



Original Research Article

Human Rights Violations against the Low Caste People in Travancore (1729 – 1949) and Dalits and Tribals in Modern India (1947 – Till Date)

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Caste-based human rights violations are unique in India though there are race-based violations in some parts of the globe. As the whole world is against such violations, a number of Covenants, Conventions and Declarations were adopted both at the global level and at the national level to protect human rights. Even then in India, there are numerous incidents of caste-based rights violations. The low caste people, particularly Dalits and Tribals, are politically powerless, socially untouchable, culturally inferior, ritually unclean, educationally unequal and economically backward. In many rural areas they are not allowed to acquire knowledge, own property, come near the high caste people, draw water from even common wells, take bath in ponds used by the high caste people, wear foot-wear and walk along the streets where the high caste people live as it was happening long back in India and in Travancore in particular. In the erstwhile Princely State of Travancore, the society stood fragmented into many caste- or religion-based subdivisions. The low caste people's social conditions were highly deplorable in those days. There was a belief that the low caste people were born to serve the caste Hindus. There were so many restrictions even in worshipping Gods. In temples managed by the government and high caste Hindus, entry was prohibited to the low caste people. Though they were poor, a number of taxes were imposed on them. They served the high caste people without any payment. The low caste ladies were sexually abused and ill-treated. They were not allowed to wear cloth to cover the upper portion of their bodies. They are treated as outcastes. A poor person is more likely to be a Dalit or a Tribal than a non-SC/ST. To them jobs other than scavenging, sweeping and tanning are not available or denied. They are still educationally backward. In many temples, they are not allowed to go near even the outer side. Even the present President of India, Ramnath Govind, was not allowed to enter a Hindu temple in Rajasthan as he belongs to a low caste. The number of crimes committed against them is unabated. Even in the modern era their women are eve-teased, sexually assaulted, molested, raped and sometimes gang raped. Right violations have much adverse impact on the economy as well as on the victims. Hence steps should be taken to empower and include them in the process of development. Otherwise there is no possibility for an inclusive growth

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INTRODUCTION

Violations against the poor and the marginalized are very common throughout the world. But the caste-based violations are unique in India. As violations have much adverse impact on the economy as well as on the victims the whole world is against all types of violation. To protect human rights, a number of Covenants, Conventions and Declarations were adopted both at the global level and at the national level. The most important at the global level is the Universal Declaration of Human Rights (UDHR) adopted by the General Assembly of the United Nations through resolution 217 A (III) on the 10th of December 1948 and at the national level the Indian Constitution promulgated on the 26th of January 1950. The UDHR provides equal rights to all irrespective caste, religion and race. Of the 30 articles of UDHR many of them (1-7, 10, 13, 16, 17, 19, 23 & 26) are very specific against caste-based violations. The Preamble to the Constitution and parts of Part III on Fundamental Rights and Part IV on Directive Principles constitute the core of the Indian Constitution. All these together reflect the basic principles of the UDHR. However in India, in spite of these regulations and laws, there are numerous incidents of caste-based human rights violations.

In India, Dalits and Tribals are leading a subhuman life and persecution of them still takes place almost every day. They are politically powerless, socially untouchable, culturally inferior, ritually unclean, educationally unequal and economically backward. As Ambedkhar rightly said they achieved political equality by getting 'one man one vote', but have not attained social and economic equality, not able to enjoy the principle of 'one man one value'. In many areas, particularly in rural areas they are not allowed to acquire knowledge, own property, come near the high caste people, draw water from even common wells, take bath in ponds used by the high caste people, share food with the high caste people, wear foot-wear and walk along the streets where the high caste people live as it was happening long back in India and in Travancore in particular. Hence this article is prepared to compare the caste systems existing in Travancore during the pre-independence period with that of the caste systems existing in modern India. This article has two sections, the first section deals with the caste systems existing and the rights violations meted out against people of the low castes people in Travancore and the second section explains the caste systems existing and the real socio-economic conditions of Dalits and Tribals in a human right perspective in modern India.

Caste Systems in Travancore

In the erstwhile Princely State of Travancore, the society stood fragmented into many caste- or religion-based subdivisions. Though practically speaking there were about 1,050 subdivisions of caste in Travancore the JATI NIRNAYAM mentioned only 72 principal castes (Thuston, 1909; Aiya,

1989). On the basis of religion they were divided into Hindus and non-Hindus. The Hindus were further subdivided into the Savarnas, called the high caste Hindus or the Caste Hindus and the Avarnas, called the low caste Hindus or the non-Caste Hindus (Menon, 1985). The caste Hindus were Brahmins, Nairs, and Vellalas. Under the non-Caste Hindus, there were Ezhavas, Nadars, Kammalas, Fishermen, Pulayas, Parayas and Pallans. The non-Hindus were Christians, Muslims, Jains, Buddhists and Jews. On the basis of numerical strength, the Hindus were in majority. Among the non-caste Hindus the Nadars were in majority and prominently speaking Tamil (Jeffrey, 1976) and lived largely in Agasteeswaram, Thovalai, Eraniel, Kalkulam, Vilavancode, Shencottai, Neyyatinkara, Deviculam, Peermade and Chittoortaluks of Travancore (Aiya, 1989; Mateer, 1991). Traditionally the caste system that existed bestowed many privileges on the upper castes. But at the same time the system also sanctioned many repressive measures on the low castes.

