

Vol III Issue IX March 2014

ISSN No :2231-5063

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# International Multidisciplinary Research Journal

## *Golden Research Thoughts*

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**RNI MAHMUL/2011/38595**

**ISSN No.2231-5063**

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## HUMAN RIGHTS OF DALITS

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**Abstract:-** Dalit consciousness in India that originated, among others, from the acute discontent of the Dalits with their wretchedness, could not remain dormant. This widespread feeling was manifested through several organizations and struggles for the emancipation of Dalits. With the passage of time, it became increasingly vocal, vigorous and effective. It started with Khalasi's demand for a lota for drinking water and the following Mutiny in 1857, and culminated in the commencement of the Constitution of India in 1950 and conversion to Buddhism in 1956 of B.R. Ambedkar and his followers. This span of hundred years was full of struggles and achievements of the human rights of the Dalit movement.

The study of the Dalit movement for human rights would not be complete unless the chronology of events and achievements of the same are not duly recorded. Therefore, this paper attempts to enumerate in brief certain important events and achievements of the Dalit movement for human rights. Untouchability is a multi- faceted phenomenon. It includes within its scope social discrimination, religious restrictions, educational deprivation, economic exploitation and political persecution. This Paper also attempts to state the events and achievements respectively pertaining to the human rights of the Dalits.

**Keywords:** Dalits, Civil Rights , Religious Rights, Savarnas, Adi-Dravida, Untouchability,

### INTRODUCTION:

#### DENIAL OF HUMAN RIGHTS

For Centuries the Dalits were denied all the basic human rights and were forbidden almost all the civil rights. They were denied access to the locality of the savarnas, the roads or footpaths in the savarna locality and in the vicinity of the temples, public and private wells. Bathing ghats. burial grounds, etc. They were not even allowed to wear fine clothes, foot wears, grow upward moustaches. use ghee in the feasts, give honorific names to their children and to speak good language. In some parts of the country they were not allowed to walk along the streets in the day time on the pretext that their very sight or shadow would pollute the savarnas. Thus. the so-called untouchables were treated as the most despicable and contemptible people by the caste Hindus.

The Dalits had to wage a war for the attainment of human rights against this social hierarchy and tyranny. The chronology of events of the said struggle and the milestones of their achievements regarding human rights are remarkable.

#### DALIT CONSCIOUSNESS

Dalit consciousness which was, however, growing slowly in the first half of the Nineteenth Century could not remain dormant. Its outbreak though not entirely deliberate, originated in the episode when a low caste untouchable Khalasi. asked a Brahmin sepoy to let him drink from his lota. The Brahmin sepoy refused to give the lota thinking that the Khalasi's touch would defile it. Then the Untouchable Khalasi said. "You think much of your caste. but wait a little, the Sahib log (Englishmen) will make you bite cartridges dipped in cow and pork fat, and then where will your caste be?". Thus. the Brahmin sepoy incidentally came to know as to how they were being polluted by the British who made them open the cartridges covered with fat. That Brahmin sepoy named Mangal Pande ran through the barracks and instigated the soldiers to rise in rebellion against the British as they were said to have been secretly defiling the Hindus as well as the Muslims. The soldiers followed him in the

name of religion. The rebellion spread throughout northern India within a short time. The princes and nawabs thought to exploit the situation to regain their respective kingdoms taken over by the British Government. However, the rebellion could not succeed against the mighty British power. But the British Parliament taking into account the inability of the East India Company to rule over the vast British Indian territory took over the administration of British India. This was followed by Queen Victoria's Proclamation promising a beneficent rule for all the people.

#### **WORKS OF HUMANITARIAN LEADERS**

In 1868 Mahatma Jyotirao Phule allowed the untouchables to fetch water from the water tank in the premises of his house. He became war drum for the cause of the oppressed people and worked with universal tendency.<sup>1</sup> In 1870, Shri Kokkonda Venkata Ratnam Panthulu founded the Hindu Sreyobhi Vardhini Sabha at Madras. He used to arrange lectures for bringing awareness amongst the untouchables. In the same year Shri Shashipad Bandopadhyaya, a Brahmo social reformer in Bengal formed a club of the Chandal untouchable labourers near Calcutta. According to Mangudhar he tried to teach good moral habits to the untouchables. He inspired them to sing devotional songs, educate their children and not to drink.

In 1872, a meeting of the Namasudra heads of villages was held in Bengal, in which decisions were taken thus: 1) Not to send women to bazaars. ii) Not to serve higher castes, and iii) Not to accept the food prepared by the higher castes except that of Brahmins. In the same the Special Marriage Act was passed in 1872 which made it possible for an Indian of any caste or creed to enter into a valid marriage with a person belonging to any caste or creed.

