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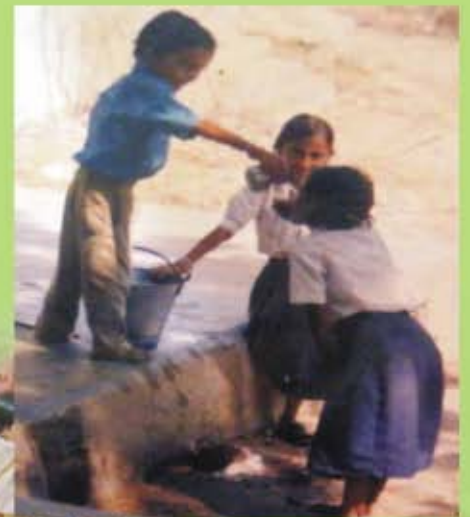
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CASTE-BASED DISCRIMINATION AND SOCIAL EXCLUSION

Study to Understand Caste-Based
Discrimination in Western Rajasthan



Year 2012



Giving water from above and separate seating arrangement are the most common practices of untouchability

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I do not ask
for the sun and moon from your sky
your farm, your land,
your high houses or your mansions
I do not ask for gods and rituals,
castes or sects
Or even for your mother, sisters, daughters.
I ask for my rights as a man.
Each breath from my lungs
sets off a violent trembling
in your texts and traditions
your hells and heavens
fearing pollution.
Your arms leapt together
to bring to ruin our dwelling places.
You'll beat me, break me,
loot and burn my habitation
But my friends!
How will you tear down my words
Planted like a sun in the east?
My rights: contagious caste riots
festering city by city, village by village,
man by man
For that's what my rights are -
Sealed off, outcast, road-blocked, exiled.
I want my rights, give me my rights.
Will you deny this incendiary state of things?
I'll uproot the scriptures like railway tracks:
Burn like a city bus your lawless laws.
My friends!
My rights are rising like the sun.
Will you deny the sunrise?

(Sharankumar Limbale, 1992 translated by Priya Adarkar, in: Dangle, 1992)

ACKNOWLEDGEMENT

Dalits bear the distinct burden of untouchability that is a legacy of social degradation. Article 17 of the Constitution of India abolishes untouchability. Articles 14 to 32 guarantee fundamental rights related to equality, freedom, expression, against exploitation and constitutional remedy to every Indian citizen. Constitution also guarantees all citizens equal opportunity of livelihood and development. Caste-based discrimination continues to deprive the dalit community of their social, economic and political rights and opportunities increasing social inequality and injustice. Discrimination is a form of social subjugation and economic exploitation committed by a section of people legitimised by the caste system. It represents a system of cumulative domination.

Unnati's experience of work in western Rajasthan suggests that discrimination is entrenched and continues to be widely practised in rural areas. This study supplemented that understanding with careful participatory research. Research methodology helped the community with social analysis and mobilisation. Despite its various limitations, the study has also paved the way for consistent advocacy with stakeholders. Sample of the study is 75 villages in Barmer, Jodhpur and Jaisalmer districts of western Rajasthan. The study tries to detail the forms of discrimination experienced by the dalit community in their everyday life with focus on public spaces and with respect to accessing basic services.

The study arrives at the conclusion that as caste hierarchy is so intrinsically entrenched, indicators of discrimination need to be included in monitoring and evaluation systems of at least government provided basic services. The state needs to institute pro-active mechanisms for investigating and taking action on cases of discrimination. The system should incorporate regular analysis and link with rewards and punishments to be effective. Collection of caste desegregated data and regular analysis is required for government implemented services and schemes. Panchayats as the local governance unit need to be sensitized to issues of caste and gender based discrimination. This must be made part of the National Capacity Building Framework with appropriate changes in the curriculum of the current trainings of elected representatives and functionaries. Rewarding affirmative action

by panchayats in this respect could have a motivational impact. Activation and capacity building of Social Justice Committees in the three tiers of panchayats would also be a positive step. There is also intensive need for legal literacy of village people and aid to persons in need that is a mandate of the Legal Service Authorities.

Unnati Team working on Social Inclusion and Empowerment in Western Rajasthan is extremely grateful to the villagers of 75 villages of Barmer, Jodhpur and Jaisalmer districts who participated actively in the study process and provided information. Gratitude is extended to partner organisations, IDEA working in Sivana block of Barmer and URMUL SAMITI working in Pokhran block of Jaisalmer.

The study was conducted and is being published under the Government of India (GOI) and United Nations Development Programme (UNDP) supported project 'Access to Justice of Marginalised People'. Gratitude is extended to Department of Justice, UNDP and Programme Management Team for their constant support and guidance.

Social Inclusion and Empowerment Team

Rajasthan Programme Office

UNNATI - Organisation for Development Education

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EXECUTIVE SUMMARY

The study verifies that untouchability and caste-based discrimination are still prevalent. Discriminatory system affects not only the number of opportunities open to dalit community, but also their social identities. These identities influence behaviour and have persistent effects.