Inhuman Social Conditions of the Low Caste People

The low caste people's social conditions were highly deplorable in those days. There was a belief that the low caste people were born to serve the caste Hindus, particularly the Nairs, who were at the helm of affairs in Travancore. Nearly 60% of the government posts were occupied by the Nairs (Jeffrey, 1976). So they did everything to suppress the low caste people. This was reported by many authors. Issacs (1965) explained that the low caste people suffered from unapproachability, untouchability and unseeability. They were segregated and not allowed to go near a Brahmin or a Nair. They were also not allowed to enter the houses of high caste Hindus and walk along their streets and lanes. If they had a chance to face a high Caste Hindu they had to take their towel from their heads or shoulders and tie around their waist and keep a distance according to caste hierarchy and shout "Othi Po" (keep distance) (Daniel, 1992). The caste hierarchy stipulated that the Nadars had to keep a distance of 36 feet from a Brahmin and 12 feet from a Nair. But the Shudras had to keep a distance of 96 feet from a Brahmin and 60 feet from a Nair (Mateer, 1991). Hamilton (1820) asserted that those who violated this rule of keeping distance would be immediately beaten up. This view is upheld by Kanagasabai (1979) and Hardgrave (1969). There were also restrictions in dressing and in using ornaments. Both men and women and boys and girls were restricted from covering below their knee and above their waist. Horne (1904) observes that there were restrictions to the low caste people in dressing and in using ornaments. They were also not allowed to use umbrellas and slippers, have tile-roofed houses, own cattle, use vehicles (Cover file 1231) and to decorate marriage pandals (Political Proceedings, 23). Education was completely denied to them

(Sobhanam, 1984). They lived and were treated like wild animals and people of the jungle. They had no right to enjoy, no proper dress to wear, no school to get education, no agent to give training and no healthcare facility to get treatment for their ailments and they experienced a lot of difficulties in everyday life. They were treated in inhuman ways, and had undergone all types of human rights violation.

Religious Discrimination

There were so many restrictions even in worshipping Gods (Paramesvaran, 1971 as cited in Peter, 1994). Gods were classified into high caste gods and low caste gods. In temples managed by the government and high caste Hindus, entry was prohibited to the low caste people. They could not even go near the outer side of these temples. They had their own temples, where installation and worship of Siva, Brahma and Vishnu (high caste gods) was prohibited, but allowed to worship only the gods like Veerabadran, Sudalai Madan and Padrakali. The low caste people were not permitted to construct temples for their deities. Their deities were kept along the roadsides and so known as 'Highway Gods'. There were differences even in the worshipping systems. For the high caste Gods, ghee and milk were offered while for the low caste gods toddy and arrack were offered. This is endorsed by Sobhanam (1984).

Women Right Violations

It was reported in many Epics that women were treated like Gods and Goddesses, and highly respected by all sections of people and among all caste groups. But in Travancore the low caste ladies were ill-treated and humiliated (Horne, 1904). They were sexually abused and ill-treated. The low caste women were restrained from dressing like Nair women. They were not allowed to wear cloth to cover the upper portion of their bodies. Low caste women appearing before the high caste people covering their breasts was considered as an insult and so they were beaten up, tortured and their upper cloth was torn into pieces (Pillai, 1940; Nesamony 1948). They were not allowed to carry water pots on their waist as Nair women did, but should carry the water pots on their head holding the pot by both their hands (Hacker, 1908; Yesudhas, 1975; Mateer, 1991).

Extortion of Taxes

Though they were poor, a number of taxes were imposed on them. Peter (1999) revealed that the Jenmy System (the right to own land by birth) assured the Nambudiris and the Nairs the socio-economic and political stability and status. The Nairs were the landlords and Jenmies in Travancore. The Jenmies were exempted from taxes while the low caste people were burdened with hundreds of taxes. The fruits of their labour were sucked in the form of taxes, fines and gifts. Another important tax collected was Purusantaram. This was

a payment made to the government by those who inherited the ancestral property. It was more than 40% on the value of the inherited property. The collectors of Purusantaram also misappropriated a major portion of the tax collected (Political Consultation, 124). Agur (1990) found that for the dead and for those who had migrated, the male members of the surviving family aged between 16 and 60 years had paid Poll Tax. Those who failed to pay the tax were severely punished. If the defaulters were women, they would be molested by government officials. This is stated by Neetu (13), Jacob (1975) and Peter (1994).