Mahatma Phule had established Satyashodhak Samaj at Pune on 24 September 1873 to emancipate the Sudras and untouchables from casteism and superstitions. At the same time 300 people became the members of the organization.<sup>2</sup> In 1890 Gopal Baba Walangkar established Anarya Dosh Parihar Mandali, an organization to improve the lot of Dalits.

#### **Services of Iyothee Thass**

Pandit Iyothee Thass had founded the Dravida Mahajan Sabha in 1891 at Nilgiris in order to organize the untouchables in the then Madras State. The conference of the Dravida Mahajana was held on 1st December 1892 at Ooty and there ten resolutions were passed.<sup>3</sup> These resolutions demanded civic rights, educational concessions, removal of certain objectionable rules in the jail manual economic advancement of depressed classes, due share in the appointment in government services including that of village offices. <sup>4</sup>In 1891 R. Srinivasan founded Paraiyar Mahajan Sabha at Madras to organize the members of the Depressed Classes.<sup>5</sup> In 1892 John Rathinam, an untouchable convert in Tamil Nadu started an Association of Dravidians, Dravida Kazhaghham in Madras. In 1893, R. Srinivasan convened a conference of the untouchables in Wesley School, Royapetta, Madras. This was the first conference of this sort convened in the whole of India.

#### **Support of the Mahars**

In 1902 Shri Govind Mukunda Mahar, an untouchable fetched water from a common well for drinking water at Ahmadnagar. Therefore, the orthodox caste Hindus filed a case against him in the Court under Section 277 of IPC. Eventually, the Judicial Magistrate second class convicted him of the charge and awarded two weeks simple imprisonment and fine of Rs 8. However, at the initiative of the District Collector, an appeal was made to High Court of Bombay which acquitted him. Many Mahars supported the accused in his trial.

#### **The Depressed Classes Mission Society**

At the initiative of Maharshi Vithal Ramji Shinde an organization named, 'The Depressed Classes Mission Society' was established under the Presidentship of Chandavarkar on 18 October 1906. The main objectives of this organization were to eradicate untouchability and to propagate education among the untouchables. A conference of the Namasudras took place in the sub-divisional town of Narail, Jessore in 1908. It stressed the need for education and social reform within the community so as to raise the social status of the caste.

#### **Anti-Untouchability Conference**

An anti-untouchability conference was held at Ferguson College, Pune in October 1912 under the presidentship of Dr Ramkrishna G. Bhandarkar. It was attended by 350 untouchables and 50 caste Hindus. The prominent leaders who attended it were Dr Kurtkoti and the Maharaja of Ichalkaranji. All the leaders who attended the conference dined together. It was the first occasion when untouchables and caste Hindus dined together as a first step to eradicate untouchability.

M.B. Dadabhoy moved a resolution in the Imperial Legislative Council on 16 March 1916 for the uplift of the untouchables to the level of general masses. However, the said resolution was withdrawn on the positive assurance of the Congress.<sup>6</sup> A meeting of Pulaya castemen and women was held at Quilon in 1916. It was presided over by Changanasserry Parameswaran Pillai, a Nair social reformer. In that meeting Aiyyan Kali, the leader of the Pulaya untouchable community asked his caste women to throw away the bead necklaces, a custom which was of primitive nature. Hundreds of women

publicly threw away their bead necklaces in protest against the attitude of the caste Hindus in Kerala. In 1917 Swami Sahajananda from Madras organized the untouchables and claimed the right of access to the water of a tank at Omekalam.<sup>7</sup>

### **Resolution of Congress**

The Congress at its annual session held at Calcutta on 26 December 1917 passed a resolution against the ugly age-old practice of untouchability. It was presided over by Annie Besant. The resolution was moved by G. A. Natesan of Madras, and it was supported by Bhulabhai Desai, Ranga Iyer and Asaf Ali. The resolution was thus: "This Congress urges upon the people of India the necessity, justice and righteousness of removing all disabilities imposed by custom upon the Depressed classes, the disabilities being of a most vexatious and oppressive character, subjecting those classes to considerable hardship and inconvenience."<sup>8</sup>

### **All India Depressed Classes Conference**

All India Depressed Classes Conference was held on 23 and 24 March 1918 in Bombay. It was convened by V.R. Shinde on behalf of the Depressed Classes Mission Society of India. Maharaja Sayajirao Gaekwad of Baroda presided over the conference. It was attended by prominent leaders like M.R. Jayyakar, Vithalbhai Patel, Bepin Chandra Pal, B.G. Tilak and others. The Chairman of the Reception Committee was Sir Narayan Ganesh Chandavarkar. At the conclusion of the Conference an All India Anti-Untouchability Manifesto was signed by all the prominent leaders to the effect that they would not observe untouchability in their everyday affairs. The next conference was held at Bijapur under the presidency of B.M. Kamat on 6 May 1918. It was also attended by many prominent leaders. It passed a resolution to eradicate untouchability at the public places like schools, hospitals, watering places and in the temples.