Discrimination is highest in the personal/private, cultural and religious sphere. Dalits do not enter the house of non-dalits. Dalits walk with bowed heads in front of non-dalits. They stand up and greet a non-dalit even if the latter is younger. The use of horses, music and crackers in marriage are prohibited for dalits. Dalits sit on floor in non-dalit house and are served in separate or disposable plates, which they wash or throw themselves. In the community fests dalits are served last. In several villages, it is customary for dalits to provide services like cleaning spaces, cutting firewood etc for leftover food or grains. Dalits are denied entry into temples in three out of four villages. In all villages Harijan, Sathiya or Sansi castes are called for removing animal carcass, cleaning streets and drainages. In three out of four villages Dholi or Badi caste people are called for beating drums in marriage or funerals as their social obligation. In 72 percent of villages, Meghwal and Bheel community people communicate the news of death of a non-dalit to the relatives. According to a custom called moda hona if a powerful thakur of the village dies then dalits shave and donate their hair in his name. Dalit women are called for plastering of floor and walls with cow dung, sweeping the courtyard, cleaning the cattle shed for food or grains.

Caste-based discrimination excludes dalits from various occupations. Manual labour in unorganized sector and service to other castes is the usual option for them. Untouchability is practiced in shops, private clinics, tea-stalls, hotels and non-government public vehicles. People cite untouchability as the reason behind the practice of not taking back once sold items like ghee, vegetable oil, pickles and milk. Non-dalit customers never purchase these items from dalit shops. In tea shops, tea is served in disposable cups and dalits are not offered drinking water. In all villages dalits are excluded or receive discriminatory treatment in accessing services of nai, suthar, sunar and darji. Dalit women agricultural laborers were paid less as compared to men in all villages and exposed to sexual harassment.

Many dalit panchayat representatives are dummies of non-dalit man. 82 percent of villages reported that during election time dalit voters get threats, offers of money and alcohol. Panchayat offices do not have facility of water. In panchayat meetings dalits sit separately. The dalit women are supposed to sit in a corner and not speak up. In one village, dalits stand in a separate queue to cast their vote.

Untouchability is practiced at common drinking water sources. Dalits wait for non-dalits to fill water, vacate the location if a non-dalit arrives, do not dip water filling vessels in well or tank together with non-dalit and do not touch earthen pots of non-dalits. Dalits cannot use their rope to fetch water and fill water from separate taps in GLR. Dalits are not employed in village level institutions. The Public Distribution System outlet operators, Mid Day Meal cook, post man, anganwadi worker are usually non-dalits. Untouchability and discriminatory practices are followed in basic service providers like health centers, schools and anganwadis. Public transport is also not free from discrimination. Study found that dalit people are supposed to vacate their seat for a non-dalit. Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) is the greatest source of income for the rural poor people of western Rajasthan but there is discrimination at worksites. Dalits and non-dalits have separate water earthen pots and dalits cannot take water from non-dalit tankers by themselves. In almost all villages dalits tankers are not allowed to provide water at worksite where non-dalit labourers are also working. In some villages discrimination may not be actively practiced by the service providers but the ingrained effect of customs is so strong that dalits themselves tend to defer to the upper castes and accept subordination in order to avoid trouble.

The study arrives at the conclusion that indicators for monitoring discrimination need to be included in monitoring and evaluation systems of all government provided basic services and scheme implementation. The state needs to institute pro-active mechanisms for investigating and taking action on cases of discrimination. Monitoring should be linked with rewards and punishments to be effective. Collection of caste desegregated data is a necessity for government implemented services and schemes. Panchayats as the local governance unit need to be sensitized to issues of caste and gender based discrimination. Rewarding affirmative action by panchayats will have a motivational impact. Steps need to be taken for activation and capacity building of Social Justice Committees in the three tiers of panchayats. There is need for legal literacy of village people and aid to persons in need that is a mandate of the Legal Service Authorities.

CONTEXT

Rajasthan is the largest state in India and has a high proportion of scheduled caste (17 percent) and scheduled tribes population (12 percent). Western part (60 percent of the area of the state) is the Thar Desert.

Western Rajasthan is known for its pride in traditional feudal patriarchal structure and values. History glorifies the exploits of Rajput princes and the practices of Jauhar and Sati. The life of dalit men and women is marked by exploitation, marginalization, stigmatization and alienation. The historical institutional forms of discrimination and deprivation reduced the dalits to a state of lesser being and non-being. Constant sub-jugation, disempowerment and exclusion of dalits is the reason for their being resource less, powerless

and vulnerable which again furthers their disempowerment and exclusion. Definite, measurable and intensive affirmative action by the state are required for any chance of their being pulled out of the vicious trap.

Facts on the Status of Schedule Castes

Various surveys conducted by the National Sample Survey Organization highlights status of Scheduled Castes (SC) that are around 20 percent of the population.