The low caste people paid Professional Tax, House Tax and Land Tax. For the ladder they used to climb trees Enikkanam was paid, for the belt used to climb trees Thalaikkanam was paid, for the hut they lived one Fanam was paid and it was named as Kuppakachi, and for changing the roof Manai Meyappan Kollumurai was paid (Travancore Archeological Series, Vol. I). Mateer (1991) listed out a number of taxes that were imposed on Nadars and other low caste people. For all types of trees possessed by them tree tax was imposed and from married women Tali Irai was collected. For some kinds of dress, ornaments, turban, umbrella, palanquin and conducting marriage one had to pay tax to the government. Always the tax collectors collected more than the prescribed amount and never remitted the actual collection. Apart from taxes they had paid a large portion of their income in the form of fines. Among the fines collected, Prayachittam was the cruellest one. The amount of fine was fixed as per the will and pleasure of the officer who levied the fine. The officer who levied and collected the fine did not remit even 20% of the amount collected to the government treasury (Political Consultation, 124). All these drove the low caste people to utter poverty. Poverty, which is the cruellest form of human rights violation, deprived the poor and the marginalised of enjoying even the basic rights of having a dignified life (Kanmony, 2006, 2010).

Service without Payment

Like taxes, the system of Oozhiam and Viruthi were also responsible for the deplorable condition of the low caste people. Under Oozhiam the low caste people did free services while under Viruthi they gave goods free of cost and in all these the Nadar community alone suffered much as they were in majority. They were employed without payment to guard elephant pits and the woods cut from the forest. Those who were employed for such duties had to be away from family for many days and this affected their personal works. It was upheld by Neetu (13), Jacob (1975), Peter (1994). They had to carry salt from the fields to the selling station on head without any wage (Zacharia, 1991). Mateer (1991) said that during festivals the Royal families, officers and Jenmies should be gifted with hens, eggs, vegetables, fruits, oil and firewood. Vegetables should also be supplied to

the Ootupuras (free feeding centres for the Brahmins) and many a time they had to transport the things as head load to Trivandrum or Quilon where they lived. The Nadars were demanded jaggery at free of cost (Sadhanam, 1881 as cited in Peter, 1994).

Deprivation of Land Rights

Even the land rights were deprived to the low caste people. Menon (1985) narrated that the whole of Travancore was divided into Nadus and Nadus into many Desams. The Nairs were appointed as Naduvazhis and Desavazhis to supervise the Nadus and Desams by the Nambudiris. The Nairs cultivated their lands by making use of the free service of the low caste people. Some Nadars and Ezhavas served as tenants in their lands. As there was no safety to life and property, even if they had lands, they entrusted them in the hands of the Nambudiris, who established ownership over these lands by adopting dubious methods. Thus in Travancore, in the name of caste, property right was deprived to the low caste people. It was authenticated by Peter (1994); Yesudhas (1975).

All these show that the low caste people suffered enormously due to caste systems that existed in those days. There were zillion incidents of utter human right violations including women rights violations during the pre-independence period in the erstwhile princely state of Travancore.

Caste Systems in the Independent India

At present, in India, there are 3,000 castes and nearly 25,000 sub-castes. These castes are classified into Scheduled Caste (SC), Scheduled Tribes (ST), Other Backward Caste (OBC) and Forward Caste or Other Caste (FC or OC). It is reported by many historians that the caste system in India is the most complex and also the oldest form of surviving social stratification. The Indian Constitution aims at providing equal status to people of all castes by having a positive discrimination to the socially challenged people. Positive discrimination is adopted to empower them. Even then there are numerous incidents of caste-based discrimination and even the growth that India achieved is not inclusive. It is incorrect to say that they have not experienced any improvement in their socio-economic conditions. In reality, there is some socio-economic uptrend in the status of Dalits and Tribals. But they have been benefitted only in bits and pieces (Chandhoke, 2018).

Inhuman Social Conditions of Dalits and Tribals

The social status of the present day Dalits and Tribals is not bad as it was once. But in comparison with the status of high caste and other backward caste people they are highly backward. They are treated as outcastes or exterior castes and called Harijans, Chandalas, Panchamas, Antyajs,