### **Chhatrapati Shahu Maharaj**

Chhatrapati Shahu Maharaj of Kolhapur declared on 27 July 1918 that the untouchables in his State would be able to enjoy all the civil rights without any hindrance on the ground of untouchability. On 21 March 1920, a conference of the untouchables in Princely State of Kolhapur was held at Mangaon under the presidency of B.R. Ambedkar. Chhatrapati Shahu Maharaj of Kolhapur was the chief guest of the occasion. It was organized by Appasaheb Dadgonda Patil, a Jain head of the village, with the cooperation of the untouchable leaders like Dattoba Powar, Tukaram Ganeshyacharya, Gangaram Kamble, Abaji Gawali and others in Kolhapur State. It was followed by common dinner. However, the caste Hindus of that village boycotted Appasaheb Dadgonda Patil and the untouchables of that village. They were, however, taken back when Chhatrapati Shahu Maharaj threatened to arrest them if they continued with this attitude.

A conference of the representatives of the untouchables was held at Nagpur on 30-31 May and 1 June 1920. It was presided over by Chhatrapati Shahu Maharaj of Kolhapur. Kalicharan Nanda Gawali (Gondia) was the Chairman of the Reception Committee. It was attended by 500 representatives coming from Bombay, Madras, Madhya Pradesh and Bera. B.R. Ambedkar, S.N. Shivatarkar, S.J. Kamble, Kisan Fagu Bansod and others addressed the Conference.

### **Madras Labour Advisory Board**

The Government of Madras had formed a Labour Advisory Board in the year 1920, One European Gilbert Starter, one Brahmin K. Ramanujachariar and one Adi-Dravida M.C. Rajah were its members.<sup>9</sup> On 24 October 1920, a dinner was arranged at Mangalore where about 150 people of all castes including the Pariahs, Mohammadans and Christians were present.

In 1922 the Madras Provincial Legislative Council passed a resolution recommending that the name Adi-Dravida should replace Panchama or Pariah. Accordingly, an order was issued on 25 March 1922, directing that the term Adi-Dravida in Tamil districts and Adi-Andhra in Telugu districts should be adopted in official documents in place of the words 'Panchama or Pariah or similar names'. It was, however, a long standing demand of the concerned communities that they should be called by the new name instead of the old disgraceful name given by the caste Hindus.<sup>10</sup>

### **Bombay Resolution**

At the initiative of S.K. Bole, a famous social reformer of Bombay, the Bombay Legislative Council on 4 August 1923, adopted the resolution, "the untouchables classes be allowed to use all public watering places, wells and Dharmashalas which are built and maintained out of public funds or administered by bodies appointed by Government or created by Statute, as well as public schools, courts, offices and dispensaries". Accordingly the Bombay Government issued directives to that effect to all the Departments on 11 September 1923. B.R. Ambedkar established Bahishkrit Hitkarini Sabha in a meeting held at Dadar, Bombay, on 20 July 1924. Its President was Sir Chimanlal Satalwad. Its cardinal principal was "educate, agitate and organize".



### **Vaikom Satyagraha**

In 1924, the untouchables of Travancore State attempted to assert their right to the use of the roads which skirted the temple at Valkom. These roads were public roads maintained by the State, but as they were proximate to the temple, the untouchables were not allowed to use them. Ultimately as a result of satyagraha, the temple compound was enlarged, so that even if the untouchables used it, it would not be within the polluting distance of the temple.<sup>11</sup>

### **Ambedkar's Satyagraha**

B.R. Ambedkar launched a satyagraha for asserting the Civil rights and access to water at Choudar Tank, Mahad (Kolaba) on 20 March 1927 along with many of his followers.<sup>12</sup> On 4 July 1927 an All India Anti-Untouchability Conference was held at Bangalore under the presidentship of Shet Jammalal Bajaj. .

A Committee was constituted by the Bombay Government under the Chairmanship of Starte in 1929 in pursuance of the resolution moved by Dr P.G. Solanki, to inquire into the educational, economic and social conditions of the Depressed Classes and the aboriginals in the Bombay Presidency.

### **Harijan Sevak Sangh**

Mahatma Gandhi established the All India Anti Untouchability League on 28 September 1932. It was renamed as Harijan Sevak Sangh in December 1932.<sup>13</sup> On 7 November 1933 Mahatma Gandhi began his countrywide tour to propagate against the evil of untouchability. The tour was started from Wardha and ended at Varanasi. He toured for nine months covering more than 20,000 kilo metres , addressing meetings. collecting funds and making the caste Hindus aware of the adverse effects of untouchability on Hindu society.

