્ચતા સ્તરને ખેલિતસાની તે સ્તર સામાન્ય સમસ્તા છે કે નહીં?
(1) જા.
(2) ના.
(3) પણ નથી.
(4) કાઢી શક્ક નથી.

(36) ભારતના રાજધાનીઓ અસ્વચ્ચતા લાગૂ કરી છે?
(1) જા.
(2) ના.
(3) પણ નથી.
(4) કાઢી શક્ક નથી.

(37) એક દીકરી જાઈની મહુયા નીચી જાતિપાસના અખદે, તેઓ સ્વરૂપ અધય તો અધ્મન શું બાય?
(1) અમારી જાય.
(2) અંધકાર મારી જાય.
(3) પાણી લાગે.
(4) દોપ લાગે.
(5) ઉપરનું ભયું જ બાય.
(6) ઉપરનું કંઇ ના બાય.

(38) તમે અસ્વચ્ચતાવાળીદ્ભૂતકાલમાં અધ્મન ગવા હોય તો શું ઉપમાર કરીલો તે નિમનલાભ બાય પડાવો?
(1) નાના કારી વીચીલું.
(2) પાલીના છાંતા ભારત-પિતાય કે અધ્મને નાનાલું.
(3) વિપરીતમાં કરી આધેલે કે તેમ કરીની સેલાડ તમને આપવામાં આવેલી.
(4) અંધ ઉપમાર.
भाग-४ स्थिरता अंजे

(३६) आप द्वितीयों सामाजिक प्रांतों ने या कन, मुख्य, शोकस्थ, दिल्ली, गरमा, भजन, 
लोकन, सांस्कृतिक कार्यक्रम, दानिक कार्यक्रम, विज्ञान चालका देखाय छो?

(१) या. कह आजमा?

(२) ना. कह आजमा?

(३) द्वितीये स्वीकारा सिवाय छूटकी जन वो स्वीकार रहे?

(४) द्वितीये किशोर प्रसंग या स्वीकार राख नही?

(५) भस, भन, शहर वाणिय, शोकस्थ, सिमरामम विसंगय ताथा आये के 
अभे ते पत्र स्वीकार नही. बेहतर नही.

(३०) द्वितीये आज आत्थियों ने ही विस्मृत सामाजिक सामाजिक वातातों को या स्वीकार पन्हो नही?

(१) द्वितीये (अनुसूचित जनता).

(२) आत्थियातों (अनुसूचित जनता).

(३) बनने.

(४) अकेले नही.

(३१) नीचेही ने ही या वातातों तम्हे पंडो पडे?

अर्थात (✔) लिखानो करे:

(१) द्वित वस्य साम्ये पंडे तो.

(२) वस्य द्वित वस्ये पंडे तो.

(३) १,२ वनादां पंडे छे.

(४) द्वित वस्ये वाता के सोसायदी रंग वसवाद करे तो.

(५) द्वित वस्य सम्प्रदायम पोतापा मृत स्वच्छन्दो दृष्टि/भिन्न संस्कार करे तो.

(६) गाम/शोरोंम सम्प्रदायम गर्ने द्वित कन्या गर्ने ररे तो.

(७) द्वित-वस्य समूह ऋतजन करे तो.

(८) द्विते तमारा घरमा प्रवेशे तो.

(९) द्विते तमारा घरमा स्वयंम प्रवेशे तो.

(१०) द्विते मंडिरम प्रवेशे तो.

(११) द्विते मंडिर गर्ममुलम प्रवेशे तो.

(१२) द्विते नारी/मोटी किथे मोटी मणे तो.

(१३) उपरमां कौटिया वाह जां पंडे नही.

(१४) उपर जाना ज मा वांपे छे.

(३२) आपे कोई धिरस द्वितीय सामाजिक प्रांते हे जन्म, वजन, महान, भारम, भौजन, 
लोकन, पारी, विज्ञान नाग तीर्थे छे?

(१) या. (१५) कोई वजन.

(२) ना. क्याये नही.

(३) सविसंग अंगे नामहा तरी कोई वार्तावाणा, मंगवाणा, वी. वी. रेटिया रिपरिवाणा, 
माधुर्यवाणा, कन्स्ट्रक्शन विज्ञे तरी कता वाह वाहने सेवाओ आपेक्ष छे परंतु ते
(43) आपने आपने सामाजिक प्रसंगों पेचा के फलमिति, बलन, मसल, भाषम, लोगन, भरन, विपड़ों व हंसितों क्या है?
   (1) क्षमरें नहीं.
   (2) अंकार खर्चत.
   (3) बोलावी शिक्षा ज नहीं. तेबी अमरी सामाजिक प्रतिष्ठा अंगभाव.
   (4) प्रसंगों के भाषाय सन्तु प्रसंग पत्थर पहली वर्ष करके भाषायुँ 
       आपका बोलावा है अने बाहर अंकार खर्चत पुलवामा बेसारी थोड़ो थोड़ हायांु आपु है.

(44) आपने आपने विसिजम्मा के अन्यब हंसित भाषा साध वोजन करे ते आपने नहीं?
   (1) हा, तेनारी सामाजिक समायता समायता हज़मे छ.
   (2) ना, तेनारी विपड़ों म्यारा संस्कार पोरे छ.
   (3) भाषाए अंकार जन के है.
   (4) भाषाए तेनारी दुस्रें बढ़ी लज़.

(45) तमाम ग्राम/शहरदें तमाम शहर तता/मोलिवा/पोग/सोसार्टी/डेलोनी/अना विपड़ों कीमत, 
       संस्कार हंसितों भेचा के सरकारी अधिकारीयों, कर्मचारीयो, विलाको, प्रोक्सेसो, शेया हंसितोऽे 
       पश्चात मालों के सुविधा आपांनु तेनारे पाँच पढे?
   (1) हा.
   (2) ना, बिलाकुल नहीं.
   (3) क्षमरें नहीं.
   (4) अमरा अंकार म्यारा क्रवागरा वर्डी रेडे तो.
   (5) तेनारो परवायो पाउ आमने न परे.

(46) माध्यम धार्मिक विभागो-हंसितो, धार्मिक विभागो वि.मा कर्मचारी भालाक शेया हंसितोऽे नीम्बाम्मा आये तो 
       आपने परांद पढे?
   (1) हा.
   (2) ना.
   (3) क्षमरें नहीं.
   (4) अमारा क्रवागरी अमो पांभया पद्धीमे.
   (5) अमारा क्रवागरी सनातनम ब्राह्म वर्डी रेडे.

(47) जनम, बलन के अन्य शेया धार्मिक विभागो भालाक शेया पांभे शेया आप आपी विधि क्रानी भास?
   (1) हा.
   (2) ना.
(प५) आप सामाजिक परिवर्तन दिये शुरू मानो छो ?

(1) परिवर्तन संसार में निःस्वाद छ अथवा तेवथ ज्ञान नहीं.
(2) परिवर्तन नहीं समाज नवपरिवर्तन वाय छ.
(3) परिवर्तन ना थाना ज्ञान नहीं.
(4) ज्ञम समाज साले छ तेम ज (Status quo) निःस्वाद ज्ञान नहीं.

(प५) ने लोको जिज्ञासा सामाजिक, शैक्षिक, आर्थिक, सामाजिक, विजेता भाषाओं आधार वाय छे.

तेमो क्या सरकार सामाजिक वाय छे तेम ताम बारे छे ?

(1) पोताने सुन्दर शालियाँ.
(2) पोताने शालियाँ.
(3) पोताने अभाज्य रूप से पुनर्जीवित.
(4) बाल्यवयक अनें संसारों नहीं.

(प५) वालीक करणा लोको सहाय अंगिनी सामगी करे छे तेवी सामगी सरकारी नोटिसीयांक तामे क्या रुपरेत करो ना?

(1) हाँ.
(2) ना.
(3) कड़पति नहीं.
(4) अगे तेघो पटकर अनें भोजो दोहो आवे तो पठन नहीं. बूँधे भड़ी अनें तो पठन नहीं.
(5) बाँधो पढ़तु नहीं.

(प५) सरकार अनुसूचित जाति-जनजातियों विविध प्रकारी शायत/महाँ सामाजिक आपो छे मंद वाली स्थान राष्ट्रीय जीवन?

(1) हाँ.
(2) ना.
(3) अजीब जीवन.
(4) अद्वितीय (सप्तपर्ये).

(प५) आपने बारे छे दे दिवाली तथा आदिवासीयां सावथे भारतमां ससूरी अनुभव वाय छे?

(1) हाँ, चलो ज अन्याय पड़े छे.
(2) ना. कोई अन्याय बये नहीं.
(3) आजारी पहेलां अन्याय चयों अन्याय हुँ चयेल छे.
(4) चलो चलो, साबाज़ा अन्याय कढ़ाए चयेल दरी.

(प५) सामाजिक नेतृत्व कोण हाथां होंदु होए?