- Only 1 percent of the SC population owns land of size 4.01 hectares (9.91 acres) or more.
- The percentages of large, medium and semi-medium holdings have been declining steadily since 1960-61. The decline is steepest for large holdings - from 4.5 percent to 0.8 percent in 2002-03. The percentage of holdings in the "marginalized" category has correspondingly swelled from 39 percent in 1960-61 to 70 percent in 2002-03.
- Only 3 percent of the SC can spend Rs. 38.50 (less than US \$ 1) per day in rural areas. The rest spend less. In urban areas, only 1 percent can spend Rs. 81.67 (approximately US \$ 2) per day.
- Only 47 percent of the SC in rural areas call themselves cultivators.
- Among non-cultivators, 26 percent are agricultural labourers.
- In urban areas, 28 percent are employed in administrative jobs, production, farming, etc.
- 41.7 percent of self employed earn regular wages and 23.3 percent are casual labourers
- Average value of assets the SC population possess is about half of all other groups put together in both urban and rural areas. For those who own land in rural areas, it represents over half their assets. However, the value of this land is less than a quarter of that owned by other castes (excluding tribals and other backward classes).

Study by Unnati in 2001-02 on Status of Untouchability in Rajasthan identified 29 forms of the practice of untouchability. The study was part of a national exercise in 11 states by ActionAid India. The table below lists percentages of villages where the practice was definitely identified. This study helped to focus Unnati's efforts on mobilization and organizing of dalits around the issue of untouchability. During last 10 years, Unnati facilitated community action in 340 cases of discrimination. 205 cases were from secular public places mainly schools, roads, panchayat building, water collection points while 135 were from the economic sphere mainly discrimination in wages, hotels etc.

Forms/sites for the practice of untouchability identified in 2001-02	Villages (percent)
Secular public sphere (including state institutions)	
Visit of health workers in the dalit bastis	2
Entry and equal treatment in the police station	16
Seating arrangement in panchayat bhavan	6
Eating together in the schools	52
Relation between dalit teacher and non dalit teacher in schools	24
Relation between dalit student and non dalit student in schools	28
Entry into place of worship	54
Pastureland facilities	12
Place of cremation and burial	26
During marriage occasions on public roads	12
Economic Sphere	
Entry in shops	10
Transaction of material in the shops	2
Service of the barbers	24
Separate sitting arrangement in hotels/restaurants	10
Separate utensils in hotels/restaurants	20
During work in the field	30

Physical touch during payment of wages	8
Discrimination in the wages	8
Occupation of dalits in to construction of the house	6
Selling of things by dalit	34
Religious / cultural and personal sphere	
Drinking water facility at household level	38
Entry in to non-dalit's house	76
Eating together	86
Compulsion of taking permission during marriages	2
Compulsion of taking blessings in marriages	2
Use of spectacles/Smoking	2
Compulsion of standing in front of non-dalits	8
Behaviour of non dalit women towards dalit women	34
Behaviour of non dalit men towards dalit women	34

Constitution of India has provisions under Articles - 17, 15(2), 29(2) to abolish untouchability and establish equality. Despite stringent laws like Prevention of Atrocities against SCs / STs Act 1989, discriminatory practices are continued. It was thus felt imperative to understand the factors that still fueled the practice. The focus was on discrimination at public places and in primary state service delivery institutions. This is one of the major factors that hinder the access to quality basic services and rights and entitlements of dalits.

METHODOLOGY

The objective of the study was to understand the status of caste-based discrimination in rural western Rajasthan with focus on public places and primary state institutions of service delivery. It also aimed to assess impact of discrimination with respect to participation of dalits in decision making processes of villages, ownership of assets or land, access to resources and quality basic services.

The study was seen as a tool to facilitate social analysis by the community and mobilisation around issues of social inclusion and justice. Thus sampling was purposive concentrating on 75 intensive intervention villages from Sivana (Barmer district), Bhopalgarh (Jodhpur district) and Pokhran (Jaisalmer district) where some organising efforts have been made. The villages are part of 30 gram panchayats. All these villages have relatively large proportion of dalit population (11 to 30 percent). 3 percent of the villages are entirely populated by dalits. 30 villages are small with population below 1000, 36 are medium with population between 1001 and 3000, while 9 villages have more than 3000 population.

Information was gathered through group discussions of dalit men and women separately. Questionnaires were formulated to help the facilitators guide the discussions and record the information. Caste based discrimination is a sensitive issue in villages and identifying indicators was difficult. Questionnaire was framed after discussion in the community and was later field tested in two villages. The group discussion facilitators were local with experience of working with dalits. A team of one male and one female facilitator covered 25 villages. The six facilitators were oriented about the objective of the study, method of information collection and questionnaire. Some dos and don'ts were agreed upon jointly.