A bride and bridegroom belonging to the untouchable Dom caste were carried in a palanquin through the inhabited area of a village near Allahabad on 23 December 1933. The caste Hindus thought that it was contrary to the village or caste custom to do so. They filed a case against the concerned under Section 153 of IPC. Eventually, the High Court of Allahabad acquitted the accused in 1936 saying that caste Hindus could not prove that the custom had the force of law.

On 16 March 1937. the Bombay High Court gave the decision in favour of B.R. Ambedkar in a case filed against him on account of his satyagraha at Choudar Tank, Mahad. in 1927. B.R. Ambedkar introduced a Bill to abolish the Mahar Vats (servitude based on birth in the untouchable Mahar caste) on 17 September 1937 in. the Bombay Legislative Assembly. The same was introduced by S.C. Joshi in the Legislative Council. However. it was not passed at that time. It was finally abolished under the Bombay Inferior Village Vats Abolition Act 1 of 1959.

In January 1939. the Harijan Sevak Sangh secured the management of the Criminal Tribes Settlement at Gorakhpur in Uttar Pradesh. The settlement was renamed as Harijan Basti The Doms who lived there were taught rules of hygiene. and started spinning for them. They were taught Bhajans and religious principles.

The ruler of Dewas Senior, gave instructions to observe Harijan Day on 26 March 1939 and to remove the stigma of untouchability. The Maharaja himself participated in the community dinner on that day. In July 1939, the Maharaja of Dew as Junior granted the sanad of a Mankari Assami to a Mahar, presented him with a dress of honour and offered him a seat in the Durbar . In October 1939, a law was passed in Baroda State for removing social disabilities of the Depressed Classes.

### **Independence Day' of the Depressed Classes**

On 19 March 1940, B. R. Ambedkar along with his followers, near about 15,000. celebrated 'Independence Day' of the Depressed Classes at Mahad. In July 1940, the Maharaja of Indore gave a grant of Rs one lakh from his privy purse for building 91 tenements for the sweepers.

### **Humanitarian Legislations**

Some of the provincial governments and princely states passed the anti-untouchability laws which are in humanitarian. They were: The Central Provinces and Berar Removal of Untouchability Act. 1934, The Madras Removal of Social Disabilities Act. 1938 (XIII of 1938), Baroda Social Disabilities Removal Act. 1939, Mysore Removal of Social Disabilities Act. 1943 (XLII of 1943), Orissa Removal of Civil Disabilities Act. 1946 (X of 1946), The Bihar Harijan (Removal of Civil Disabilities) Act. 1946, The Bombay Harijan (Removal of Social Disabilities) Act 1946 (Bombay 1947), The Central Provinces and Berar Scheduled Castes (Removal of Civil Disabilities) Act. 1947, The United Provinces Removal of Social Disabilities Act. 1947, The East Punjab (Removal of Religious and Social Disabilities) Act. 1948, The West Bengal Hindu Social Disabilities Removal Act, 1948, The Hyderabad Harijan (Removal of Social Disabilities) Regulation, The Saurashtra Harijan (Removal of Social Disabilities Act) Ordinance Act. 1948, The Travancore Cochin Removal of Social Disabilities Act and The Coorg S.C. (Removal of Civil and Social Disabilities) Act 1949.<sup>14</sup> The Madras Removal of Social Disabilities Act, 1938 was the first comprehensive and Penal Act to remove social disabilities , and violation of these rights was made cognizable offence. It was followed by some other larger princely states.<sup>15</sup>

On 29 April 1947, the Minorities and Fundamental Rights Committee of the Constituent Assembly decided that "Untouchability in any form is abolished and the imposition of any disability on that account shall be an offence." The resolution was moved by Vallabhbhai Patel. Thus the age-long ugly system of untouchability constitutionally came to an end. The Constituent Assembly eventually passed the said provision on 29 November 1948. The Constitution of India, which came into implementation on 26 January 1950 provides under Article 17 is given thus: "Untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law." The Parliament of India had passed the protection of Civil Rights Act, 1955 which came into force on 1 June 1955. The said Act provides punishment for the offences committed on account of untouchability.<sup>16</sup>

To conclude, the first sentence of the preamble of the Universal Declaration of Human Rights states that recognition and respect for human rights is the 'foundation of freedom, peace and justice in the world'. Indeed the denial of human rights to dalits is not only a national tragedy but also creates conditions of social unrest and political turmoil and sows seeds of communal conflicts between the dalits and non-dalits in the Indian society. Hence the constitution of India ensures the human rights of the dalits.

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