Avarnas and Varna Sankaras. In many parts of the country they are treated worse than animals and have been subjected to all forms of humiliation and degradation. The freedom provided by law is not available to them. As Hegde (2018) says they have been given a share of the pie, but never the rights to distribute it. In many villages they cannot use certain streets or wear slippers within the sight of caste Hindus (Kandasamy as cited in Krishnan 2018). In Karnataka recently a BJP MP belonging to Dalit community, A. Narayanaswamy, was not allowed to enter a village of the high caste in Karnataka (Daily Thanthi, 2019). Socially they are at the bottom-most level. Violence pervades all walks of their life, in all social, religious, political and cultural matters. They live in hamlets, which are segregated from villages, where there is only contaminated water and the environment is filthy and unhygienic. They have lost their identity, dignity and self-respect due to the suppression made by the upper caste people over the past hundreds of years. (Kanmony, 2010). They are not allowed to assume high offices. They are also hesitant to occupy their positions. They themselves suffer from an inferiority complex. They think they are weak, vulnerable and destined only to be subservient to others. The right to dignity and respect has not yet been realised. The right to health has also eluded them (Sharma, 2018). Dalit patients have experienced much discrimination even from healthcare providers in rural areas. There are apathy, denial and avoidance behaviours from them (George, 2019).

The real social conditions can be easily understood from a recent survey conducted throughout India. The recent survey report (Darapuri, 2012) indicates that in 48.4% of villages, Dalits are not allowed to fetch water from common water sources such as wells, ponds and lakes. In shops too, they have to keep a distance. It is observed in 38.5% of villages that have been surveyed. Even in well-developed states like Tamil Nadu, there is two-cup system in hotels and tea-stalls. They are not allowed to occupy seats in tea shops. In 70% of villages they are not allowed to enter the houses of non-Dalits and to eat with non-Dalits in functions. Public roads are also denied for wedding processions of Dalits in 47% of villages. Temple entry is forbidden to Dalits in 64% of villages. It is as high as 94% in Karnataka. Health care services are also not available to Dalits on par with non-Dalits. Thirty three per cent of public health workers are not ready to visit areas of Dalits. In 30.8% of SHGs and cooperatives and 29.6% of panchayat offices separate seats in floor are assigned to Dalits. In certain cases upper caste children are not allowed to take mid-day meals prepared by Dalit cooks. In 14.4% of the villages, Dalits are barred from selling their produce in the local market. In 25% of the villages surveyed, Dalits are paid only lower wage than non-Dalits. Recently in Rajasthan the entire mid-day meal was thrown away in a government school as it was touched by a Dalit girl (PTI, The Hindu, 2018).

Poor Economic Conditions

A poor person is more likely to be a Dalit or a tribal than a non-SC/ST. They have less income generating assets and depend heavily on high caste landlords for wage employment. They with low income are subjected to all types of torture and harassment (Kanmony, 2010a; Chandhoke, 2018; Hegde, 2018). In every village, there is also wage discrimination and delay in payment of wage and so there is high income inequality between them and other caste people (Chandhoke, 2018). They are landless, less skilled and have less education and capital. Hence they are poor and poverty stricken. It is reported that the Multidimensional Poverty Index (MPI) meant for ST is almost 3.52 times higher than that of other group (OC/FC) though the overall poverty has come down. The MPIs for various communities are: 0.229 for ST, 0.145 for SC, 0.117 for OBC and 0.065 for OC in 2016. (Data Point, The Hindu, 2018). Among the poor (belonging to BPL families) from different castes, the average household income of the poor Dalits is the lowest. Between 2005 and 2012 the average household income increased from 36,373 rupees to 88,070 rupees for the poor Brahmins, from 49,496 rupees to 89,012 rupees for the poor upper caste people and from 27,871 rupees to 64,653 rupees for the poor Dalits. It means that in both the years, the poor Dalits earned much less than the poor from upper castes and the Brahmins. Even in 2012, the percentage of people owning land or cultivating land is also very high for the poor Brahmins with 91%. It is 75% for the poor upper caste and only 48% for the poor Dalits (Deshpande and Rajesh, 2019).

Religious Discrimination

Even at present there is not much positive change in the matters related to religion. In temples managed by the government and high caste Hindus, entry is prohibited to Dalits and Tribals as it was earlier. It was reported that even the present President of India, Ram Nath Govindh was not allowed to enter a high caste Hindu temple in Rajasthan as he belongs to a low caste (Dinakaran, 2018). As it was in the earlier centuries they have their own temples of low caste Gods and most of their deities are kept along the roadsides. There is high discrimination in every religious function. This practice of discrimination is present in all religions including Christianity and Buddhism. Even in Churches they are experiencing abuses and humiliations. The practice of caste discrimination is quite rampant within the Church. Dalits and Tribals in churches are not equally treated with OCs and BCs. They are not allowed to contest elections for administrative posts on par with other caste people. Their representation in all powerful sections of administration is not proportionate to their strength. The facilities provided are based on caste considerations. As Sister Faustina in Krishnan (2018) says, 'Caste is more powerful than the religion'. According to Karl Marx 'Religion is the opium to the sufferings of ordinary

people', who put every suffering on God and hope for solutions. People embrace another religion to make them free from caste-based discrimination. But in reality as many academia reported there are caste-based violations in all religious institutions.