(1) सामाजिक उद्योजनामा.
(2) सुंदरेख्या सर्वेक्षणमा.
(3) संतो-सहारोगामा.
(4) जे श्रीम रीते सक्रम होप तो दिवाली नाथा होप तो दिवाली नाथी.

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(50) आ. जनि, आ.रणजि (अन्यायार अटकावालो) कामा १८८चौ दलितो साभेलो ज्ञाति आदेशित दुर्योगार घटना हे देखेम?
   (१) घटना हे.
   (२) घटना हे.
   (३) कोई करक पडने नयी.
   (४) दलितो-सम्पथी वयस्क वर्षांि वयस्क नयी हे.

(51) ऋचिसरीला कायदाधी समायमा इं स्थिित आयुः?
   (१) दलितो साभेलो ज्ञाति आदेशित दुर्योगारामा कोई करक पडने नयी.
   (२) दलितो उपर आन्त्यार आयुर्वानारायमा कोई करक पडने नयी.
   (३) दलितो साभेलो ज्ञाति आदेशित दुर्योगार घटना नयी नयी पडने नयी.
   (४) दलितो साभेलो ज्ञाति आदेशित दुर्योगार घटना नयी पडने नयी.

(52) ऋचिसरी अक्षारी चेवी स्थिति परिस्थिती सर्पणाः?
   (१) दलितो/आर्धवासिीणो समायमी योक्षू रक्षा वाय नयी.
   (२) दलितो/आर्धवासिीणो समायम उपर धिकता साभेलो हतको तथा सामाजिक स्थिति (Social Disabilities) साभेलो पुरुष रक्षा आन्त्यार वाय नयी.
   (३) सामाजिक परिस्थितिमा सोहीसिने सहायत्ता बुमसिका भोजायारी घट उके नयी.
   (४) उपरकोक चेवी भाष्टो नयी हे.
   (५) बुमसिका वे चेवी ज स्थिति हे.

(53) आधना उपर ऋचिसरी अक्षार देखन ज्ञातेलो कोई उत्तराय वहेली हे?
   (१) धा.
   (२) ना.
   (३) धा, तो वाय.
   (४) तेनी निधाक-उडसौ रैससी वदो के पडने तथा तेनी दुःसिका विगत.

(54) ऋचिसरी अक्षार संगेलु आयुः संगत मंतवः:
   (१) आ. जणादानी सामाजिक परिस्थिति आयुः हे तेनी तेने वायु रामी तुस्क अभिस कर्मो ज्ञातेले.
   (२) आ. जणादाली दलितो-सम्पथी वयस्क कयः कर्मो घटे ते नामुक्त कर्मो ज्ञातेले.
   (३) आयु. जणादानी परिस्थिति कोई घटरीयात नयी.
   (४) आ. जणादाली विष्कार पढनी दक्ष नयी.
   (५) आ. जणादाली सम्पथी-दलितो वयस्क मोती महार व्यय वहेल नयी.
   (६) आ. जणादाली दलितोने सामाजिक नयाम भागे नयी.
   (७) आ. जणादाली दलितोनुसार अभिसार घटरीयात नयी.
   (८) आ. जणादाली नामुक्त वव्यो ज्ञातेले.
   (९) आ. जणादाली न हो तो कोई करक पडवानो नयी.

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APPENDIX-7

THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989¹

(Act No. 33 of 1989)

[11th September, 1989]

An Act to prevent the commissions of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows :-

CHAPTER-I  PRELIMINARY

1. Short title, extent and Commencement.-(1) This Act may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
(2) It extends to the whole of India except the State of Jammu and Kashmir.
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.- (1) In this Act, unless the context otherwise requires,-
(a) “atrocity” means an offence punishable under section 3;
(b) “Code” means the Code of Criminal Procedure, 1973 (2 of 1974);
(c) “Scheduled Castes and Scheduled Tribes” shall have the meanings assigned to them respectively under clause (24) and clause (25) of article 366 of the Constitution;

¹. Received the assent of the President on the 11th September, 1989, and was published in the Gazette of India, Extraordinary, Part II, Section I, No. 39, dated September 12, 1989.
(d) “Special Court” means a Court of Sessions specified as a Special Court in section 14;

(e) “Special Public Prosecutor” means a Public Prosecutor specified as a Special Public Prosecutor or an advocate referred to in section 15;

(f) words and expressions used but not defined in the Act and defined in the Code or the Indian Penal Code (45 of 1860) shall have the meanings assigned to them respectively in the Code, or as the case may be, in the Indian Penal Code.

(2) Any reference in this Act to any enactment or any provision thereof shall, in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II
OFFENCES OF ATROCITIES

3. Punishment of offences of atrocities.—(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,—

(i) forces a member of a Scheduled Caste or a Schedule Tribe to drink or to 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 of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commit 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 dispossesses 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 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) gives false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribes in any place within public view;

(xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonor or outrage her modesty;
(xii) 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;

(xiii) 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;

(xiv) 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 a public resort to which other members of public or any section thereof have a right to use or access to;

(xv) 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 the law for the time being in force shall be punished with imprisonment for life and with fine; and if an innocent member of 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 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 as a place for human dwelling or 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 (45 of 1860) 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 punished 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 of screening the offender from legal punishment or with that intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with imprisonment provided for that 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 extend to the punishment provided for that offence.

4. **Punishment for neglect of duties.**- Whoever, being a public servant but not being a member of a Scheduled Caste or the Scheduled Tribe, willfully neglects his duties required to be performed by him 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.

5. **Enhanced punishment for subsequent conviction.**- Whoever, having already been convicted of an offence under this Chapter is convicted for the second offence or any offence subsequent to the second offence, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

6. **Applications of certain provisions of the Indian Penal Code.**- Subject to other provisions of this Act, the provisions of section 34, Chapter III, Chapter IV, Chapter V, Chapter VA, section 149 and Chapter XXIII of the Indian Penal Code (45 of 1860), shall, so far as may be, apply for the purposes of this Act as they may apply for the purposes of the Indian Penal Code.
7. **Forfeiture of property of certain persons.**-(1) Where a person has been convicted of any offence punishable under this Chapter, the Special Court may, in addition to awarding any punishment, by order in writing, declare that any property, movable or immovable or both, belonging to the person, which has been used for the commission of that offence, shall stand forfeited to Government.

(2) Where any person is accused of any offence under this Chapter, it shall be open to the Special Court trying him to pass an order that all or any of the properties, movable or immovable or both, belonging to him, shall, during the period of such trial, be attached, and where such trial ends in conviction, the property so attached shall be liable to forfeiture to the extent it is required for the purpose of realization of any fine imposed under this Chapter.

8. **Presumption as to offences.**-In a prosecution for an offence under this Chapter, if it is proved that –

   (a) the accused rendered any financial assistance to a person accused of or reasonably suspected of committing, an offence under this Chapter, the Special Court shall presume, unless the contrary is proved, that such person had abetted the offence;

   (b) a group of persons committed an offence under this Chapter and if it is proved that the offence committed was a sequel to any existing dispute regarding land or any other matter, it shall be presumed that the offence was committed in furtherance of the common intention or in prosecution of the common object.

9. **Conferment of powers.**-(1) Notwithstanding anything contained in the Code or in any other provision of this Act, the State Government may, if it considers it necessary or expedient so to do,-
(a) for the prevention of and for coping with any offence under this Act, or

(b) for any case or class or group of cases under this Act, in any district or part thereof, confer, by notification in the Official Gazette, on any officer of the State Government, the powers exercisable by a police officer under the Code in such district or part thereof or, as the case may be, for such case or class or group of cases, and in particular, the powers of arrest, investigation and prosecution of person before any Special Court.

(2) All officers of police and all officers of Government shall assist the officers referred to in sub-section (1) in the execution of the provisions of this Act or any rule, scheme or order made thereunder.

(3) The provisions of the Code shall, so far as may be, apply to the exercise of the powers by an officer under sub-section (1).

CHAPTER III
EXTERNMENT

10. Removable of person likely to commit offence.- (1) Where the Special Court is satisfied, upon complaint or a police report that a person is likely to commit an offence under Chapter II of this Act in any area included in ‘Scheduled Areas’ or ‘Tribal Area’ as referred to in article 244 of the Constitution, it may, by order in writing, direct such person to remove himself beyond the limits of such area, by such route and within such time as may be specified in the order, and not to return to that area from which he was directed to remove himself for such period, not exceeding two years, as may be specified in the order.
(2) The Special Court shall, along with the order under sub-section (1), communicate to the person directed under that sub-section the grounds on which such order has been made.

(3) The Special Court may revoke or modify the order made under sub-section (1), for reasons to be recorded in writing, on representation made by the person against whom such order has been made or any other person on his behalf within thirty days from the date of the order.

11. **Procedure on failure of person to remove himself from area and enter thereon after removal.**—(1) If a person to whom a direction has been issued under section 10 to remove himself from any area-

   (a) fails to remove himself as directed; or

   (b) having so removed himself enters such area within the period specified in the order,

Otherwise than with the permission in writing of the Special Court under sub-section (2), the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

(2) The Special Court may, by order in writing, permit any person in respect of whom an order under section 10 has been made, to return to the area from which he was directed to remove himself for such temporary period and subject to such conditions as may be specified in such order and may require him to execute a bond with or without surety for the due observation of the conditions imposed.