Personal observation by field researchers was used to identify instances of practice of discrimination. The observations were discussed and substantiated in the group discussions. Social mapping (Participatory Rural Appraisal tool) was used to engage the community at the start of discussions and get an overall understanding of the village. Marking amenities, hamlets, concentration of localities helped in jointly analysing and understanding social relations, power dynamics, access and control over resources and the like.

Finalisation of questionnaire and orientation of field researchers took one month and was completed by April 2010. Information collection was done over three months. Facilitators spent several days in the villages to observe instances of discrimination and group discussions also had to be re-organised in several villages to ensure appropriate participation. Data compilation and analysis was done during August - September 2010 with a first draft of the report being ready by October 2010.

There are several limitations of the study. Objective and choice of methodology dictated purposive sampling. Forms of physical discrimination (visible through eyes) were accurately identified but there was limited discussion on impact and context of women. Mental torture or abuse has remained out of purview.

FINDINGS OF THE STUDY

Caste based discrimination is a reality. This chapter analyses its various forms.

1. *Discrimination in Personal/Private Sphere*

Western Rajasthan is primarily composed of the Thar desert. People live in dhans or their agricultural land. In a village dalit localities are either in the south or west direction. According to one belief, south is the direction of Yam or god of death and dalits are supposed to be the first to meet him. Also wind direction here is from east to west and non dalits would not be touched by the air polluted by dalits. These beliefs are now not being adhered to strictly and new dalit localities are located in other directions too.

97 percent villages reported practice of some form of discrimination. This is based in the belief that whoever comes in contact with dalits will be polluted. In 24 percent of the villages dalits were not allowed to enter inside the house of non-dalits. In 76 percent of the villages they were allowed only up to the courtyard. In all villages dalits were supposed to

sit on the floor in non-dalit house and were served in separate or disposable plates which they had to wash or throw out themselves. Discrimination is highest in private sphere as it

Discrimination in personal sphere (table 1)	Village (percent)
Entry not permitted in non-dalit's house	24
Entry permitted till courtyard/ porch	76
Supposed to remove footwear outside	76
Sits on floor	97
Served in separate/ disposable utensils	97
Wash used utensils and put in designated place	97

is outside the purview of any outside interference or monitoring.

2. Discrimination in Cultural-Religious Sphere

Forms of discrimination in rituals and festivals (table 2)	Percent of Villages
Dalits are invited	93
For doing menial jobs	63
Bring/wash vessels	43
Served last	93
Separate seating	93

Dalits have established traditional roles that have reinforced inferiority of status. In 93 percent of villages, the non-dalits invite dalits in marriages and other occasions. However, dalits in 97 percent of these villages reported that they were served last after all non-dalits were finished eating. In 45 percent of villages dalits reported that

they were either required to bring their own plates or wash the used dishes. In 63 percent of villages dalits participated in village ceremonies and festivals to perform their traditional roles. Dalits were called for performing tasks like cleaning place of stay of bride-grooms marriage party `barat`, cutting and collecting fire-wood etc. These services are provided without remuneration.

Communicating news of death of non-dalit to the villagers and relatives of the deceased, digging graves, collection of firewood for the cremation of dead bodies and setting up the funeral pyres are called Kal Akharia and chitthi pahunchana in western Rajasthan. This role is traditionally assigned to the dalits and is unpaid. The dalits are also bound to cut and collect fire-wood needed in marriage and other occasions.

Moda hona is a traditional custom practiced in villages that underscores the power relations. If the thakur of the village dies then dalits shave and donate their hair. This is a social obligation.

Dalits cannot tie turban of bright yellow and red of chunari print as they are related with the pride of Rajput community. In 53 percent of villages dalits were prohibited to use horses in marriages and in six villages of Barmer, community specifically said that dalits were prohibited to use music and crackers during marriage procession.

Temples are places of worship of the Hindus and thus the most sacred places with need to maintain purity. Dalits cannot enter temples located amidst non-dalit locality or those

frequented by non-dalits. They are not allowed to enter many temples located in the center of the village or even outside village. Out of 275 temples observed in 75 villages, dalits were not allowed to enter and offer prayers in 139 or 51 percent of

Discrimination in temples (table 3)	No. of temples	No. of temples where dalits		
		Not allowed	Allowed without restriction	Not allowed to touch idols
Non-dalit Basti	104	97	5	2
Dalit Basti	60	3	57	0
Center of village	54	27	29	8
Outside village	47	12	29	6
	275	139	120	16

the temples. They were not allowed to touch idols in 12 percent of the temples where they were allowed to enter. In two villages - Bhilon Ki dhani, Ajeetpura and Jaimalan (Pokhran block of Jaisalmer district) Meghwal and Bheel communities did not visit temples built by each other.

Sentiments of dalits, came out overwhelmingly during FGD in one village where they said "these temples are built by us and we are not allowed to enter..... not a problem, we have built our separate temple in our basti. God is not only for them, we also have right to pray".