Their Occupation and Payment

Dalits and Tribals are destined to do menial jobs. To them jobs other than scavenging, sweeping and tanning are not available or denied. Manual scavenging is mainly done by them, though there are laws against it. It was reported that about five million Dalits and Tribals are involved in manual scavenging (Das, 2018). Bonded labour is against the existing laws. But it is reported that 86.6% of the bonded labourers are from SC/ST. They are doing all types of service in the households of the upper caste. The upper caste people think that Dalits and Tribals are born only to serve them. They are beaten and ill-treated if they refuse to serve them. For example in Uttar Pradesh at the end of April 2018, a Dalit was beaten with shoes and slippers and forced to drink urine as he refused to harvest a high caste man's field before harvesting his own field (Rashid, 2018). They also do long hours of work and get their wage delayed with some sort of abuses.

They are in a large percentage of the workforce in low-paying occupations while they are underrepresented in high-paying occupations. The representation index, which refers to the share of a particular caste in an occupation compared to the share of that caste in the entire workforce, shows that in elementary occupations, it is as high as 1.5 for SC and 1.3 for ST while it is only 0.5 for FC people. On the other hand in the posts of senior officials and managers their representation shows an opposite trend, 0.4 for SCs, 0.3 for STs and 1.5 for FCs. As far as technical and associate professionals, the respective rates are: 0.6, 0.6 and 1.5. These rates for professional groups are: only 0.4 for SCs and 0.4 for STs, while for higher caste people it is almost 2, the maximum (Data Point, The Hindu, 2018).

It is better to compare the proportion of the poor of different caste groups involved in casual labour. The percentage of people involved in casual labour was 71 for the poor Brahmins, 89 for the poor upper caste people and 92 for the poor Dalits in 2012. It means that in comparison with the poor Brahmins and the poor upper caste, the percentage of persons involved in casual labour is more among the poor SC people. The distribution of government jobs among the poor also shows that the most advantaged groups are the poor Brahmins and the poor from the OBC group. The percentage of share increased from 4.29 to 5.6 for the poor Brahmins and 26.67 to 36.72 for the poor OBC in between 2005 and 2012. But it has decreased from 46.35 to 30.6 in the same period for the poor Dalits (Deshpande and Rajesh, 2019). All these mean that economically also the poor Dalits are worse off

Table 1. Enrolment of Students at Senior Secondary and Higher Education in 2015-2016.

Category	Senior Secondary (%)	Higher Education (%)
General	80.45	84.18
SC	14.00	11.68
ST	5.54	4.14

Source: Calculated from Education Statistics, MHRD, Internet Service.

Table 2. GERs at Senior Secondary and Higher Education in 2015-2016.

Category	Senior Secondary	Higher Education
All	56.2	24.5
SC	56.8	19.9
ST	43.1	14.2

Source: Education Statistics, MHRD, Internet Service.

Table 3. Dropout rates at Elementary, Secondary and Senior Secondary Levels in 2017-2018.

Category	Elementary	Secondary	Senior Secondary
All	4	19	26
SC	8	29	35
ST	9	33	39

Source: The Hindu, 19.01.2019, Internet Service.

than both the poor Brahmins and the poor upper caste people and caste is still an indicator of socio-economic backwardness.

Educational Backwardness

An illiterate person is more likely to be the member of schedule caste/schedule tribes. Their children have less access to institutions of higher education including hostels. There is wide discrepancy between caste groups in educational attainments. Tables given below present the enrolment and gross enrolment rates (GER) of different caste groups at senior secondary level and at higher educational institutions and their dropout rates at school level.

Table 1 shows that of the total enrolment, SC students constitute only 14% and ST only 5.54% in Senior Secondary level of education. But they constitute only 11.68% and 4.14% in higher education. As far as GER is concerned, it is much lower for both SC and ST than that for all in higher education (Table 2). At the same time, dropout rates of Dalit and Tribal students are very much higher than that of the overall rate in all levels of school education. Hence the literacy rate among them is much lower than that of the

general population (Table 3). The literacy rate for SC is only 66.1% and for ST it is 59% against 73% for the general population and the adult literacy rate is as low as 51.9% for ST people whereas it is above 69% for all in 2011.

In this context it is better to highlight the educational attainment of the poor from different caste groups. Though the low caste people are under positive discrimination for the last 70 years Dalits and Tribals have not achieved much in the educational field in comparison with the poor Brahmins and the poor upper caste people. The average education for the poor Brahmin increased from 3.46 years in 2005 to 5.56 years in 2012 and for the poor upper caste it moved from 3.22 years to 4.21 years in the same period. But for the poor Dalits it increased from 2.36 years to only 3.61 years. Households with at least one adult with 12 years of schooling are 22.81% for the poor Brahmins against zero percentage for both the poor upper castes and the poor Dalits in 2005, but in 2012 the number increased to 39.73, 16.48 and 11.71% respectively (Deshpande and Rajesh, 2019). The same is true to the Tribals also. Further it is reported that in many government schools Dalit and Tribal students are forced to clean toilets as sweeper posts are vacant in these

schools (SR, The Hindu 5.11.2019).

