



National Campaign on Dalit Human Rights

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HIGHLIGHTS

Consultation with UN OHCHR Nepal on “Campaign to End Caste Discrimination and Untouchability”, New Delhi, 22 March

Ms. Jyoti Sanghera, Head of OHCHR - Nepal and Ms. Katia Chirizzi, Coordinator Anti-Discrimination/Economic, Social and Cultural Rights Section, OHCHR-Nepal shared with Dalit Rights groups the launch of their Campaign report ‘I Commit to End Caste Discrimination and Untouchability’. (Please click on the link for more details on the campaign). OHCHR –Nepal shared their experience on caste based discrimination and untouchability in Nepal and the lessons learnt from the 100 days’ campaign “I commit to end caste discrimination and untouchability” and it’s broad basing in Asia.

A side event on “Dalit human rights defenders in South Asia - addressing common and unique challenges” 8 March, Palais des Nations in Geneva

The side event aimed at sharing examples of the common and unique challenges faced by Dalit human rights defenders working in South Asia, thus, providing a regional perspective on the human rights problems faced by those who are at serious and immediate risk, defending the rights of marginalized people.

At the event, the UN Special Rapporteur on Human Rights Defenders shared her perspectives on action to ensure enhanced protection of Dalit human rights defenders; an issue which the Rapporteur is “deeply disturbed” by following her visit to India in 2011. In the mission report (A/HRC/19/55/Add.1) she expresses concern, among other things, about the fact that “from the dominant caste, Dalits’ rights defenders reportedly face, inter alia, death threats, beatings and caste-based insults in public places, direct and indirect destruction of their property/belongings; and filing of false cases against them”.



Dalits - a people, a culture, a history

‘Joining forces for a caste free world’, Oslo, 28 March

Ms. Asha Kowtal and Mr. Paul Divakar attended Hearing on caste based discrimination, ‘Joining forces for a caste free world’, organized by Norwegian Dalit Solidarity Network. A detailed presentation was done on ‘Caste Discrimination and the struggle for dignity – an introduction & overview on Class, Caste, Gender and Women’s role in the Dalit Struggle.

National Consultation on Enforcement of SCs & STs (POA) Act & Rules and Necessary Amendments: Challenges and Strategies, 17 – 18 May, New Delhi

National Coalition for Strengthening the SCs and STs Prevention of Atrocities Act (NCSPA) together with Rajiv Gandhi Institute for Contemporary Studies (RGICS) organised a National Consultation in with the objectives of (i) taking stock of past 3 years interventions at state and national levels; (ii) arriving at a consensus on the elements of proposed amendments – looking at the progress of the draft with NAC, RGICS and NLS based on original draft amendments of the Coalition and build consensus on elements of proposed amendments; & (iii) chalking out effective future strategies required for national, state and local levels.

The General Secretary of Indian National Congress, Mr. Rahul Gandhi paid a brief visit to the consultation. Different issues of discriminations and atrocities on SCs & STs were flagged off by participants. He articulated his support to the effort of the Coalition for Strengthening the Act at the policy level.



Mr. Mukul Wasnik, Minister of Social Justice and Empowerment also articulated his support to the work of the Coalition.

Mr. P.S. Krishnan, Former Secretary to Gol, Advocate Bojja Tharakam, Senior Counsel, Ms. Meenakshi Natarajan, Member of Parliament, Mr. K. Raju, Joint Secretary, National Advisory Council, & Ms. Farah Naqvi, Member, National Advisory Council were among the dignitaries present at the occasion.

Advocacy with State Vigilance & Monitoring Committee on Action Taken, Bihar, 5 – 10 April



As a result of consistent advocacy with State Vigilance & Monitoring Committee on Action Taken in Bihar, the chief minister expressed concern over large number of acquittals, ordered speedy trial in order to increase the conviction rate and also to regularize the District Vigilance & Monitoring Committee meetings to ensure implementation of all the provisions instead of just relief and compensation. He also instructed Special Public Prosecutor’s appointment for trial of atrocity cases in the High Court; drafting of contingency plan and also of giving pension to the family of the murdered victims. NDMJ drafted a memorandum on the status of non-action on the decisions taken at the previous meeting and presented the recommendations to the Chief Minister and the Secretary of SC/ST Welfare Department, Chairperson of State SC Commission & Mahadalit Commission, Vice Chairperson of both State SC Commission and that of SC Commission office in Patna.

National Human Rights Commission visits Odisha, 8 – 9 April

The National Human Rights Commission (NHRC) on 08 April 2012 organised an open hearing at Puri. Nearly 30 Dalit victims of atrocities from our side from different parts of the state deposed their cases and expressed their grievances. On 09 April, NHRC held discussions with several voluntary organizations at Bhubaneswar. NDMJ also participated and presented the fact sheet on the implementation of the SCs and STs (PoA) Act 1989 and Rules 1995 in the state. As a result, the NHRC team took a dig at the State Government on its inept handling of cases relating to atrocities on Scheduled Caste people in the State.