3. Discrimination in Economic Sphere

Dalits face discrimination not only in the freedom to practice occupations of choice but also in accessing services from market institutions despite paying the same money as others.

Freedom of Choice of Occupation - 85 percent of people in rural western Rajasthan are engaged in caste-based traditional occupations. Low wage paying manual labour and service to non-dalits are the most likely livelihood options for dalits. Dalits are prohibited from selling milk, opening shops, tea stalls and hotels and performing religious activities. These prohibitions restrict the economic well being of the dalit community as well as their autonomy and independence.

The prohibition is not always formal but implicit as expressed during a group discussion.

Prohibition on Occupation (table 4)	Villages (percent)
Selling Milk	60
Opening tea stall/ hotel	80
Opening shop in village	29

"if we open tea stall, who will be our customer....nobody restricts us in opening any shop, but question is who will come to drink tea made by hands of dalit"

In all villages, Harijan, Sathiya or Sansi community people are called to remove animal carcass, clean streets or drainages. Social obligations in the cultural realm often have vocational and economic implications taking the form of begar or non-paid labor. It preserves and fosters dependence and powerlessness of dalits. In 76 percent of villages begari exists in some form. In 98 percent of villages for beating drums in marriage, funerals or any other occasion, Dholi, Badi, Dadhi dalit people are called. In 72 percent of villages, Meghwal and Bheel dalit community people are called to communicate the news of death of any non-dalit person to the relatives, whatever the distance.

In villages of Barmer people talked about the custom of choti-badia where dalit households are distributed amongst non-dalit families for serving them year round on cultural, religious and social occasions. Like, one dalit family will serve three non-dalit families.

Child labour was identified in eight villages of Barmer district. The non-dalits employ dalit children at their home or take them to other states where they have business and keep the children as bonded labour. The living and working conditions are pathetic but poor dalit families are without options.

In almost all villages, dalit women were engaged as agricultural laborers and in MGNREGA. As agricultural labourers women are assigned specified tasks like weeding crops, threshing and winnowing. Women agricultural laborers were paid less than the men. Women of poorer dalit households handpick grains in the non-dalit field after it has been harvested. It is a labour and time intensive activity. Men never engage in this. In 77 percent of villages, dalit women also worked as casual labourers on construction sites and in rock mines. In

construction work, men do the more 'skilled' work of bricklaying, while women ferry head loads of bricks, cement and other material to the required spots. The sweeping of non-dalit home and courtyard, plastering walls and floors, cleaning cattle shed, collecting cow-dung and making cakes etc are the work solely performed by the dalit harijan women for left over food and grains.

The caste discourse evaluates dalit women as low and as morally loose because they move out of their house to work in fields and in non-dalit houses. By 'allowing' dalit women the freedom to go out, by evaluating this mobility as 'inferior', the caste discourse legitimizes the sexual abuse of dalit women at the hands of non-dalit men. In discussions with women during the course of the study, it came out that the most dreaded threat they perceived in their work in rock mines, construction sites and fodder collection trips was abuse by non-dalit men.

Accessing Services from Market Institutions - The study verified that discrimination existed in market institutions in all villages. There were around 587 shops in 75 villages, including 200 shops in Ramdeora village of pokhran block of Jaisalmer and 100 shops in Asop village of Bhopalgarh block, Jodhpur district. It was difficult to track discrimination practices in shops of Ramdeora and Asop villages. In 36 percent non-dalit shops dalits were not allowed to enter. They had to stand outside the shop maintaining distance. It is not even expected that water will be provided to a dalit customer or else it will be served from up without touching. People attributed untouchability as the reason behind the practice of not taking back sold items like ghee, vegetable oil, pickles and milk by non-dalit shops. Non-dalit customers never purchase these items from dalit shops. Untouchability is also attributed as the reason behind serving tea in disposable cups at tea stalls. In one of the village of Barmer district there is separate water arrangement for dalit customers in teashops. In almost all tea-shops dalits are not offered drinking water.

Untouchability was practiced in 7 private clinics (39 percent). The dalit patients were not given water even for taking medicine. In one of the clinics (Sewali) of Barmer district, the dalit patients are not offered chair to sit during medical examination. They were supposed to keep standing and tell their health problems to the doctor maintaining a distance from the table. The doctor avoids touching dalit patients especially harijans (supposed to be lowest in the

caste order). Discrimination is practiced with dalit commuters using private transport services in 23 percent villages. In 18 percent of the villages, people verified that dalit commuters had to vacate their seats for non-dalits.

Activities such as farming or trading can be carried out by anyone, but skilled crafts like that of goldsmith, barbers, potters, tailors, carpenters are handed down in families from one generation to another and usually people of appropriate caste practice them. People in these occupations are ranked higher than dalits and the study revealed that in all villages, dalits were excluded or received discriminatory treatment in accessing these services. In all villages nai (barber) do not cut hair of dalits who have go to the city for that purpose. In many villages some dalit caste people themselves cut hairs of dalits. Darji (Tailor) caste people would accept only new clothes from dalits and do not alter or repair old or used clothes. In four villages, people mentioned that if the suthar (traditional carpenters) comes to a dalit house for making or mending any wooden item, they bring their bottle of water with them and do not accept eatables. People in one village mentioned that a dalit does not enter the shop of sunar (goldsmith).