Deprivation of Land Rights

Over the generation they were landless and have fewer resources and so they depend on others for their livelihood. Almost all cultivable and irrigated lands are owned by the upper caste people. The lands of SC/ST people are mostly barren or uncultivable or rain-fed. Even lands gifted by government are taken away by upper caste people or powerful backward caste people. In 2017 alone, the number of cases registered relating to compulsory occupation of their lands is 99 in 2017 (NCRB, 2017). If they make complaint they are threatened and so they cave in and withdraw from their lands (Hegde, 2018). In Bihar, owning land by Dalits itself is considered as an act of defiance (Kumar, 2019). According to the Land-Livestock Holdings Survey 2013 (Kumar, 2019) in India, about 60% of households have no farm land and even the land that some of them have had no ownership right as State governments fail to regularize ownership of the land that they tilled. The persons in power also do not like to do justice as they belong to either forward caste or backward caste. To present it plainly Dalits and Tribals lack all required resources, particularly land, necessary for their livelihood.

Right Violations against SC/ST Women

Dalit and Tribal women are eve-teased, sexually assaulted, molested, raped and sometimes gang raped. Every day in mass media one can see incidents of right violations against women and girl children of SC/ST. A Dalit woman has to face violations on two grounds, one as a Dalit and another as a woman. In India, the number of crimes against women including Dalit women increased continuously from year to year. Of the total crimes against women a significant portion is committed against SC/ST women. Of the total crimes against women of 339,457 in 2014, 40,401 (11.9%) are against SC women. On the other hand in 2016 crimes against Dalit women are 40,801 (12%). In 2017, the number of crimes against Dalit women reached an all-time high of 43,203 (12%). out of a total of 359,849 crimes against women. It means that there is an increase in the number of crimes against Dalit women from year to year. But crimes against ST women show a slight fall, from 2.01% to 1.93% between 2014 and 2016 but increased to almost 2% in 2017 (NCRB, 2017). Of the crimes against Dalit women in 2017, 26.49% (11,444) crimes are committed in Uttar Pradesh, the highest of all States. It is followed by Bihar with 15.62% (6,747 cases) and Madhya Pradesh with 5,892 crimes (13.64%). As far as crimes against ST women are concerned it is the maximum in Madhya Pradesh with 2,289 crimes (32.13%). The next rank goes to Rajasthan with 984 crimes or 13.81%. Among the different types of crime against SC women outrage against their modesty ranks first with 2,903 (6.72%) and rape is

placed second with 6.82% (2,714). Among the various crimes against ST women both outrage against their modesty and rape are placed at the top, the former with 1,128 cases (15.83%) and the latter with 1,041 cases (14.61%) (NCRB Reports 2015, 2016 & 2017). While the number of crimes committed against women increased by 6% the crimes against Dalit women increased by 13% since 2016 (Editorial, The Hindu, 22.10.2019). However Mustafa (2018) reported that, six Dalit women were raped every day and the rape of Dalit women has doubled between 2010 and 2017.

Crimes against Dalits and Tribals

They face different types of crime daily or very often and the number of crimes committed against them is unabated. Table 4 shows both the total number crimes under IPC and against Dalits and Tribals and the share of crimes committed against SC/ST to the total number of crimes under IPC. The number of crimes committed against SC/ST increased from 36,413 in 1996 to 50,328 in 2017 while the total number of crimes committed under IPC increased from 1,709,576 in 1996 to 3,062,579 in 2017. The average annual change (AAC) of crimes against SC/ST between 1996 and 2005, i.e., in the first ten years, is negative (-457.3) and 1,538.8 between 2005 and 2014, i.e., in the second ten years. But the AAC is 1,794 between 2015 and 2017. It means that there is a sharp increase in the number of crimes against SC/ST in the last three years. But according to Mustafa (2018) there was a crime against Dalits in every 15 minutes between 2010 and 2017 and it increased by 66% in seven years. As per the records of NCRB the rate of crimes against SC/ST per lakh population was 19.57 in 2013 but increased to 20.3 in 2016.

The different types of crime committed against Dalit and Tribals in 2017 are presented in Table 5. As a single crime, outraging the modesty of SC/ST women is the maximum with 3,828. It occupies the top in almost all years. It is followed by rape with 3,755 and grievous hurt occupies third with 1,529. The fourth place is occupied by riots with 1,375. The total of all other crimes is 37,071.