NCDHR-ALL INDIA DALIT MAHILA ADHIKAR MANCH (AIDMAM)

Joint Programming initiative on violence against Women

AIDMAM is now a part of the two years Joint Programming Initiative on Violence against women, under the International NGOs Partnership Agreement Programme. Through this programme, all the stakeholders would be focusing on the justice for marginalized women facing multiple exclusions based on identities related to Gender and Caste. The larger objective being the mainstreaming of violence against Dalit women in the larger discourse around violence against women and making the government and appropriate authorities accountable to address violence against dalit women. As a part of this new initiative, AIDMAM organized **one day write workshop** wherein the participants gave their concrete inputs and added value to the process of building the design and draft framework of the module on understanding the intersections of caste and patriarchy which would be used for the trainings.



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Reframing Budgets - by Dalit women

AIDMAM in partnership with UN Women is currently exploring the critical components of Economic Rights & entitlements of Dalit Women with emphasis on Gender Budgets from Dalit women perspective and intersectionality between Gender responsive Budgeting and Special component Plan. The initiative includes a path breaking research study in Bihar to conduct a need assessment of Dalit girls in Bihar, and investigate as well as track the budgetary allocations for education schemes through Gender Responsive Budgeting and Special Component Plan. The national research team has facilitated research methodology discussions with UN Women and other institutions experienced in budget Tracking. AIDMAM has represented the case of Dalit women and their economic entitlements during the Monitoring & Evaluation workshop organized by UN women on 23 May in New Delhi. This workshop included all partners of UN Women across Asia.

NCDHR-DALIT ARTHIK ADHIKAR ANDOLAN (DAAA)

Baljeet Nagar Demolition Case (Ref.: Newsletter Mar 2011)

Baljeet Nagar unlawful demolition case hearing went as scheduled on 25th May. The DDA lawyer once again used this opportunity to push for a disposal of the entire case, throwing up the same old allegations of document fraud and allegations that residents live in a different area that wasn't demolished. We successfully fought off this attempt again.

After several directions of the court since the stay order, eventually, last month the DDA and DUSIB have started conducting household survey of the basti (colony) and document collection as a proof of their residence for their rehabilitation. However, they were accepting only Ration Card and Voter ID Card, with respect to the recent interim application we filed requesting an order requiring the DUSIB to accept a broader range of documents. The DUSIB made a claim that they couldn't follow the Supreme Court precedent we cited (Lal Babu Hussein) because there was a DUSIB office order with respect to the documents to process. The court has issued notice and directed the DUSIB to respond to our application and to the Lal Babu Hussein case in particular, with regard to the documents they accept. The judge also said that the interim protection order remains in effect until the next hearing, which is scheduled for 31 July.

Landmark initiative of the government of Andhra Pradesh for enactment of SCP/TSP in the State

The Chief Minister of Andhra Pradesh has announced in the Assembly to constitute a Cabinet Sub Committee for studying the feasibility of enacting the Special Component Plan/Tribal Sub-Plan within two months time, with the support of all Dalit and Adivasi organizations to introduce the bill in the forthcoming parliamentary session.

This development is a result of the indefinite strike and struggle by All Dalit and Tribal Praja Sanghalu and political parties for the enactment of SCP/TSP under the banner of SC, ST Sub-Plan Nidhula Sadhana Ikya Karyacharana Committee, under the chairmanship of Sri Kaki Madhava Rao, IAS, Rtd, and Former Chief Secretary to Government of Andhra Pradesh, and other Retired IAS officers, K.R. Venugopal and Danam Garu.



Press Conference for effective implementation of SCP/TSP, Uttar Pradesh Press club Hazratgang Lucknow, 24 April

A Press Conference was held in Hazrat gang for the implementation of SCP/TSP guidelines. The demands made were to (i) design Central Legislation for SCP/TSP, (ii) have a well- designed, dedicated institutional set-up at the Central & State levels to enable the Ministries/Departments to clearly show the schemes formulated for the development of SC/STs under a separate budget head; (iii) encourage participation of the community, CSOs and experts in planning as well as implementation and evaluations of schemes; & (iv) public access to the publication of performance/outcome budget every year (which till now is not being published), providing details about the beneficiaries.



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

Ongoing efforts to ensure entitlements post Orissa 2011 floods

In continuation to the inclusion monitoring and advocacy for realization of entitlements of the 2011 flood affected Dalit communities in the districts of Kendrapada and Jajpur in Odisha, network groups and other facilitating individuals have been meetings with officials and Members of Legislative assembly. A separate strategy has been planned by the Odisha core group comprising 10 network organizations working on the issue of flood monitoring to capacitate the newly elected panchayat leaders on the issue of inclusion and DRR post PRI election held in Feb 2012.