4. Discrimination in Political Sphere

Creation of Panchayat Raj is considered the best transformation in democratic India to realize the participation of ordinary people and power sharing. Reservations made entry into panchayats possible for dalits. Dalit representation, either as sarpanch or ward panch was found in 95 percent of the villages and in 87 percent of these villages people agreed that due to dalit right to contest election, the empowerment process has begun.

Discrimination in political sphere (table 5)	Villages (percent)
Elected representatives are dummies of non-dalit man	48
Influencing dalit voters through use of threats, bribe and alcohol	82

The dalit elected panchayat representatives are many a times dummy candidates. Only 17 percent of panchayat secretaries, 37 percent of patwari and 23 percent of rozgar sahayak were from dalit community. Study showed

It is an unspoken rule taken for granted by everybody that dalits are not supposed to touch earthen pots kept anywhere.

In one village of Sivana block of Barmer district the dalit sarpanch sits on the floor while a Rajput man sits in the chair of sarpanch.

In village Jhalariya of Jaisalmer dalit voters are supposed to stand in a separate queue for casting their vote.

discrimination to be existent in 63 percent of gram panchayat offices. There is usually no water facility in panchayat offices. The panchayat functionaries bring their own bottle of water. If there are earthen pots, then dalits are not allowed to touch. In 57 percent of panchayat offices dalits are served water from up by some non-dalit person. During meetings of panchayats, tea is served in disposable cups so that there is no possibility of other people drinking from the same cup. In 30 percent of gram panchayat offices, dalits sit separately during meetings. In four villages people reported that dalits were called by caste words.

5. Common Property Resources (CPRs) and Discrimination

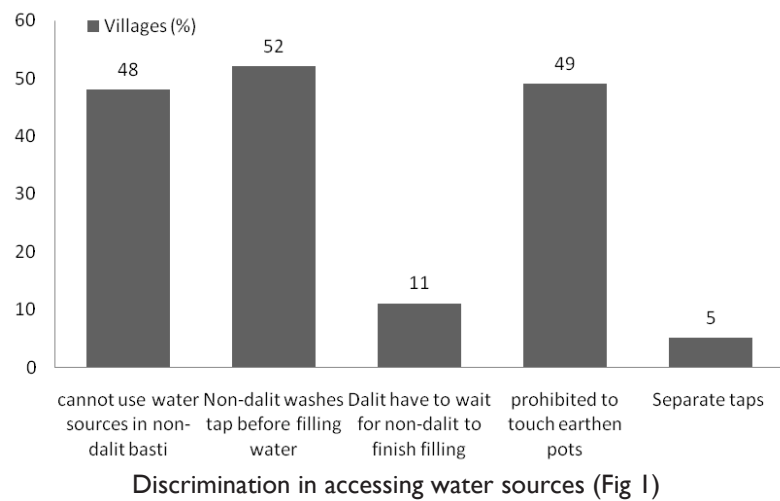
CPRs have multi dimensional role and wide ranging impact on community living, collective action and livelihoods. They are part of a dynamic eco-system and the social, economic and political processes surrounding communities. Their existence and character is affected by changes in these. The context being vast, current study endeavoured to look into access and control of dalit community with respect to cremation or burial grounds, grazing lands, water sources and use of public roads.

Grazing Lands - Animal husbandry is a major occupation for the dalits in desert region. Grazing lands supplement the livelihood of poor dalit households by providing fodder for their livestock. Dalits reported that there was no discrimination in access to grazing land. Gauchar and Oran are the two primary common grazing land in western Rajasthan. In 12 (16 percent) villages community reported specifically encroachment of grazing land by non-dalits. Dalits do not have access to this encroached land or pay a monthly fee for usage.

Cremation or Burial Grounds - Mostly cremation or burial land is government property managed by community. Sometime legal patta is provided. In most villages all communities had their separate burial land and there was no issue of discrimination. Non-dalits prohibiting access to dalits cremation ground through their agricultural land emerged as a sensitive issue in two villages of Barmer. In one village of Jaisalmer dominant-caste community has encroached on dalit cremation ground.

Common Water Resources - Water insecurity is a major issue in drought prone western Rajasthan. Availability

and distribution of water has a strong relationship with the social structure. Caste order creates hierarchy in water collection, distribution and accessibility. The polluting effect theory is more evident here.