(3) The Special Court may at any time revoke any such permission.

(4) Any person who, with such permission, returns to the area from which he was directed to remove himself observe the conditions imposed, and at the expiry of the temporary period for which he was permitted to
return, or on the revocation of such permission before the expiry of such temporary period, shall remove himself outside such area and shall not return thereto within the unexpired portion specified under section 10 without a fresh permission.

(5) If a person fails to observe any of the conditions imposed or to remove himself accordingly or having so removed himself enters or returns to such area without fresh permission the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

12. Taking measurements and photographs, etc., of persons against whom order under section 10 is made.- (1) Every person against whom an order has been made under section 10 shall, if so required by the Special Court, allow his measurements and photographs to be taken by a police officer.

(2) If any person referred to in sub-section (1), when required to allow his measurements or photographs to be taken resists or refuses to allow his taking of such measurements or photographs, it shall be lawful to use all necessary means to secure the taking thereof.

(3) Resistance or refusal to allow the taking of measurements or photographs under sub-section (2) shall be deemed to be an offence under section 186 of the Indian Penal Code (45 of 1860).

(4) Where an order under section 10 is revoked, all measurements and photographs (including negatives) taken under sub-section (2) shall be destroyed or made over to the person against whom such order is made.

13. Penalty for non-compliance of order under section 10.- Any person contravening an order of the Special Court made under section
10 shall be punishable with imprisonment for a term which may extend to one year and with fine.

CHAPTER IV
SPECIAL COURTS

14. Special Courts.- For the purposes of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for each district a Court of Sessions to be Special Court to try the offences under this Act.

15. Special Public Prosecutor.- For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

CHAPTER V
MISCELLANEOUS

16. Power of State Government to impose collective fine.- The provisions of section 10A of the Protection of Civil Rights Act, 1955 (22 of 1955), shall, so far as may be, apply for the purposes of imposition and realisation of collective fine and for all other matters connected therewith under this Act.

17. Preventive action to be taken by the law and order machinery.- (1) A District Magistrate or a Sub-divisional Magistrate or any other Executive Magistrate or any police officer not below the rank of a Deputy Superintendent of police may, on receiving information and after such
inquiry as he may think necessary, has reason to believe that a person or a group of persons not belonging to the Scheduled Caste or the Scheduled tribes, residing in or frequenting any place within the local limits of his jurisdiction is likely to commit an offence or has threatened to commit any offence under this Act and is of the opinion that there is sufficient ground for proceeding, declare such area to be an area prone to atrocities and take necessary action for keeping the peace and good behavior and maintenance of public order and tranquility and may take preventive action.

(2) The provisions of Chapter VIII, X and XI of the Code shall, so far as may be, apply for the purposes of sub-section (1).

(3) The State Government may, by notification in the Official Gazette, make one or more schemes specifying the manner in which the officers referred to in sub-section (1) shall take appropriate action specified in such scheme or schemes to prevent atrocities and to restore the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes.

18. **Section 438 of the Code not to apply to persons committing an offence under the Act.**—Nothing in section 438 of the Code shall apply in relation to any case involving the arrest of any person on an accusation of having committed an offence under this act.

19. **Section 360 of the Code or the provisions of the Probation of Offenders Act not to apply to persons guilty of an offence under this Act.**—The provisions of section 360 of the Code and the provisions of the Probation of Offenders Act, 1958, (20 of 1958) shall not apply to any person above the age of eighteen years who is found guilty of having committed an offence under this Act.
20. Act to override other laws.- Save as otherwise provided in this act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

21. Duty of Government to ensure effective implementation of the Act.- (1) Subject to such rules as the central Government may make in this behalf, the State Government shall take such measures as may be necessary for the effective implementation of this Act.

(2) in particular, and without prejudice to the generality of the foregoing provisions, such measures may include,-

(i) the provision for adequate facilities, including legal aid, to the persons subjected to atrocities to enable them to avail themselves of justice;

(ii) the provisions for travelling and maintenance expenses to witnesses, including the victims of atrocities, during investigation and trial of offences under this Act;

(iii) the provision for the economic and social rehabilitation of the victims of the atrocities;

(iv) the appointment of officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act;

(v) the setting up of committees at such appropriate levels as the State Government may think fit to assist that Government in formulation or implementation of such measures;

(vi) provisions for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provisions of this Act;
(vii) the identification of the areas where the members of the Scheduled Castes and the Scheduled Tribes are likely to be subjected to atrocities and adoption of such measures so as to ensure safety for such members.

(3) The Central Government shall take steps as may be necessary to co-ordinate the measures taken by the State Governments under sub-section (1).

(4) The Central Government shall, every year, place on the table of each House of Parliament a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this section.

22. Protection of action taken in good faith.- No suit, prosecution or other legal proceedings shall lie against the Central Government or against the State Government or any officer or authority of Government or any other person for anything which is in good faith done or intended to be done under this Act.

23. Power to make rules.- (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in that rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
APPENDIX-8

MINISTRY OF WELFARE

NOTIFICATION

New Delhi, the 20th January, 1990

S.O. 106 (E): In exercise of the powers conferred by Sub-section (3) of section 1 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989), the Central Government hereby appoints the 30th day of January, 1990 as the date on which the said Act shall come into force.

(No. 11012/1/89/PCR DESK)

T. MUNIVENKATAPPA. Jt. Secy.
G.S.R. No.316(E).-In exercise of the powers conferred by the sub-section (1) of section 23 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.**-(1) These rules may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

   (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**-In these rules, unless the context otherwise requires,-

   (a) “Act” means the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989);

   (b) “Dependent”, with its grammatical variations and cognate expressions includes wife, children, whether married or unmarried, dependent parents, widowed sister, widow and children of the pre-deceased son of a victim of atrocity;

   (c) “Identified Area” means such area where State Government has reason to believe that atrocity may take place or there is an apprehension of recurrence of an offence under the Act or an area prone to atrocities;

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(d) “Non-Governmental Organization” means a voluntary organization engaged in the welfare activities relating to the Scheduled Castes and the Scheduled Tribes and registered under the Societies Registration Act, 1860 (21 of 1860) or under any law for the registration of documents or such organization for the time being in force;

(e) “Schedule” means the Schedule annexed to these rules;

(f) “Section” means section of this Act;

(g) “State Government”, in relation to Union territory, means the Administrator of that Union territory appointed by the President under article 239 of the Constitution;

(h) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Precautionary and preventive measures.-(1) With a view to prevent atrocities on the Scheduled Castes and the Scheduled Tribes, the State Government shall,

   (i) identify the area where it has reason to believe that atrocity may take place or there is an apprehension of recurrence of an offence under the Act;

   (ii) order of the District Magistrate and Superintendent of Police or any other officer to visit the identified area and review the law and order situation;

   (iii) if deem necessary, in the identified area cancel the arms licences of the persons, not being members of the Scheduled Castes or the Scheduled Tribes, their near relations, servants or employees
and family friends and get such arms deposited in the Government Armoury;

(iv) seize all illegal fire arms and prohibit any illegal manufacture of fire arms;

(v) With a view to ensure the safety of person and property, if deem necessary, provide arms licences to the members of the Scheduled Castes and the Scheduled Tribes;

(vi) constitute a high power State-level committee, district and divisional level committees or such number of other committees as deem proper and necessary for assisting the Government in implementation of the provisions of the Act;

(vii) set up a vigilance and monitoring committee to suggest effective measures to implement the provisions of the Act;

(viii) set up awareness centres and organize Workshops in the identified area or at some other place to educate the persons belonging to the Scheduled Castes and the Scheduled Tribes about their rights and protection available to them under the provisions of various Central and State enactments or rules, regulations and schemes framed thereunder;

(ix) encourage non-Government Organisation for establishing and maintaining Awareness Centres and organizing Workshops and provide them necessary financial and other sort of assistance;

(x) deploy special police force in the identified area;

(xi) by the end of every quarter, review of the law and order situation, functioning of different committees, performance of Special Public Prosecutors, Investigating Officers and other officers
responsible for implementing the provisions of the Act and the cases registered under the Act.

4. **Supervision of prosecution and submission of report.**—(1) The State Government on the recommendation of the District Magistrate shall prepare for each District a panel of such number of eminent Senior Advocates who have been in practice for not less than seven years, as it may deem necessary for conducting cases in the Special Courts. Similarly in consultation with the Director of Prosecution/in-charge of the prosecution, a panel of such number of Public Prosecutors as it may deem necessary for conducting cases in the Special Courts, shall also be specified. Both these panels shall be notified in the Official Gazette of the State and shall remain in force for a period of three years.

(2) The District Magistrate and the Director of Prosecution/in-charge of the prosecution shall review at least twice in a calendar year, in the months of January and July, the performance of Special Public Prosecutors so specified and submit a report to the State Government.

