



# Solution to Sociological Problem of Continued Untouchability in Rural India

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Date of Submission: 25-09-2022

Date of Acceptance: 08-10-2022

**Abstract:** Constitution of India legally abolished untouchability in 1950. However untouchability is widely prevalent in rural India. The shocking thing is neither Indian media, nor Indian government seems to take this very seriously. And civil society, which can be vocal about other issues seems to be strangely silent about this. Untouchability in India is like Apartheid in South Africa. If Apartheid received so much international condemnation, why is there apathy towards untouchability.

## I. INTRODUCTION

Untouchability in India has its origin in the Hindu Religion. While scholarly discussion on caste systems can have many different view points, some designed to condone Hinduism of its faults, and others intending to condemn Hinduism, one should go by the widely held popular view on caste system.

The caste system or Varna Ashram had 4 castes - Brahmin, Kshatriya, Vaishya and Shudras. Most people believe that Shudras are the Untouchables of today, though few disagree.

However Mahatma Gandhiji considered these Untouchables as Harijan - God's People. After Independence Untouchability was completely made illegal. And Government of India has been taking affirmative actions to help backward castes progress by means of affirmative actions.

There is reservation of seats in government jobs and educational institutions for backward castes. Indeed even in parliament and legislative assemblies some seats are reserved for backward castes. Indeed if popular opinion and discussion in urban India is to be believed the entire nation is bending backwards to appease backward castes.

### Untouchability

This paper however restricts itself to Untouchability and not other problems of backward castes in India. Untouchability is a form of social institution that legitimises and enforces practices that are discriminatory, humiliating and exclusionary and exploitive against people belonging to certain groups.

Expressions of Untouchability include :

- a. Prohibition from eating with other members
- b. Provision of separate vessels in tea stalls or at houses.
- c. Separate Seating Arrangements at Festivals and Restaurants.
- d. Prohibition from entering places of Worship.
- e. Segregation of children in schools
- f. Prohibition of use of common/public places such as temples, wells, burial ground
- g. Prohibition from entering homes of caste people
- h. Prohibition of wearing sandals or umbrellas in front of caste people

Let us discuss the legal position as regards to untouchability after Independence. The Article 17 of Constitution of India, 1949, abolished untouchability and made untouchability an offence punishable by law.

The Untouchability Offences Act came into force on 1st June 1955 and made untouchability an offence and prescribed punishments for untouchability.

There is very little apparent Untouchability in Urban India. And since most media organisations are located in urban India and most coverage is in Urban India it is presumed that Untouchability has been eliminated and annihilated.

### Continuing Untouchability in India in 2022

It is more than 75 years after Independence and the sad fact is that Untouchability continues till this date in Rural India.

A book 'Untouchability in Rural India' by Ghanshyam Shah and others, documents practice and prevalence of untouchability in rural India. Based on large survey in 11 states covering 565 villages it revealed that untouchability was present in form or another in 80% of villages.



While the evidence presented in the book shows that extreme and blatant forms of untouchability have declined, there is continued incidence of discrimination and is prevalent in religious and personal spheres.

The book reveals that Dalits are denied access to water resources in 50% of villages and in 70% of villages, Dalits are prevented from interdining and entry into non Dalit houses. And in 64% of villages Dalits are prevented entry into temples. Almost 40% of schools practice untouchability while serving mid day meals. Dalits carry night soil in 25000 villages. Dalits are either forced to use separate queues for polling in 12% of villages. Dalits are prevented from entering police stations and ration shops in 25% of villages.

Another study by Amit Thorat and Omkar Joshi study, 'The Continuing Practice of Untouchability in India: Patterns and Mitigating Influences revealed that 27% of India still practices untouchability with 30% of rural India and 20% of urban India continuing with this practice. While this practice is prevalent in 40 - 49% of Hindi belt , it is only prevalent in 17% in South India. Education and prosperity does not seem to reduce this practice. 33% of poor practice untouchability whereas 23% of rich practice untouchability. While only 30% of literates practice untouchability among higher educated the practice is down to 24%.

Another Survey by SARI -- Social Attitudes Research in India found a wide prevalence of untouchability in India. Nearly two third people in rural Rajasthan and rural Uttar Pradesh practice untouchability. Almost 39% of non Dalit Women in Delhi practice and 27% of men in Delhi said some one in their family practices untouchability. In urban Uttar Pradesh nearly 35% of women practice untouchability and 18% of men practice untouchability. Almost 60% in rural Rajasthan wanted laws that prevented inter caste marriages, whereas the number stood at 40% in Delhi and 27% in Mumbai.