Complete denial of using common water sources in non-

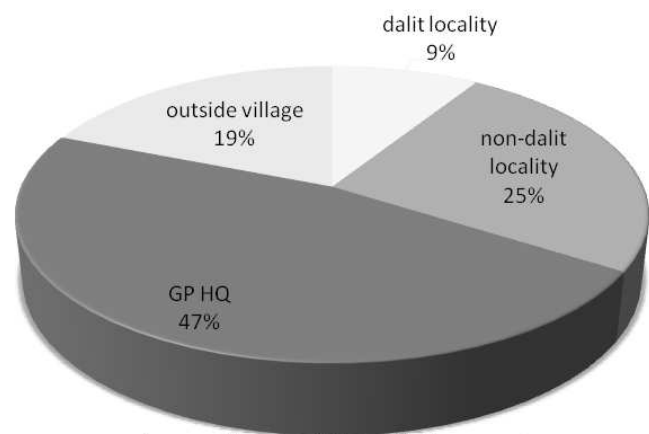
dalit bastis is common but differential behavior with dalits is more common. For instance dalits have to wait for non-dalits to fill water first and they have to vacate the water point if a non-dalit person arrives. They are not supposed to dip water filling vessels in well or tank together with non-dalit or touch their earthen pots. Dalits cannot use their rope to fetch water from wells, tanks or ponds. Taps or lines from which they can take water are demarcated in the case of government supplies like Ground Level Reservoir (GLR). In 12 villages dalit community was of the opinion that there was no discrimination with them in this regards. Discussions revealed that it had taken subtler forms like the non-dalit washing the tap if a dalit had filled water before. Discrimination is evident in the number of water sources available in dalit and non-dalit bastis. In Salwa Khurd village of Jodhpur district dalits are prohibited to take bath and wash their clothes in pond when a non-dalit is doing the same. In Cheeyali village of Sivana dalits are prohibited to dip their buckets in the bera (well).

Public Roads - In many villages dalits were barred from using public roads. They were supposed to walk with bent heads in front of non-dalits. In 48 percent of villages dalits keep submissive postures while walking on public roads crossing non-dalit basti. They stand up and greet if a non-dalit comes around even if they are in their own home or the other person is younger. In 21 percent of villages dalits are supposed to stand up on arrival of non-dalit. In 60 percent of villages of Jaisalmer, 80 percent villages of Barmer and in 28 percent villages of Jodhpur districts dalits are supposed to greet non-dalits even if the non-dalit is younger to them. In 28 percent of surveyed villages of Barmer districts and in 8 percent surveyed villages of Jaisalmer districts dalits maintain silence in front of non-dalits.

6. Discrimination in Access to Rights and Entitlements

Resentment of non-dalits towards the dalits is present and gets reflected in various forms, in sporadic incidence across boundaries of villages, institutions and states¹. Service providers in state institutions practice discrimination with dalits. The study looked at primary health, primary education, food and nutrition security services, Mahatma Gandhi National Rural Employment Guarantee Scheme, post offices, police stations and public transport.

Primary Health Services - Primary health care is a right. The dalits are denied access and face discrimination in service delivery at health centers. Sub-centers were there in 71 percent of the villages. Only 9 percent of these were in the dalit locality. In four villages, people reported that the Auxiliary Nurse Midwife (ANM) visited occasionally. 13 percent of the health service providers were from dalit community.



location of health centers

Fig 2

¹ Adapted from working paper series, 2010, Sanghamitra S. Acharya, Access to Health Care and Patterns of Discrimination: A Study of Dalit Children in Selected Villages of Gujarat and Rajasthan, published by Indian Institute of Dalit Studies and UNICEF

In three villages (Sanwarda and Sela villages of Sivana and Bardana village of Jaisalmer) dalits were not allowed to enter the health centers. In 10 health centers dalits were not allowed

Discrimination by ANMs as reported by villagers (table 6)	Villages (percent)
Do not enter dalit household	5
Do not sit inside	60
Do not consume eatable when offered	60

to go beyond the table of the health service providers. In 18 percent of health centers dalits were not offered chair to sit while non-dalits did not need permission in using any space inside the health center.

In four villages dalits have to wait for their turn till non-dalits have been provided services. In four villages, villagers reported that the service providers were loath to touch and examine dalits especially harijans. In 58 percent health centers water was served from up to the dalits so that they did not touch the vessels. 64 percent of health centers did not have water facility. Most of the service providers kept their bottle of water with them. In four villages (Bardana village of Jaisalmer, Sanwarda, Kammo Ka Bara and Majal of Barmer), ANMs do not enter houses of dalits.

Primary Education - UNICEF

says to be illiterate is to be excluded. In India education is a right. According to the Census of 2001, 28.5 percent of the children from dalit community drop out of school before reaching class V, 13.9 percent of them leave after reaching middle school, and 10.8 percent leave before reaching high school.