They face different types of discrimination apart from the hard crimes mentioned above. It is reported that 6 in 10 Dalits in Mumbai and 8 in 10 in Rajasthan face discrimination. In reality, the reported number of discrimination is much lower than the percentage of non-Dalits who reported that they have practiced untouchability and discrimination. The reason for underreporting is that the reporters feel uncomfortable or threatening and the under-reporting is very high in a political climate in which incidents such as lynching go unpunished. Discriminations occur even in schools and also during interactions with government officials, where everyone expected equal treatment and equal opportunities (Hathi et al., 2018). Though there are special provisions in the Constitution and special Acts like Dalits and Tribals (Prevention of Atrocities) Act, it is disheartening to notice that there is a continuous

Table 4. Total Crimes and Crimes against Dalits and Tribals during 1996 - 2016.

Year	Total Cognizable Crimes under IPC	No. of Crimes Against SC/ST	Percentage to the Total*
1996	1709576	36413	2.13
2000	1771084	29645	1.67
2001	1769308	39718	2.24
2002	1780330	40281	2.26
2003	1716120	32141	1.87
2004	1832015	32422	1.77
2005	1822602	31840	1.75
2006	1878293	32861	1.75
2007	1989673	35563	1.79
2008	2093379	39197	1.87
2009	2121345	39019	1.84
2010	2224831	38597	1.73
2011	2325575	39475	1.70
2012	2387188	39577	1.66
2013	2647722	46201	1.74
2014	2851563	47228	1.66
2015	2949400	44946	1.52
2016	2975711	47369	1.59
2017	3062579	50328	1.64

Source: National Crimes Record Bureau (NCRB) Reports, Internet Service, *Calculated values

Table 5. Important Crimes Committed against Dalits and Tribals in 2017.

Types of Crime	SC	STs	Total
Murder	718	124	842
Attempt to Commit Murder	640	132	772
Grievous Hurt	1289	240	1529
Rape	2714	1041	3755
Outraging the Modesty of Women	2903	925	3828
Kidnapping & Abduction	955	201	1156
Riots	1257	118	1375
Other Crimes	32727	4344	37071
Total	43203	7125	50328

Source: Calculated from the records of NCRB, Internet Service.

increase in caste-based violations.

The number of cases registered is only the tip of an iceberg of the crimes really committed. Only a very few are reported and of the reported only a few are punished. Many violators were acquitted due to lack of evidence or connivance of authorities including police. For example, the murderers of the Kilvenmani massacre (Tamil Nadu, 1968, 44

Dalits were killed), Tsundur massacre (Andhra Pradesh, 1991, 8 Dalits were murdered), Bathani Tola massacre (Bihar, 1996, 21 Dalits were killed), Laxmanpur Bathe massacre (Bihar, 1997, 58 Dalits were killed) and Shankarbiga massacre (Bihar 1999, 23 Dalits killed) were acquitted without having strong witnesses; i.e., freed on the ground of doubt. The list goes on if a systematic investigation

is made (Sampath, 2018). Recently three Dalits were murdered by a group of caste Hindus in Kachanatham, Sivaganga District of Tamil Nadu and two Sub-Inspectors were suspended and a few policemen were transferred due to their suspected collusion with the accused in the attack (SC, The Hindu, 1st June 2018).

Some civil rights activists claim that crimes against SC/ST, particularly lynching cases, have been sharply rising in recent years. The recent lynching cases are done by vigilante groups that claim to protect the law – the law against beef, the law against child molestation, the law against kidnapping, etc. The number of mob lynching cases increased 400% after the present NDA government came to power. Of the total lynching cases, 97% were performed after 2014 (PTI, The Hindu, 10th July, 2018a). December 2018 data show that of the lynching cases 10.65% were Dalits (Data Point, The Hindu, 5th December 2018a). The specific reason for the sharp rise in the number of lynching cases after 2014 is the hatred and vote politics adopted by Hindutava groups like RSS (Rashtriya Swayamsevak Sangh), the parent institution of the BJP and Bajrang Dal. The rulers are silent over vigilantes. They had to be condemned. But they were patronized by politicians and ruling party MPs and MLAs. The recent victim to the caste-based violence is the murder of two Dalit children by beating them with sticks by caste Hindus for defecating in the open on the 25th of September 2019 in Madhya Pradesh (Editorials, EPW 2019). In reality, any type of violence against any group of people on the basis of caste, religion and sex is against the principles of UDHR 1948 and the Indian Constitution.

