



# National Campaign on Dalit Human Rights

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## Newsletter, February 2012

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### National Fact Finding Mission to an atrocity on Dalit in Hisar, Haryana, February 17

A Fact Finding mission was undertaken in Hissar, Haryana, spurred by the news of a Dalit boy's hand being chopped off for drinking water from an earthen pot owned by the dominant caste assailant. We met with the survivor, the Medical Officers, the Secretariat of National Commission for Scheduled Caste, the District Collector and the Superintendent of Police (SP). The SP ensured filing the charge-sheet soon & applying section 3(2) (v) of the SCs & STs (PoA) Act and providing protection to the survivor and his family. The Collector stated that other than paying relief to the victim as per SCs & STs (PoA) Rules, they are also paying the medical expenses for treatment of the survivor and would provide housing and livelihood support to the survivor. Later, it was learnt that the survivor was given a compensation of Rs. 3, 00,000/- as livelihood support from the Government and we are following up the case further to reach to its logical end.

### Meeting with the Cabinet Minister of Social Justice & Empowerment on Prevention of Atrocity

On February 16, Rajiv Gandhi Institute of Contemporary Studies organized an informal meeting with leading Dalit Activists and Human Rights Activists in Delhi and Shri. Mukul Wasnik, the Cabinet Minister of Social Justice & Empowerment on strengthening the SCs & STs (PoA) Act & Rules in the country. We also mobilized some of the major Dalit Rights leaders and had a thorough discussion on what the Hon'ble Minister could focus on, in order to control the atrocities on Dalits. The minister assured to consider the draft Amendment prepared by us alongwith the National Advisory Council and the Rajiv Gandhi Institute of Contemporary Studies for preparing the draft for the Ministry. Also, he ascertained that the ministry would table the Annual Report of the Ministry as per section 21(4) in the parliament during the coming Budget session.



Dalits - a people, a culture, a history

### International Advocacy

Ms. Hannah Johns, Research Associate in International Advocacy attended the Public consultation on 'Stigmatization on Access to Water', organized by Special Rapporteur on Access to Water & Sanitation by Ms. Catarina De Albuquerque in UN office, Geneva. She presented a paper on 'Stigmatization of Dalits in Access to Water & Sanitation' and made interventions regarding Dalit specific problems, especially of Dalit Women in accessing the same, and violence, other than social ostracisation meted out to Dalits in normal times as well as disasters.

### Public Interest Litigation for Entitlements of Dalits victims of 2009 Floods Andhra Pradesh

After having extensively followed up with the authorities on entitlements of Dalit victims, having conducted the study, who were excluded at the very stage of enumeration following the massive 2009 flood in Andhra Pradesh, DW-Andhra Pradesh has taken the legal recourse after undue silence of the authorities in the matter. A Public Interest Litigation (W.No. 46 of 2012) has been filed in the Hyderabad High Court, for not just praying the government to pay the compensation to the victims, but also initiate action against the concerned authorities under Section 61 of the Disaster Management Act, 2005 and under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, for discriminating and excluding the Dalit families. The matter was heard on February 13, whereby the Hon'ble Justice has demanded response from the State Government on the following:-

1. Whether the Flood was declared a National calamity?
2. Whether there is any format to apply for claims under Disaster Management Act?
3. Who is the responsible person to get information on the loss to the life and property etc.?
4. Whether the government has issued any report regarding the disaster and its consequential losses? &
5. On what basis the authorities provided relief to the affected person?

### NCDHR-ALL INDIA DALIT MAHILA ADHIKAR MANCH (AIDMAM)

### National Public Hearing: Dalit Women Elected Representatives



All India Dalit Mahila Adhikar Manch organized a public hearing on February 7, 2012, in Constitution Club, New Delhi. The Public Hearing brought to fore the testimonies of Dalit women and Dalit Sarpanches from the states of Bihar, Uttar Pradesh, Rajasthan and Gujarat. The event brought together the participation of CSOs, media personnel, Dalit women activists and Dalit women elected representatives (DWERs) from the above states. Cases were presented at the Public hearing which was categorized thematically under the themes of (i) DWERs and barriers to political participation, (ii) DWERs and violence; & (iii) DWERs and the access to justice. Cases which have been pending with barriers to legal recourse were highlighted.