(3) if the State Government is satisfied or has reason to believe that a Special Public Prosecutor so appointed or specified has not conducted the case to the best of his ability and with due care and caution, his name may be, for reasons to be recorded in writing, de-notified.

(4) The District Magistrate and the officer in-charge of the prosecution at the District level, shall review the position of cases registered under the Act and submit a monthly report on or before 20th day of each subsequent month to the Director of Prosecution and the State Government. This report shall specify the actions taken/proposed to be taken in respect of investigation and prosecution of each case.
(5) Notwithstanding anything contained in sub-rule (1), the District Magistrate or the Sub-Divisional Magistrate may, if deem necessary or if so desired by the victims of atrocity, engage an eminent Senior Advocate for conducting cases in the Special Courts on such payment of fee as may consider appropriate.

(6) Payment of fee to the Special public Prosecutor shall be fixed by the State Government on a scale higher than the other panel advocates in the State.

5. Information to police officer in-charge of a police station.- (1) Every information relating to the commission of an offence under the Act, if given orally to an officer in-charge of a police station shall be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be maintained by that police station.

(2) A copy of information so recorded under sub-rule (1) above shall be given forth with, free of cost, to the informant.

(3) Any person aggrieved by a refusal on the part of an officer in-charge of a police station to record the information referred to in sub-rule (1) may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, after investigation either by himself or by a police officer not below the rank of Deputy Superintendent of Police, shall make an order in writing to the officer in-charge of the concerned police station to enter the substance of that information to be entered in the book to be maintained by that police station.
6. **Spot inspection by officers.**— (1) Whenever the District Magistrate or the Sub-Divisional Magistrate or any Executive Magistrate or any police officer not below the rank of Deputy Superintendent of Police receives an information from any person or upon his own knowledge that an atrocity has been committed on the members of the Scheduled castes or the Scheduled Tribes within his jurisdiction, he shall immediately visit the place of occurrence to assess the extent of atrocity, loss of life, loss and damage to the property and submit a report forthwith to the State Government.

(2) The District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate and the Superintendent of Police/Deputy Superintendent of Police after inspecting the place or area shall, on the spot,—

(i) draw a list of victims, their family members and dependents entitled for relief;

(ii) prepared a detail report of the extent of atrocity, loss and damage to the property of the victims;

(iii) order for intensive police patrolling in the area;

(iv) take effective and necessary steps to provide protection to the witnesses and other sympathizers of the victims;

(v) provide immediate relief to the victims.

7. **Investigating Officer.**— (1) An offence committed under the Act shall be investigated by a police officer not below the rank of a Deputy Superintendent of Police. The investigating officer shall be appointed by the State Government/Director General of Police/Superintendent of police after taking into account past experience, sense of ability and
justice to perceive the implications of the case and investigate it along with right lines within the shortest possible time.

(2) The investigating officer so appointed under sub-rule (1), shall complete the investigation on top priority basis within thirty days and submit the report to the Superintendent of Police who in turn will immediately forward the report to the Director General of Police of the State Government.

(3) The Home Secretary and the Social Welfare Secretary to the State Government, Director of Prosecution/the officer in-charge of prosecution and the Director General of Police shall review by the end of the every quarter the positions of all investigations done by the investigating officer.

8. Setting up of the Scheduled Castes and the Scheduled Tribes Protection Cell.- (1) The State Government shall set up a Scheduled Castes and the Scheduled Tribes Protection Cell at the State headquarters under the charge of the Director General of Police/Inspector General of Police. This cell shall be responsible for –

(i) conducting survey of the identified area;
(ii) maintaining public order and tranquility in the identified area;
(iii) recommendation to the State Government for deployment of special police force or establishment of special police post in the identified area;
(iv) making investigation about the probable causes leading to an offence under the Act;
(v) restoring the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes;
(vi) informing the nodal officer and special officer about the law and order situation in the identified area;

(vii) making enquiries about the investigation and spot inspections conducted by various officers;

(viii) making enquiries about the action taken by the Superintendent of Police in the cases where an officer in-charge of the police station has refused to enter an information in a book to be maintained by that police station under sub-rule (3) of rule 5;

(ix) making enquiries about the willful negligence by a public servant;

(x) reviewing the position of cases registered under the Act; and

(xi) submitting monthly report on or before 20th day of each subsequent month to the State Government/nodal officer about the action taken/proposed to be taken in respect of the above.

9. Nomination of Nodal Officer.- (1) The State Government shall nominate a nodal officer of the level of Secretary to the State Government, preferably belonging to the Scheduled Castes or the Scheduled Tribes, for coordinating the functioning of the District Magistrates and Superintendents of Police or other officers authorized by them, investigating officers and other officers responsible for implementing the provisions of the Act. By the end of every quarter, the nodal officer shall review –

(i) the reports received by the State Government under sub-rules (2) and (4) of rule (4), rule 6, clause (xi) of rule 8;

(ii) the position of cases registered under the act;

(iii) law and order situation in the identified area;

(iv) various kinds of measures adopted for providing immediate relief in cash or kind or both to the victims of atrocity or his or her dependents;
(v) adequacy of immediate facilities like rationing, clothing, shelter, legal aid, travelling allowance, daily allowance and transport facilities provided to the victims of atrocity or his/her dependents;
(vi) performance of the non-Governmental organizations, the Scheduled Castes and the Scheduled Tribes Protection cell, various committees and the public servants responsible for implementing the provisions of the act.

10. Appointment of a Special Officer.- In identified area a Special Officer not below the rank of an Additional District Magistrate shall be appointed to coordinate with the District Magistrate, Superintendent of Police or other officers responsible for implementing the provisions of the act, various committees and the Scheduled Castes and the Scheduled Tribes Protection Cell. The Special Officer shall be responsible for-

(i) providing immediate relief and other facilities to the victims of atrocity and initiate necessary measures to prevent or avoid re-occurrence of atrocity;

(ii) setting up an awareness centre and organizing workshop in the identified area or at the district headquarters to educate the persons belonging to the Scheduled Castes and the Scheduled Tribes about their rights and protection available to them under the provisions of various Central and State enactments or rules and schemes, etc., framed therein;

(iii) co-ordinating with the non-Governmental Organisation and providing necessary facilities and financial and other type of assistance to non–Governmental organisation for maintaining centres or organising workshops.
11. Travelling allowance, daily allowance, maintenance expenses and transport facilities to the victim of atrocity, his or her dependant and witnesses.-  (1) Every victim of atrocity or his/her dependant and witnesses shall be paid to and fro rail fare by second class in express/mail/passenger train or actual bus or taxi fare from his/her place of residence or place of stay to the place of investigation or hearing of trial of an offence under the act.

(2) The District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall make necessary arrangements for providing transport facilities or reimbursement of full payment thereof to the victims of atrocity and witnesses for visiting the investigating officer, Superintendent of Polic/Deputy Superintendent of Police, District Magistrate or any other Executive Magistrate.

(3) Every woman witness, the victim of atrocity of her dependant being a woman or minor, a person more than sixty years of age and a person having 40 per cent or more disability shall be entitled to be accompanied by an attendant of her/his choice. The attendant shall also be paid travelling and maintaining expenses as applicable to the witness or the victim of atrocity when called upon during hearing, investigation and trial of an offence under the Act.

(4) The witness, the victim of atrocity or his/her dependant and the attendant shall be paid daily maintenance expenses, for the days he/she is away from the place of his/her residence or stay during investigation, hearing and trial of an offence, at such rates but not less than the minimum wages, as may be fixed by the State Government for the agricultural labourers.
(5) In addition to daily maintenance expenses, the witness, the victim of atrocity (or his/her dependant) and the attendant shall also be paid diet expenses at such rates as may be fixed by the State Government from time to time.

(6) The payment of travelling allowance, daily allowance, maintenance expenses and reimbursement of transport facilities shall be made immediately or not later than three days by the District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate to the victims, their dependants/attendants and witnesses for the days they visit the investigating officer or in-charge of police station or hospital authorities or Superintendent of Police/Deputy Superintendent of police or District Magistrate or any other officer concerned or the Special Court.

(7) When an offence has been committed under section 3 of the Act, the District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall reimburse the payment of medicines, special medical consultation, blood transfusion, replacement of essential clothing, meals and fruits provided to the victim(s) of atrocity.

12. Measures to be taken by the District Administration.-(1)
The District Magistrate and the Superintendent of Police shall visit the place or area where the atrocity has been committed to assess the loss of life and damage to the property and draw a list of victims, their family members and dependants entitled for relief.

(2) Superintendent of police shall ensure that the First Information Report is registered in the book of the concerned police station and effective measures for apprehending the accused are taken.

(3) The Superintendent of Police, after spot inspection, shall immediately, appoint an investigating officer and deploy such police
force in the area and take such other preventive measures as he may deem proper and necessary.

(4) The District Magistrate or the Sub-Divisional Magistrate or other Executive Magistrate shall make arrangements for providing immediate relief in cash or kind or both to the victims of atrocity, their family members and dependants according to 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.