Another study limited to rural Gujarat by Navsarjan trust found that untouchability was widely prevalent. The survey found that 98 forms of untouchability was practiced by caste Hindus and 99 forms of untouchability was practiced between Dalit sub castes. Intercaste marriages were prohibited in 98.4% of villages and marriages between Dalit castes were prohibited in 99.1% of villages. Any violation would invite violent reprimand against couples.

Professor Amit Thorat of Jawaharlal Nehru University said in 2012, that 30% of Jains , 26% of Hindus and 20% of Muslims in rural India practice

untouchability. And 24% of houses in Haryana practice untouchability. Thus untouchability is not just a Hindu phenomenon, but transcends religion.

#### **What is the Solution?**

Solution is Simple. Implement the law. Actually, law, by definition does not allow for discretion. But as they say India is a nation with great laws but poor implementation. Take the case of Dowry's Act 1962. The incidence of Dowry has increased since 1962. Indeed it rumoured that parents of brides actually queue up in front of Lal Bahadur Shastri School of Administration where Civil Servants are being trained to offer them Dowry.

Take the case of Election Commission Laws. According to Centre for Media Studies almost Rs. 50,000 crore was spent on general elections in 2019. This means in every constituency almost Rs. 100 crore was spent. Or almost 35 crore per candidate which is 50 times the spending limit of Rs. 70 lakh. Clearly Election Commission is not implementing the law properly.

From traffic laws to tax laws, the leniency in implementation of law is appalling in India. Almost 50% of politicians have criminal cases and very few politicians have been penalised for corruption, though it is safe to say that almost 99% of politicians have assets far exceeding known sources of income and wealth.

Same is true about Untouchability Act 1955. The Act prescribes penalties for enforcement of any disability that arises out of Untouchability. The Act imposes 6 months imprisonment or fine of Rs. 500 in case of first offence against the Untouchability Act 1955.

If the law were to be strictly implemented at least 100 million Indians should have to serve 6 months jail sentence. But very few have been even fined. What to says of being imprisoned.

And Rs. 500 is a small fine. Why not impose fine of Rs. 500 on 100 million Indians who are in violation of the Untouchability Act 1955. This way it won't even create huge resistance yet Government will be sending a strong message that Government takes violation of Untouchability Act very seriously.

Actually the Government can start with a mere warning that from such and such date fines will be imposed and 1 year from that date people would be imprisoned in case of violation of Untouchability Act 1955.

If the Government of India decides it can make heaven and earth meet. For instance while sanitation was continuing to be a problem, in 2014, the



Government of India decided to implement Swachh Bharat Abhiyan.

And by 2019, India was Open Defecation Free.

What could not happen in 65 years, happened in 5 years.

Similarly if India has failed to eradicate Untouchability in 75 years, it will take just 7.5 months to eradicate untouchability.

#### **National Commission on Scheduled Castes**

The Government of India has created National Commission on Scheduled Castes. However it is toothless organisation. It is time that National Commission on Schedules Castes is given financial resources and man power to implement all laws related to Untouchability.

For starters the budget of National Commission on Scheduled Castes - hence forth NCSC - should be increased at least 100 times so that it is not just a paper tiger. And NCSC is made to implement Untouchability Act by imposing fines to start with and incarceration if required.

Unless laws are implemented it is difficult to bring about a change.

## **II. CONCLUSION**

In Indian wisdom it is said that one must follow four stages of bringing about a change. It is Sama, Dama, Dand, Bheda.

Sama means request

Dama means scold

Dand means punishment

Bheda means to inflict physical harm.

It is being submitted here that Government of India must follow the 4 stages of Sama, Dama, Danda and Bheda to bring about a change in implementation of Untouchability Act 1955.

Mahatma Gandhiji said that to live with untouchability was like a cup of poison to him. When asked by Jawaharlal Nehru why did he not focus on entire caste system and just focused on caste system, Mahatma Gandhiji said if untouchability the caste system goes.

Mahatma Gandhiji would eat invariably with people of different castes including Untouchables. Mahatma Gandhiji had untouchables reside in his Satyagraha Ashram. When the Vaishnavas stopped monetary support, Mahatma Gandhiji relocated his Satyagraha Ashram to Untouchable quarters in Ahmedabad.

Mahatma Gandhiji also worked in all professions that were prohibited for his caste - scavenger, barber, cobbler etc. In fact cleaning toilets persisted throughout his life.

Mahatma Gandhiji said that if it were proven to him that untouchability were essential part of Hinduism then he would rebel against Hinduism itself. He even said that if it can be called a religion stinks to him in his nostrils.

Let us seek to discover Gandhi in ourselves.

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