Data from a micro level study on human rights violation, conducted by the author in Kanniyakumari and Tirunelveli Districts also show that many SC/ST people were affected by human rights violations and were poorer and more backward than that of other groups of such victims. The average monthly household income of SC/ST victims was around 3,600 INR while the overall average (victims of all castes) was around 4,000 INR. Poor households had fewer assets than that of rich households and rich people drew a major portion of their income from landed properties. On the other hand, SC/ST households had only limited landed properties and so their income from land was very limited. The survey data indicates that only for three households land is the main source of income and for 85 households the main source of income is manual labour. Further of the surveyed 100 victims belonging to SC/ST, 13 are living in huts and 55 in tiled houses; no house of minorities is thatched.

Apart from the types of house, the facilities available in the houses also tell their poor economic conditions. Safe drinking water is available only in 26 households of SCs/STs against 92% of religious minorities. Only 78% houses of SC/ST are electrified and 82% SC/ST households have toilet facility while houses of all high caste victims have these

facilities. No one from these groups occupied high posts. Of the 100 SC/ST people affected by right violations only six are employed. Of the employed only three are government employees and all the three are class III employees. The vast majority of the SC/ST victims (85%) earned their living by working as agriculture labourers/coolies. Among the 100 SC/ST victims, 13 are illiterates, 38 have completed only primary education and 31 have completed secondary education. Only 4% of SCs/STs are graduates/postgraduates against 52% among others. It is very sad to notice that even in the 21st century the socially challenged people are not on the path of development but highly discriminated and their agony unabated.

Thus persecution of Dalits/Tribals still takes place in modern India and the independence that we got in 1947 is not available to them. There is widespread caste-based discrimination against the low caste people even in the highly literate districts like Kanniyakumari and Tirunelveli. Their economic condition is very poor. Most of them are coolies and in low-paid jobs. Further they share only the limited existing jobs generated in government departments or in highly-paid private institutions. If they are given proper job opportunities then they may enjoy a better economic condition. Hence enough employment opportunities should be generated so as to give good job opportunities to them.

CONCLUSION AND RECOMMENDATION

Hence steps should be taken to empower and include them in the process of development. Otherwise there is no possibility for inclusive growth and sustainable development. The following steps will surely help them to achieve this if sincerely carried out by the concerned authorities.

1. Dalits and Tribals can be empowered when they are united, either politically or religiously or socially. If there is unity among all Dalits and Tribals, then they will get real empowerment. Due political representation both in assemblies and parliament may pave the way for political empowerment.
2. The poor economic situation can be changed only by providing free land and free house sites to them. Free land of enough area can give them not only enough employment and income but also independence from the clutches of upper-caste landlords. Free land scheme introduced by the previous Tamil Nadu Government (DMK), and the present government's (ADMK) free goat and cow scheme have their own positive impact.
3. Dalits are generally living in segregated areas. Hence, they are easily identified and ill-treated by high caste and backward caste people. If they have a chance to live with other people without any segregation, then there is good chance for the elimination of caste-based

violence. It is proved by the 'Samathuvapuram Scheme' introduced a few years back in Tamil Nadu.

4. Dalit students are also not in the stream of development. They are far behind other caste students in all respects. As Phule said the only feasible solution for all the caste-based ills is imparting education to all of them and so education should be given to all SC and ST children.
5. The next course of action for their empowerment is reservation in higher post and promotion. Proper reservation policy may bring positive changes in their life.
6. People in authority particularly police by having connivance with upper-caste people unleash various types of violence on Dalits and Tribals and also fail to take action against violators. Hence, police personnel and officers of judiciary must understand their role in protecting the lower caste people from all types of violation.
7. Very often, during small caste-based riots, politicians and media add fuel to the fire. They neither try to remove the misconceptions or calm down excitement and anger or promote goodwill and understanding, nor try to give assistance to the affected and solutions to the existing problems. This attitude must be changed and every step must be taken in the positive direction.
8. The high caste people are having the view that they have enough rights to suppress and oppress Dalits and other tribal people. This mindset should be changed and they must be given education in such a way that they are also their brothers and sisters.
9. Dalits are not allowed to enter Hindu temples and this is an utter human rights violation. Hence, government should ensure that every temple is a common property and no one is prevented from entering temples.
10. Though Dalit movements were started earlier, there was no coordination. Even now, they are divided and disintegrated. Hence, the next course of action is to bring all Dalits and Tribals under one banner by an able, objective and relentless leader like Ambedkhar.
11. Awareness regarding casteless society, which is very much necessary for development, should be created. Dalits and Tribals have also to be trained to ascertain their rights. They are thinking that they are inferior and subservient to high caste people.
12. There are also oppositions from the backward caste people as they are at present in power. They have a feeling that empowerment of Dalits and Tribals drives them away from their power. So steps should also be taken to suppress their aversion towards SC/ST people.

If these steps are implemented properly one can expect desired results, a good chance for the disappearance of

centuries old behaviour of oppression and suppression of Dalits and Tribals and inclusion of them in the process of development.

Conflict of Interests

The authors declare no conflict of interest.

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