(5) The relief provided to the victim of the atrocity or his/her dependant under sub-rule (4) in respect of death, or injury to, or damage to property shall be in addition to any other rights to claim compensation in respect thereof under any other law for the time being in force.

(6) The relief and rehabilitation facilities mentioned in sub-rule (4) above shall be provided by the District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate in accordance with the scales provided in the Scheduled annexed to these Rules.

(7) A report of the relief and rehabilitation facilities provided to the victims shall also forwarded to the Special Court by the District Magistrate or the Sub-Divisional Magistrate or the Executive Magistrate or Superintendent of Police. In the case Special Court is satisfied that the payment of relief was not made to the victim or his/her dependant in time or the amount of relief or compensation was not sufficient or only a part of payment of relief or compensation was made, it may order for making in full or part the payment of relief or any other kind of assistance.

13. Selection of officers and other staff members for completing the work relating to atrocity.-(1) The State Government shall ensure that
the administrative officers and other staff members to be appointed in an area prone to atrocity shall have the right aptitude and understanding of the problems of the Scheduled Castes and the Scheduled Tribes.

(2) It shall also be ensured by the State Government that persons from the Scheduled Castes and the Scheduled Tribes are adequately represented in the administration and in the police force at all levels, particularly at the level of police posts and police station.

14. Specific responsibility of the State Government.- The State Government shall make necessary provisions in its annual budget for providing relief and rehabilitation facilities to the victims of atrocity. It shall review at least twice in a calendar year, in the months of January and July the performance of the Special Public Prosecutor specified or appointed under section 15 of the Act, various reports received, investigation made and preventive steps taken by the District Magistrate, Sub-Divisional Magistrate and Superintendent of Police, relief and rehabilitation facilities provided to the victims and the report in respect of lapses on behalf of the concerned officers.

15. Contingency plan by the State Government.- (1) The State Government shall prepare a model contingency plan for implementing the provisions of the Act and notify the same in the Official Gazette of the State Government. It should specify the role and responsibility of various departments and their officers at different levels, the role and responsibility of Rural/Urban Local Bodies and non-Government Organisations, inter alia this plan shall contain a package of relief measures including the following:-

(a) scheme to provide immediate relief in cash or in kind or both;

(b) allotment of agricultural land and house sites;
(c) the rehabilitation packages;
(d) scheme for employment in Government or Government undertaking to the dependant or one of the family members of the victim;
(e) pension scheme for widows, dependant children of the deceased, handicapped or old age victims of atrocity;
(f) mandatory compensation for the victims;
(g) Scheme for strengthening the socio-economic conditions of the victims;
(h) provisions for providing brick/stone masonry houses to the victims;
(i) such other elements as health care, supply of essential commodities, electrification, adequate drinking water facility, burial/cremation ground and link roads to the Scheduled Castes and the Scheduled Tribes habitats.

(2) The State Government shall forward a copy of the contingency plan or summary and a copy of the scheme, as soon as may be, to the Central Government in the Ministry of Welfare and to all the District Magistrates, Sub-Divisional Magistrates, Inspectors General of Police and Superintendent of police.

16. Constitution of State –level vigilance and monitoring committee.- (1) The State Government shall constitute a high-power vigilance and monitory committee of not more than 25 members consisting of the following:-

(i) Chief Minister, Administrator- Chairman (in case of a State under President’s Rule Governor – Chairman);
(ii) Home Minister, Finance Minister and Welfare Minister – Members (in case of State under President’s Rule - Advisors – Members);

(iii) some of the Members of the elected Members of Parliament and State Legislative Assembly and Legislative Council from the State belonging to the Scheduled Castes and the Scheduled tribes – Members (not more than 16);

(iv) Chief Secretary, the Home Secretary, the Director General of Police, Director/Deputy Director National Commission for the Scheduled Castes and the Scheduled Tribes – Members;

(v) the Secretary in-charge of the welfare and development of the Scheduled Castes and the Scheduled Tribes – Convener.

(2) The high power vigilance and monitoring committee shall meet at least twice in a calendar year, in the month of January and July to review the implementation of the provisions of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers/agencies responsible for implementing the provisions of the Act and various reports received by the State Government.

17. Constitution of District-level vigilance and monitoring committees.-(1) In each district within the State, the District Magistrate shall set up a vigilance and monitoring committee in his district to review the implementation of the provisions of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers/agencies responsible for implementing the provisions of the Act and various reports received by District Administration.
(2) The district-level vigilance and monitoring committee shall consist of the elected members of Parliament and State Legislative Assembly and Legislative Council, Superintendent of Police, three group ‘A’ officers/Gazetted officers of the State Government belonging to the Scheduled Castes and the Scheduled Tribes, not more than 5 non-official members belonging to the Scheduled Castes and the Scheduled Tribes and not more than 3 members from the category other than the Scheduled Castes and Scheduled Tribes having association with non-Government Organizations.

(3) The district-level committee shall meet at least once in three months.

18. Material for annual report.- The State Government shall, every year before the 1st July, forward the report to the Central Government about the measures taken for implementing the provisions of the Act and various schemes/plans framed by it during the previous calendar year.
### ANNEXURE I

#### SCHEDULE

[See Rule 12(4)]

<p>| Sr. No. | Name of Offence                                                                                                                                                                                                                                                                                                                                 | Minimum amount of Relief                                                                                                                                                                                                 |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1       | Drink or eat inedible or obnoxious substance [Section 3(1)(i)]                                                                                                                                                                                                                                                                                  | Rs. 25,000 or more depending upon the nature and gravity of the offence to each victim and also commensurate with the indignity, insult, injury and defamation suffered by the victim. Payment to be made as follows: - I. 25% when the chargesheet is sent to the court, II. 75% when accused are convicted by the lower court. |
| 2       | Causing injury, insult or annoyance [Section 3(1)(ii)]                                                                                                                                                                                                                                                                                           | At least Rs. 25,000 or more depending upon the nature and gravity of the offence. The land/premises/water supply shall be restored where necessary at Government cost. Full payment to be made when chargesheet is sent to the court. |
| 3       | Derogatory act [Section 3(1)(iii)]                                                                                                                                                                                                                                                                                                              | At least Rs. 25,000 to each victim. Payment of 25% at FIR stage and 75% on conviction in the lower court.                                                                                                                                                                        |
| 4       | Wrongful occupation or cultivation of land, etc. [Section 3(1)(iv)]                                                                                                                                                                                                                                                                            | Up to Rs. 20,000 to each victim depending upon the nature and gravity of the offence.                                                                                                                                                                                          |
| 5       | Relating to land, premises and water [Section 3(1)(v)]                                                                                                                                                                                                                                                                                          | Rs. 25,000 or reimbursement of actual legal expenses and damages or whichever is less after conclusion of the trial of the accused. Upto Rs. 25,000 to each victim depending upon the nature of the offence. Payment of 25% when chargesheet is sent to the court and rest on conviction. |
| 6       | Begar or forced or bonded labour [Section 3(1)(vi)]                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                  |
| 7       | Relating to right to franchise [Section 3(1)(vii)]                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                  |
| 8       | False, malicious or vexatious legal proceedings. [Section 3(1)(viii)]                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                  |
| 9       | False and frivolous information [Section 3(1)(ix)]                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                  |
| 10      | Insult, intimidation and humiliation [Section 3(1)(x)]                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                  |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Compensation Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.</td>
<td>Outraging the modesty of a woman [Section 3(1)(xi)]</td>
<td>Rs. 50,000 to each victim of the offence. 50% of the amount may be paid after medical examination and remaining 50% at the conclusion of the trial.</td>
</tr>
<tr>
<td>12.</td>
<td>Sexual exploitation of women [Section 3(1)(xii)]</td>
<td>Up to Rs. 1,00,000 or full cost of restoration of normal facility, including cleaning when the water is fouled. Payment may be made at the stage as deemed fit by District Administration.</td>
</tr>
<tr>
<td>13.</td>
<td>Fouling of water [Section 3(1)(xiii)]</td>
<td>Up to Rs. 1,00,000 or full cost of restoration of right of passage and full compensation of the loss suffered, if any. Payment of 50% when charge-sheet is sent to the court and 50% on conviction in lower Court.</td>
</tr>
<tr>
<td>14.</td>
<td>Denial of customary rights of Passage [Section 3(1)(xiv)]</td>
<td>Restoration of the site, right to stay and compensation of Rs. 25,000 to each victim and reconstruction of the house at Government cost, if destroyed. To be paid in full when chargesheet is sent to the lower court.</td>
</tr>
<tr>
<td>15.</td>
<td>Marking one desert place of residence [Section 3(1)(xv)]</td>
<td>At least Rs. 1,00,000 or full compensation of the loss or harm sustained. 50% to be paid when charge-sheet is sent to Court and 50% on conviction by the lower court.</td>
</tr>
<tr>
<td>16.</td>
<td>Giving false evidence [Section 3(2)(i) and (ii)]</td>
<td>At least Rs. 50,000 depending upon the nature and gravity of the offence to each victim and/or his dependants. The amount would vary if specifically otherwise provided in the Schedule. Full compensation on account of damages or loss or harm sustained, 50% to be paid when charge-sheet is sent to the court and 50% on conviction by lower court.</td>
</tr>
<tr>
<td>17.</td>
<td>Commiting offences under the Indian Penal Code punishable with imprisonment for a term of 10 years or more [Section 3(2)]</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Victimization at the hands of a public servant [Section 3(2)(vii)]</td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Disability. The definitions of physical and mental disabilities are contained in the Ministry of Welfare, G.O.I. Notification No. 4-2/83-HW. III dt. 6-8-1986 as amended from time to time. A copy of the notification is at Appendix-11. (a) 100% incapacitation - (i) Non-earning Member of a family</td>
<td>At least Rs. 1,00,000 to each victim of offence. 50% at FIR and 25% at charge-sheet and 25% on conviction by the lower Court.</td>
</tr>
</tbody>
</table>
(ii) Earning Member of a family
At least Rs. 2,00,000 to each victim of offence, 50% to be paid on FIR/Medical examination stage, 25% when charge-sheet sent to Court and 25% at conviction in lower Court.