Vulnerability Mapping & Inclusion Monitoring Manual

NDW is already in the process of developing a community friendly Vulnerability Mapping & Inclusion Monitoring Manual for capacitating the Dalit communities and organizations (both Dalit and non Dalit) keen to work for Dalit inclusion in DR-DRR, with ways and means of ensuring inclusive approach to humanitarian work. The tool is primarily aims at identifying and strengthening Dalit community volunteers in assessing their own vulnerabilities associated with caste and other factors, and thereby taking measures to approach the authorities for their entitlements, and preparedness to hazards/ disasters.

NCDHR-NATIONAL DALIT MOVEMENT FOR JUSTICE (NDMJ)

Release of a Status Report of Implementation of SCs & STs (PoA) Act, Constitution Club, New Delhi, 17 & 18 May

The 2-days consultation was interspersed with the release of a Status Report of Implementation of SCs & STs (PoA) Act, along with the required Annual Report of MSJE under section 21(4) of the Act, which the Ministry had failed to submit to the Parliament after 2008.

The Status Report was released by the former Chief Justice of India and Chairman of NHRC, Justice K.G. Balakrishnan and Chairman of National Commission for Scheduled Castes, Dr. P.L.Punia. MPs of different parties including D. Raja, Ali Anwar Ansari, J D Seelam, Praveen Rashtrapal, Smt. Ramadevi and over 100 representatives of Dalits and Adivasis and Human Rights groups, participated.



National Meet of Social Justice Lawyers, 28 – 30 April

A national level meeting was organized jointly with the Centre for Social Justice in Delhi. More than 100 social justice lawyers and fresh lawyers from across the country participated in this 3-days' meeting, where they were capacitated on providing justice to Dalits under the SCs & STs (PoA) Act. The participants were also addressed by the representatives from National Human Rights Commission

Training of Activists on SCs & STs (PoA) Act & Rules, Uttar Pradesh on 22 – 23 April

One day trainings were organized on SCs & STs (PoA) Act 1989 & Rules 1995, by Dalit Action Group in Uttar Pradesh in association with NDMJ. Altogether over 50 activists from Ghazipur and Jaunpur together were trained on the same. Both the trainings focused on the special features of the Act, the offences under the Act, relief and compensation and TA / DA under the Rule, and the accountability and monitoring roles of various enforcement officers under the legislation.

Rally across Sholapur district in Maharashtra, 17 April

On 17 April, a mass rally was organized comprising 1500 Dalit activist to address the issue of atrocities on Dalit and the usage of SCs & STs (PoA) Act creating awareness across the district.

Mapping Caste Atrocities in Lucknow, Uttar Pradesh, 29 & 30 March

A workshop on mapping of caste atrocities in UP, along-with Indian Institute of Dalit Studies was organized, wherein Nearly 50 civil society organizations from 32 districts of Uttar Pradesh participated. Other than coming up with a Status Report on implementation of PoA Act in Uttar Pradesh, some other major decisions evolved in the workshop include release and presentation of the Status Report to the Chief Minister and Social Justice Minister; filing Public Interest Litigation on the same; 6-days training on documentation of atrocities; and survivors' meeting with the state level enforcement officials.

Workshop on Public Interest Litigation in Orissa, 24 & 25 March

NDMJ organized a workshop at Jatni, Khurda in Odisha with 35 activists and 10 organizations covering 8 districts, working on PoA Act and its implementation.

The aim of the workshop was to get the experience of field workers, organizations and document various gaps in the implementation of the provisions of the PoA Act and Rules and collect the evidences through cases of atrocities and relevant documents so the PIL could be filed.

Consultation on Amendments under PoA Act 1989, Bangalore - 17 & 18 March

Recently, the Ministry of Social Justice and Empowerment has decided to consider amendments to the PoA Act, and the National Advisory Council is also drafting the proposed amendments to the Act and associated rules ("NAC Draft"). As part of discussion, the working group for the amendments organized a consultation at National Law School, Bangalore, to harness the experience of field workers, NGOs, sociologists etc. to gain perspectives on the working of the Act. With the help of legal experts, this workshop proposed to examine the amendments proposed to the Act and associated rules in the NAC Draft. Enriched by the experience from this workshop, NDMJ is geared to present to the Ministry of Social Justice and Empowerment a set of concrete suggestions on how best to address key questions in the operation of the Act, including the new forms of discrimination, and the decreasing rate of convictions in the Special Courts set up under the legislation.

Public Hearing on Implementation of PoA Act in Chennai, Tamil Nadu, 15 March

A public hearing was organized along-with National Coalition for Strengthening PoA Act, SASY, HRF and other partners of the coalition. Nearly 35 cases were deposed focusing on various facets of non-implementation of the PoA Act & Rules in Tamil Nadu.

It was resolved in the public hearing that public interest litigation would be filed in the Tamil Nadu High Court on non-implementation of SCs & STs (PoA) Act & Rules in the State.