The Way Forward- follow up strategies to strengthen leadership in local governance were suggested by the panelists. The panelists for different thematic sessions comprised Mr. P.S Krishnan, Ms. Farha Naqvi, Ms. Shabnam Hashmi, Mr. George Mathew and Mr. P.L Mimroth, Ms. Manjula Pradeep, Mr. Wilson Bezwada, Prof Anuradha Chenoy of JNU, Ms. Priti Darooka, Dr. Prasad Sirivella, Ms. Anju Talukdar, Ms. Annie Namala, and Ms. Nidhi Sabharwal. AIDMAM is now working on the recommendations, suggestions and comments to follow up with the Commissions and the important ministries concerned.



## NCDHR-DALIT ARTHIK ADHIKAR ANDOLAN (DAAA)

### Budget Tracking and Citizen Report Card

DAAA organized two day training on Budget Tracking and Citizen's Report Card, on February 9- 10, 2012, in New Delhi. 27 participants received this training. Budget tracking at district level, and Citizen's Report Card (CRC) could be used as a score card by the Government for the public property used by community. Budget tracking training was facilitated by the resource person from CEHAT. It was deliberated how any scheme budget allocation or expenditure could be tracked at district level with the help of Block District officers (BDO) and how the required information could be fetched from the government websites. Gender Issues specific to Dalits was also a component of training. A resource person from Public Affairs Center discussed the purpose, methodology, use, and the process of CRC.



## NCDHR-NATIONAL DALIT WATCH/DAAA (NDW): [www.nationaldalitwatch-ncdhr.blogspot.com](http://www.nationaldalitwatch-ncdhr.blogspot.com)

### Follow up of the Inclusion Monitoring survey of Odisha Floods, 2011

Following the Inclusion Monitoring survey soon after the Odisha floods in September 2011, the volunteers and core group members are following up the status of applications submitted to the administration by meetings the officials at block and district levels. For this, a core group meeting was also held in the state on February 20, to take stock of work done so far. It is decided to meet with the Minister of Disaster Management, Odisha, with specific recommendations and demands to intervene on the issues related to Dalits in March. It is worthy to note that following the National Consultation in December, proactive placement of students from the Disaster Management department of TISS at various locations across the states of operation has added rigour to the process in ODISHA.

### Inclusion Monitoring: Thane Cyclone

Subsequent to the brief social audit done by NDW and the fact finding conducted into the atrocity on Dalit during Thane cyclone by SASY in Tamil Nadu, an Inclusion Monitoring survey has been initiated in the region, across 40 identified Dalit villages having around 2000 households, through 30 trained volunteers, which also include TISS students.. The aim of the survey is to (i) assess the process of government relief and rehabilitation measures taken after the Thane Cyclone; (ii) assist the communities in accessing entitlements from the government; and (iii) initiate a dialogue on the issue with the help of state and district Inter Agency Groups, NGOs and Governments officials to make the systems accountable and friendly to Dalits. The study is being commissioned with assistance from local organizations and our CMDRR network associates, Kalvikendra, Hope and HelpAge India, in Cuddalore and Villupuram districts.



Training of volunteers

### Inclusion of Dalits: A theme in '9th Sphere India Foundation Day' event

NDW representative attended the '9th Sphere India Foundation Day', which was chaired by Dr. Muzzaffar Ahmad, Member, NDMA. It was encouraging to see the agenda of Dalit inclusion in Humanitarian action (HA) included in the programme, among other thematic issues for group discussion. Towards the formal closure of the event, NDW representative articulated the need for 'Collective advocacy with Sphere networks and IAGs for recognition of caste induced vulnerabilities in the Disaster Management Act and Rules, Guidelines and Policy' as one of the points of the 5 core recommendations for Sphere India's unified response for the year 2012. It is crucial to have this issue at the centre stage in such crucial platforms to actually be able to have a collective voice. This was endorsed by other group members comprising representative of ECHO and Save the Children during the group discussions.