(b) Where incapacitation is less than 100%
The rates as laid down in (i) and (ii) above shall be reduced in the same proportion, the stages of payments also being the same. However, not less than Rs. 25,000 to non-earning member and not less than Rs. 30,000 to an existing member of a family.

20. Murder/Death
(a) Non-earning Member of a family
At least Rs. 1,00,000 to each case. Payment of 75% after post-mortem and 25% on conviction by the lower Court.

(b) Earning Member of a family
At least Rs. 2,00,000 to each case. Payment of 75% after post-mortem and 25% on conviction by the lower Court.

21. Victim of murder, death, massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity
In addition to relief amounts paid under above items, relief may be arranged within three months of date of atrocity as follows:

(i) Pension to each widow and/or other dependants of deceased, SC and ST @ Rs. 1,000 per month, or Employment to one member of the family of the deceased, or provision of agricultural land, and house, in necessary by outright purchase.

(ii) Full cost of the education and maintenance of the children of the victims. Children may be admitted to Ashram, schools/residential schools.

(iii) Provisions of utensils, rice, wheat, dals, pulses, etc. for a period of three months.

22. Complete destruction/burnt houses
Brick/stone masonry house to be constructed or provided at Government cost where it has been burnt or destroyed.
Subject: Uniform Definitions of the Physically Handicapped.

At present, different definitions for various categories of handicapped are adopted in various schemes/programmes of the Central and State Governments. In order to have a standard set of definitions, authorized certification authorities and standard tests for purpose of objective certification, Government of India in Ministry of Welfare set up three committees under the Chairmanship of Director General of Health Service – one each in the area of visual handicaps, speech and hearing disorders and locomotor disabilities and a separate Committee for mental handicaps.

2. After having considered the reports of these committees and with the concurrence of the State Governments/UTs and the concerned Ministries/Departments the undersigned is directed to convey the approval of the President to notify the definitions of the following categories of physically handicapped:-

1. Visually handicaps
2. Locomotor handicaps
3. Speech and hearing handicaps
4. Mental handicaps
Report of the Committee as indicated in the Annexure I.

3. Each category of handicapped persons has been divided into four groups viz. mild, moderate severe and profound/total. It has been decided that various concessions/benefits would in future be available only to the moderate, severe and profound/total groups and not to the mild groups. The minimum degree of disability should be 40% in order to be eligible for any concession/benefits.

4. It has been decided that the authorized certifying authority will be a medical board at the district level. The board will consist of the Chief Medical Officer/Sub Divisional Medical Officer in the District and another expert in the specified field viz. ophthalmic surgeon in case of visual handicaps, either an ENT Surgeon or an audiologist in Case of speech and hearing handicaps; an orthopaedic surgeon or a specialist in physical medicine and rehabilitation in case of locomotor handicaps, a psychiatrist or a clinical psychologist or a teacher in special in case mental handicaps.

5. Specified tests as indicated in Annexure should be conducted by the medical board and recorded before a certificate is given.

6. The certificate would be valid for a period of three years.

7. The State Govts./UT Admn. may constitute the medical boards indicated in para 4 above immediately.

M.C. NARSIMHAN
Joint Secretary to the Government of India
APPENDIX-12
THE PROTECTION OF CIVIL RIGHTS ACT, 1955
(Act No. 22 of 1955)
[8th May, 1955]

CONTENTS

Section

1. Short title, extent and commencement.
2. Definitions.
3. Punishment for enforcing disabilities.
4. Punishment for enforcing social disabilities.
5. Punishment for refusing to admit persons to hospitals, etc.
6. Punishment for refusing to sell goods or render services.
7. Punishment for other offences arising out “untouchability”.
7-A. Unlawful compulsory labour when to be deemed to be practice of “untouchability”.
8. Cancellation or suspension of licences in certain case.
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10. Abetment of offence
10-A. Power of State Government to impose collective fine.
11. Enhanced penalty on subsequent conviction.
12. Presumption by Courts in certain cases.
14. Offences by companies.
14-A. Protection of action taken in good faith.

2. Ins. by Act 106 of 1976, Section 4 (w. e. f. 19-11-1976)
3. [ ] The bracket suggests either “Omitted” or “Substituted” or “Inserted” or “Renumbered”, as the case may be, by Act 106 of 1976 (w. e. f. 19-11-1976)
15. Offences to be cognizable and triable summarily.

15-A. Duty of State Government to ensure that the rights accrued from the abolition of “untouchability” may be availed of by the concerned persons.

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17. Repeal.

THE SCHEDULE

An Act to prescribe punishment for the [preaching and practice of “Untouchability”] for the enforcement of any disability arising therefrom and for matters connected therewith.

Be it enacted by Parliament in the Sixth Year of the Republic of India as follows :-

1. Short title, extent and commencement.—

(1) This Act may be called [the Protection of Civil Rights Act], 1955.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

[(a) “civil rights” means any right accruing to a person by reason of the abolition of “untouchability” by article 17 of the Constitution;]

[(aa) “hotel” includes a refreshment room, a boarding house, a lodging house, a coffee house and a café :]
(b) “place” includes a house, building and other structure and premises, and also includes a tent, vehicle and vessel;

(c) “place of public entertainment” includes any place to which the public are admitted and in which an entertainment is provided or held.

Explanation.—”Entertainment” includes any exhibition, performance, game, sport and any other form of amusement;

(d) “place of public worship” means a place, by whatever name known, which is used as a place of public religious worship or which is dedicated generally to, or is used generally by, persons professing any religion or belonging to any religious denomination or any section thereof, for the performance of any religious service, or for offering prayers therein, [and includes—

(i) all lands and subsidiary shrines appurtenant or attached to any such place;

(ii) a privately owned place of worship which is, in fact, allowed by the owner thereof to be used as a place of public worship; and

(iii) such land or subsidiary shrine appurtenant to such privately owned place of worship as is allowed by the owner thereof to be used as a place of public religious worship;]

(da) “prescribed” means prescribed by rules made under this Act;

(db) “Scheduled Castes” has the meaning assigned to it in clause (24) of Article 366 of the Constitution;

(e) “shop” means any premises where goods are sold either wholesale or by retail or both wholesale and by retail [and includes—

(i) any place from where goods are sold by a hawker or vendor or from a mobile van or cart;
(ii) a laundry and a hair cutting saloon;
(iii) any other place where services are rendered to customers].

3 Punishment for enforcing religious 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 person; or

(b) from worshipping or offering prayers or performing any religious service in any place of public worship, or bathing in, or using the waters of, any sacred tank, well, spring or water-course [river or 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 the 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 not more than six months and also with fine which shall be not 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 Brahma, Prarthana, Arya Samaj and the Swaminarayan Sampraday shall be deemed to be Hindus.

4. 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, dharmshala, 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 of [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 dharmshala, sarai or musafirkhana which is open to the general public, or to [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

(xi) 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 be not 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”].

5. **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 is 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 be not less than one hundred rupees and not more than five hundred rupees.]

6. **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 which such goods are sold or services are 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 be not less than one hundred rupees and not more than five hundred rupees].
7. **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 rights; 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 person or the public generally to practise “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 be not 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 refuse 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 justifies, whether on historical, philosophical or religious grounds or on the ground of any tradition of the caste system or on 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 of the abolition of “untouchability” under Article 17 of 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” that such person has done any act in furtherance of the objects of this Act,

[7-A. 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 which shall not be less than three months 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, “compulsion” includes a threat of social or economic boycott.

8. Cancellation or suspension of licences in certain cases.—

When a person who is convicted of an offence under Section 6 holds any licence under any law for the time being in force in respect of any profession, trade, calling or employment in relation to which the offence is committed, the court trying the offence may, without prejudice to any other penalty to which such person may be liable under that section, direct that the licence shall stand cancelled or be suspended for such period as the court may deem fit, and every order of the court so cancelling or suspending a licence shall have effect as if it had been passed by the authority competent to cancel or suspend the licence under any such law.

Explanation.—In this section, “licence” includes a permit or a permission.

9. Resumption or suspension of grants made by Government.—

Where the manager or trustee of a place of public worship [or any educational institution or hostel] which is in receipt of a grant of land or money from the Government is convicted of an offence under this Act and such conviction is not reversed or quashed in any appeal or revision,
the Government may, if in its opinion the circumstances of the case warrant such a course, direct the suspension or resumption of the whole or any part of such grant.

10. 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 willfully neglects the investigation of any offence punishable under this Act shall be deemed to have abetted an offence punishable under this Act.

10-A. Power of State Government to impose collective fine.—
(1) If, after an inquiry in the prescribed manner, the State Government is satisfied that the inhabitants of an area are 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 offenders 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 judgment 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 or apportionment:

Provided that no fee shall be charged for filing such petition.

(b) The State Government or the authority specified by it shall, after giving to the petitioner a reasonable opportunity of being heard, pass such order as it may think fit.

Provided that the amount of the fine exempted or reduced under this section shall not be realizable from any person, and the total fine imposed on the inhabitants of an area under sub-section (1) shall be deemed to have been reduced to that extent.

(4) Notwithstanding anything contained in sub-section (3), the State Government may exempt the victims of any offence punishable under this Act or any person who does not, in its opinion, fall within the category of persons specified in sub-section (1), from the liability to pay the collective fine imposed under sub-section (1) or any portion thereof.

(5) The portion of collective fine payable by any person (including a Hindu undivided family) may be recovered in the manner provided by the Code of Criminal Procedure, 1973 (2 of 1974), for the recovery of fines imposed by a Court as if such portion were a fine imposed by a Magistrate.

11. Enhanced penalty on subsequent conviction.—Whoever having already been convicted of an offence under this Act or of an
abetment of such offence is again convicted of any such offence or abetment, [shall, on conviction, be punishable—

(a) for the second offence, with imprisonment for a term of not less than six months and not more than one year, and also with fine which shall be not less than two hundred rupees and not more than five hundred rupees;

(b) for the third offence or any offence subsequent to the third offence with imprisonment for a term of not less than one year and not more than two years, and also with fine which shall be not less than five hundred rupees and not more than one thousand rupees].

12. Presumption by Courts in certain cases.—Where any act constituting an offence under this Act is committed in relation to a member of a Scheduled Caste ***, the Court shall presume, unless the contrary is proved, that such act was committed on the ground of “untouchability”.

13. Limitation of jurisdiction of Civil Courts.—(1) No Civil Court shall entertain or continue any suit or proceedings or shall pass any decree or order or execute wholly or partially any decree or order if the claim involved in such suit or proceeding or if the passing of such decree or order or if such execution would in any way be contrary to the provisions of this Act.

(2) No Court shall, in adjudicating any matter or executing any decree or order, recognize any custom or usage imposing any disability on any person on the ground of “untouchability”.

14. Offences by companies.—(1) If the person committing an offence under this Act is a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of the business of the company, shall be deemed
to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent of any director or manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other individuals; and

(b) “director” in relation to a firm means a partner in the firm.

14-A. Protection of action taken in good faith.—(1) No suit, prosecution or other legal proceeding shall lie against the Central Government or a State Government for anything which is in good faith done or intended to be done under this Act.

(2) No suit or other legal proceeding shall lie against the Central Government or a State Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

15. Offences to be cognizable and triable summarily.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence punishable under this Act shall be
cognizable and every such offence, except where it is punishable with imprisonment for a minimum term exceeding three months, may be tried summarily by a Judicial Magistrate of the first class or in a metropolitan area by a Metropolitan Magistrate in accordance with the procedure specified in the said Code.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), when any public servant is alleged to have committed the offence of abetment of an offence punishable under this Act, while acting or purporting to act in the discharge of his official duty, no Court shall take cognizance of such an offence of abetment except with the previous sanction—

(a) of the Central Government, in the case of a person employed in connection with the affairs of the Union; and

(b) of the State Government, in the case of a person employed in connection with the affairs of a State.

15-A. Duty of State Government to ensure that the rights accruing from the abolition of “untouchability” may be availed of by the concerned persons.—(1) Subject to such rules as the Central Government may make in this behalf, the State Government shall take such measures as may be necessary for ensuring that the rights arising from the abolition of “untouchability” are made available to, and are availed of by, the persons subjected to any disability arising out of “untouchability”.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include—

(i) the provision of adequate facilities, including legal aid, to the persons subjected to any disability arising out of “Untouchability” to enable to avail themselves of such rights;
(ii) the appointment of officers for initiating or excercising supervision over prosecutions for the contravention of the provisions of this Act;

(iii) the setting up of special courts for the trial of offences under this Act;

(iv) the setting up of Committees at such appropriate levels as the State Government may think fit to assist the State Government in formulating or implementing such measures;

(v) provision for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provisions of this Act;

(vi) the identification of the areas where persons under any disability arising out of “untouchability” and adoption of such measures as would ensure the removal of such disability from such areas.

(3) The Central Government shall take such steps as may be necessary to co-ordinate the measures taken by the State Governments under sub-section (1).

(4) The Central Government shall, every year, place on the Table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this section.

16. **Act to override other laws.**—Save as otherwise expressly provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent there with contained in any other law for the time being in force, or any custom or usage or any instrument having effect by virtue of any such law or any decree or order of any Court or other authority.
16-A. **Probation of Offenders Act, 1958, not to apply to persons above the age of fourteen years.**—The provisions of the Probation of Offenders Act, 1958 (20 of 1958), shall not apply to any person above the age of fourteen years who is found guilty of having committed any offence punishable under this Act.

16-B. **Power to make rules.**—(1) The Central Government may, by notification in the official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

17. **Repeal.**—The enactments specified in the Schedule are hereby repealed to the extent to which they or any of the provisions contained therein correspond or are repugnant to this Act or to any of the provisions contained therein.
THE SCHEDULE
(See Section 17)

5. The Central Provinces and Berar Temple Entry Authorisation Act, 1947 (Central Provinces and Berar Act XLI of 1947).
12. The Hyderabad Harijan Temple Entry Regulations, 1358 F (No. LV of 1358 Fasli).
NOTIFICATION

THE PROTECTION OF CIVIL RIGHTS RULES, 1977

S.O. 3006 In exercise of the powers conferred by Section 16-B, of the Protection of Civil Rights Act, 1955 (22 of 1955), the Central Government here by make the following rules, namely:-

1. **Short title and Commencement.**
   (1) These rules may be called the Protection of Civil Rights Rules, 1977.
   (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions- In these rules, unless the context otherwise requires-**
   (a) “Act” means the Protection of Civil Rights Act, 1955 (22nd of 1955)
   (b) “Section” means a section of the Act.

3. **Manner of enquiry under sub-section 10-A.**
   (1) The State Government may appoint an officer not below the rank of a Sub-Divisional Magistrate for the purpose of making an inquiry referred to in sub-section (1) of section 10-A.
   (2) The Officer appointed under sub-rule (1) (therein-after in this rule referred to as enquiry officer) shall issue a public notice specifying the date, time place and the purpose of such inquiry and calling upon all the residents of the area in respect of which
the enquiry is to be held furnish such information and materials, including documents in their possession, as may be relevant for the purposes of the inquiry.

(3) The public notice referred to in sub-rule (2) shall be in the local languages of the area and the same shall be –

(i) published on the notice board in the offices of the District magistrate, the District Superintendent of Police, the Village Panchayat or Municipal Committee of the area and such other places as the inquiry officer deems fit and at least in one daily news paper circulating in the area; and

(ii) proclaimed in the area by beat of drum or in such other manner as the enquiry officer may think best in the circumstances to bring the contents of the public notice to the notice of the inhabitants of the area.

(4) The inquiry officer, while making such inquiry shall follow as early as practicable, the procedure for summary trials including the recording of evidences as laid down in Chapter XXI of the Code of Criminal Procedure, 1973 (2 of 1974).

(5) The enquiry officer shall complete the enquiry as expeditiously as possible and submit his report to the State Government within such period not exceeding six weeks, as may be specified by the State Government in the order appointing the enquiry officer;

Provided that the State Government may having regard to the nature of the enquiry extend the period of submission of the report by such period, not exceeding two months in total, as it may consider necessary.
4. Period for filing a petition under sub-section (3), of section 10-A.-Any person aggrieved by the imposition of a collective fine under sub-section (1) of section 10-A or by the order of apportionment, may within a period of thirty days from the date of proclamation of the notification under sub-section (2) of that section, file a petition before the State Government or the authority specified by it; 

Provided that where the State Government or the authority, as the case may be, may entertain the petition after the expiry of the said period if it is satisfied that the petitioner was prevented by sufficient cause from filing the petition in time.

(2) The State Government or the authority before which the petition is filed shall dispose of the petition as expeditiously as possible.