**Input to the Consultation on Right to Education Act organized by Centre for Social Equity & Inclusion:** CSEI organized a 2-day consultation on strengthening Right to Education for Dalit, Adivasi and Muslim. We participated in the consultation where we shared our strategy of strengthening SCs & STs (PoA) Act & Rules, to help chalk out a strategy to strengthen the legislation for Right to Education.

## **NCDHR-NATIONAL DALIT MOVEMENT FOR JUSTICE (NDMJ)**

### **Joint Programme with District Social Welfare Department, Thane, Maharashtra**

On February 29, a meeting was organised jointly with the department of Social Welfare at the Office of the District Collector, Thane. We facilitated the deposition by the survivors of atrocities from different villages of Thane, before the enforcement officials and Dalit Human Rights Defenders. The programme was attended by the Deputy Collector, Assistant Police Commissioner, Tehsildars, Asst. Police Inspectors, Police Inspectors and Head Constables, Social Welfare Officers and District Vigilance and Monitoring Committee (DVMC) members under PoA Act of the Thane district. The programme focused on functioning of the important accountability and monitoring mechanisms and the role of the officials under the Act and Rules. Also there were detailed discussion with the DVMC members and the survivors regarding the specific cases.

### **Bihar Vidhan Sabha Rally**

Our Bihar-wing along with Mahadalit Adhikar Manch organized a big rally in front of the Bihar Vidhan Sabha on February 21, demanding enforcement of section 4 of SCs & STs (PoA) Act on officials neglecting implementation of various monitoring mechanisms under the SCs & STs (PoA) Act & Rules. A representation was submitted in the name of the Chief Minister, the Speaker and the Minister of Scheduled Caste Welfare demanding the above and also other rights for development, employment and reservation of 'Mahadalit' in State Government. Nearly 2,000 people participated in the rally including women.



### **Press Conference on the recent atrocities against Dalits and non implementation of SC & ST (PoA) Act 1989, Bhubaneswar, Odisha**

A press conference was held on February 18, in Bhubaneswar, Odisha, at the Red Cross Bhawan, highlighting the issue of recent spurt of a major violence against Dalits and non-implementation of SCs & STs (PoA) Act & Rules in the case. References to main atrocity cases such as "Pipli gang rape case", "Burning of 44 Dalit houses in Lathore village", "Burning of 30 Dalit houses in Kamadhenu Khot" and "denial of temple entry to Dalits in the coastal regions including Dalit ministers, commissioner etc.", were cited. The speakers included the prominent national and state-level Human Rights Activists and Survivors of Lathore village of Balangir district. There were around 15 news papers including electronic media among other participants at the conference.

### **Empowering the Odisha Police for Enforcing POA Act & Rules in the state**

In continuation of the previous meetings with the DGP of Odisha on the possibilities of Monitoring of Police Stations, we were once again invited by DGP, Odisha to in his office in Cuttack, on Feb 18. He informed that 100 police stations in Odisha had been identified, but only 10 police stations would be jointly monitored as a pilot and then each police station would be linked to a local advocate and an activist provided by NDMJ to keep a watch on the "Untouchability Practices" and "Atrocities", within the jurisdiction. We were also introduced to the Director of State Police Academy so that we could work collectively to bring out a hand book for the officials. Subsequently, a plan has been finalized for the same.

#### **NCDHR in News:**

- ▶ Caste Discrimination in Cyclone Thane in Tamil Nadu and Pondicherry: NDW-NCDHR  
<http://kafila.org/2012/02/11/caste-discrimination-in-cyclone-thane-in-tamil-nadu-and-pondicherry-ndw-ncdhr/>
- ▶ Upper caste men brand Dalit sarpanch's daughter-in-law "witch"  
<http://www.thehindu.com/news/states/other-states/article2869614.ece>