5. Reports by the State Government.—Every State Government shall, for the purpose of enabling the Central Government to place the report referred to in sub-section (4) of section 15-A, on the Table of each House of Parliament, furnish to that Government before the 15th day of February, each year, a summary of the measures taken by it under sub-section (1) and (2) of the section during the preceding calendar year and shall furnish such information as required by the Central Government, from time to time.

M.M.K. ARDANA
Deputy Secretary to the Government of India
### APPENDIX-14

Decennial Population of Social Groups

*(In million)*

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SC</td>
<td>ST</td>
<td>Non-SC/ST</td>
<td>SC</td>
<td>ST</td>
<td>Non-SC/ST</td>
</tr>
<tr>
<td>Total</td>
<td>104.75</td>
<td>51.63</td>
<td>508.9</td>
<td>138.22</td>
<td>67.76</td>
<td>632.6</td>
</tr>
<tr>
<td>Male</td>
<td>54.21</td>
<td>26.04</td>
<td>263.68</td>
<td>71.93</td>
<td>34.36</td>
<td>328.97</td>
</tr>
<tr>
<td>Female</td>
<td>50.54</td>
<td>25.59</td>
<td>245.22</td>
<td>66.29</td>
<td>33.4</td>
<td>303.63</td>
</tr>
<tr>
<td>Rural</td>
<td>87.99</td>
<td>48.43</td>
<td>371.18</td>
<td>112.34</td>
<td>62.75</td>
<td>447.72</td>
</tr>
<tr>
<td>Male</td>
<td>45.35</td>
<td>24.37</td>
<td>190.33</td>
<td>58.34</td>
<td>31.75</td>
<td>231.2</td>
</tr>
<tr>
<td>Female</td>
<td>42.64</td>
<td>24.06</td>
<td>180.85</td>
<td>54.00</td>
<td>31.00</td>
<td>216.52</td>
</tr>
<tr>
<td>Urban</td>
<td>16.76</td>
<td>3.20</td>
<td>137.72</td>
<td>25.88</td>
<td>5.01</td>
<td>184.88</td>
</tr>
<tr>
<td>Male</td>
<td>8.86</td>
<td>1.67</td>
<td>73.35</td>
<td>13.59</td>
<td>2.61</td>
<td>97.77</td>
</tr>
<tr>
<td>Female</td>
<td>7.90</td>
<td>1.53</td>
<td>64.37</td>
<td>12.29</td>
<td>2.40</td>
<td>87.11</td>
</tr>
</tbody>
</table>

# APPENDIX-15

## S.C. Population in India

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Andhra Pradesh</td>
<td>7,961,730 (14.87)</td>
<td>10,592,066 (15.93)</td>
<td>12,339,496 (16.19)</td>
</tr>
<tr>
<td>2.</td>
<td>Assam</td>
<td>-</td>
<td>12,571,700 (7.40)</td>
<td>1,825,949 (6.85)</td>
</tr>
<tr>
<td>3.</td>
<td>Bihar (includes Jharkhand)</td>
<td>10,142,368 (14.51)</td>
<td>1,659,412 (14.55)</td>
<td>16,237,928 (14.77)</td>
</tr>
<tr>
<td>4.</td>
<td>Gujarat</td>
<td>2,438,297 (7.15)</td>
<td>3,060,358 (7.41)</td>
<td>3,592,715 (7.09)</td>
</tr>
<tr>
<td>5.</td>
<td>Haryana</td>
<td>2,464,012 (19.07)</td>
<td>3,250,933 (19.75)</td>
<td>4,091,110 (19.35)</td>
</tr>
<tr>
<td>6.</td>
<td>Himachal Pradesh</td>
<td>1,053,958 (24.62)</td>
<td>1,310,296 (25.34)</td>
<td>1,502,170 (24.72)</td>
</tr>
<tr>
<td>8.</td>
<td>Karnataka</td>
<td>5,595,353 (15.07)</td>
<td>7,369,279 (16.38)</td>
<td>8,563,930 (16.20)</td>
</tr>
<tr>
<td>9.</td>
<td>Kerala</td>
<td>2,549,382 (10.02)</td>
<td>2,886,552 (9.92)</td>
<td>3,123,941 (9.81)</td>
</tr>
<tr>
<td>10.</td>
<td>Madhya Pradesh (includes Chhattisgarh)</td>
<td>7,358,533 (14.10)</td>
<td>9,626,679 (14.55)</td>
<td>11,573,899 (14.26)</td>
</tr>
<tr>
<td>11.</td>
<td>Maharashtra</td>
<td>4,479,763 (7.14)</td>
<td>8,757,842 (11.09)</td>
<td>9,881,656 (10.20)</td>
</tr>
<tr>
<td>13.</td>
<td>Punjab</td>
<td>4,511,703 (26.87)</td>
<td>5,742,528 (28.31)</td>
<td>7,028,723 (28.85)</td>
</tr>
<tr>
<td>14.</td>
<td>Rajasthan</td>
<td>5,838,879 (17.04)</td>
<td>7,607,820 (17.29)</td>
<td>9,694,462 (17.16)</td>
</tr>
<tr>
<td>15.</td>
<td>Tamil Nadu</td>
<td>8,881,295 (18.35)</td>
<td>10,712,266 (19.18)</td>
<td>11,857,504 (19.00)</td>
</tr>
<tr>
<td>17.</td>
<td>West Bengal</td>
<td>12,000,768 (21.99)</td>
<td>16,080,611 (23.62)</td>
<td>18,452,555 (23.02)</td>
</tr>
</tbody>
</table>

### Other States and Union Territories

<table>
<thead>
<tr>
<th>S. No.</th>
<th>State</th>
<th>1981 (0.46)</th>
<th>1991 (0.47)</th>
<th>2001 (0.56)</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td>Arunachal Pradesh</td>
<td>2,919</td>
<td>4,052</td>
<td>6,188</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>19.</td>
<td>Chhattisgarh*</td>
<td>-</td>
<td>-</td>
<td>2,418,722</td>
</tr>
<tr>
<td>20.</td>
<td>Goa (includes Daman and Diu)</td>
<td>23,432 (2.16)</td>
<td>28,255 (2.22)</td>
<td>28,629 (1.90)</td>
</tr>
<tr>
<td>21.</td>
<td>Jharkhand*</td>
<td>-</td>
<td>-</td>
<td>3,189,320</td>
</tr>
<tr>
<td>22.</td>
<td>Manipur (excl. 3 Sub-divisions in 2001)</td>
<td>17,753 (1.25)</td>
<td>37,105 (2.02)</td>
<td>60,037 (0.48)</td>
</tr>
<tr>
<td>23.</td>
<td>Meghalaya</td>
<td>5,492 (0.41)</td>
<td>9,072 (0.51)</td>
<td>11,139 (0.48)</td>
</tr>
<tr>
<td>24.</td>
<td>Mizoram</td>
<td>135 (0.03)</td>
<td>691 (0.10)</td>
<td>272 (0.03)</td>
</tr>
<tr>
<td>25.</td>
<td>Nagaland</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>26.</td>
<td>Sikkim</td>
<td>18,281 (5.78)</td>
<td>24,084 (5.93)</td>
<td>27,165 (5.02)</td>
</tr>
<tr>
<td>27.</td>
<td>Tripura</td>
<td>310,384 (15.12)</td>
<td>451,116 (16.36)</td>
<td>555,724 (17.37)</td>
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<tr>
<td>28.</td>
<td>Uttaraanchal</td>
<td>-</td>
<td>-</td>
<td>1,517,186</td>
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<tr>
<td>29.</td>
<td>Anmdaman and Nicobar Islands</td>
<td>-</td>
<td>-</td>
<td>0</td>
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<tr>
<td>30.</td>
<td>Chandigarh</td>
<td>63,621 (14.09)</td>
<td>105,977 (16.51)</td>
<td>157,597 (17.50)</td>
</tr>
<tr>
<td>31.</td>
<td>Dadra and Nagar Haveli</td>
<td>2,041 (1.97)</td>
<td>2,730 (1.97)</td>
<td>4,104 (1.86)</td>
</tr>
<tr>
<td>32.</td>
<td>Daman and diu</td>
<td>-</td>
<td>3,891 (3.83)</td>
<td>4,838 (3.06)</td>
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<tr>
<td>33.</td>
<td>Delhi</td>
<td>1,121,643</td>
<td>1,794,836</td>
<td>2,343,255</td>
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<td>34.</td>
<td>Lakshadweep</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>India</td>
<td>104,754,623 (15.75)</td>
<td>138,223,277 (16.48)</td>
<td>166,635,700 (16.20)</td>
</tr>
</tbody>
</table>


Notes: 1. Census was not held in Jammu and Kashmir in 1991 and Assam in 1981.
2. Data for Daman and Diu for the year 1981 is included in Goa.
3. No SCs were Scheduled by the President of India for Nagaland, Andaman and Nicobar Islands and Lakshadweep.
4. Figures in parenthesis indicate percentage share of the SC population in the total population of the State.
5. These new States were formed in the year 2000.
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