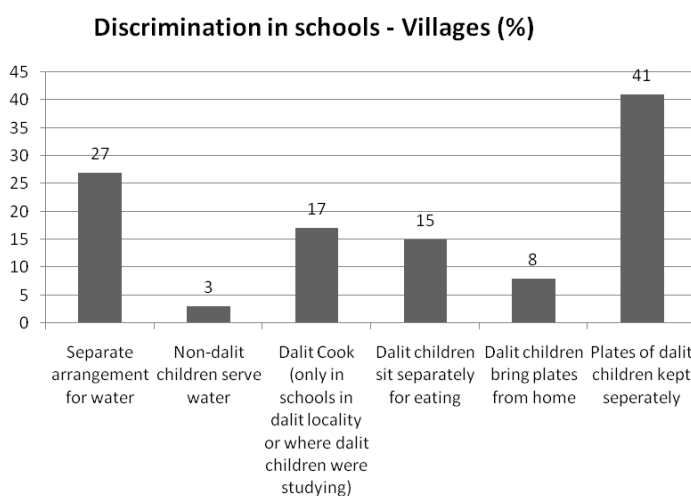


Fig 3

There were schools in all villages and dalit teachers were also employed in some schools. All the schools had common seating arrangements for children. However, most schools in the sample villages were located in non-dalit bastis. Discussions with villagers in 17 villages (23 percent) revealed that the dalit teachers were served tea and food in different cups and dishes and had separate drinking water glasses. Discrimination was in accessing drinking water (27 percent villages) and Mid Day Meals (52 percent villages). Mid-day meal scheme by

Government of India aims at improving nutrition of children and impacting their attendance. The contribution of mid-day meals to food security and child nutrition is crucial in drought prone western Rajasthan where hunger is endemic.

Villagers reported that tankers of dalit community are not allowed to fill water tanks in schools. Plates used by dalit children for mid day meal had a distinct mark. In almost all schools where non-dalit cooks were employed, they avoided touching serving spoon to plates of dalit children while distributing meals. Villagers said that it was like throwing the meal into the dishes.

Anganwadi Services - Anganwadi is the most primary outreach center in villages for nutritional support to children, pregnant women, lactating mothers and adolescent girls. Villagers reported discrimination in anganwadi in 67 percent villages. Only 22 percent of anganwadis were in dalit hamlets. 27 percent aganwadi workers were from dalit community. They were placed only in anganwadi of dalit localities. In 14 percent of villages, dalit children were made to sit separately

inside the center. In one village the dalit children sat on floor while non-dalit children were provided mats. In 54 percent of villages there was discrimination with dalit children in drinking water. People said during discussions that dalit children

Discrimination in anganwadis (table 7)	Villages (percent)
Dalit children denied to enter inside	16
Discrimination in seating arrangement	19
Discrimination in drinking water/ no water facility	54
Dalit children bring utensils from home	40

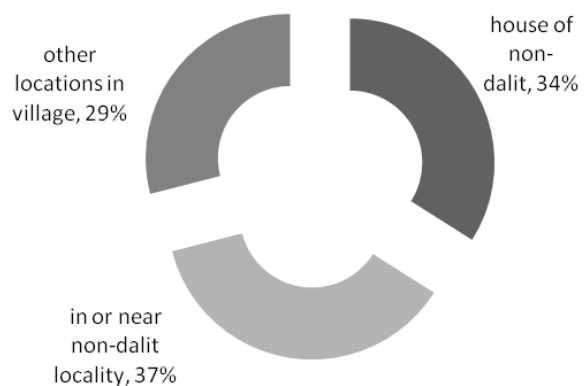
were sent back home to drink water. Earthen pots were not kept at the anganwadi center and the anganwadi worker and helper had their own bottles for water. In 40 percent of villages the dalit children brought their own utensils from home as they were not provided utensils from aganwadis. In 19 percent of villages dalit children brought the meals back to their home to eat as they were not allowed to sit in the anganwadi. They stand outside the entrance for distribution of food after which they are asked to go home. Anganwadis mostly function as food distribution centers.

Public Distribution System (PDS) - PDS is a tool for food security and a system through which the poor and marginalized populations in India can at present actualize their Right to Food. Whether it is operated well or poorly can indeed and does make the difference between sustenance and preventable starvation for SC and ST communities in certain areas². 62 percent of PDS outlets were located in or near to the non-dalit locality. 89 percent outlets were managed by non-dalits. In 19 percent PDS shops managed by non-dalits, entry of dalits was not allowed. 57 percent outlets did not have water facility. In 8 percent villages, people reported that they were referred by caste words at the PDS shops. In one of the village it was reported that dalits were distributed grains after non-dalit queue ended.

Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) - MGNREGA is a progressive Act passed in 2005 and guarantees 100 days of unskilled employment to rural households in a financial year. Worksite facilities are entitlements under the Act. 61 percent of the villages reported that there were separate water pots for dalits and non-dalits at the worksites. Dalits were not allowed to take water themselves from tankers manned by non-dalits. Water was poured in their vessels. In all villages tankers of dalits are not allowed to provide water at worksite where non-dalit labourers are also working. In villages or sites where dalit tankers are installed, non-dalits do not drink water from that tanker. They bring their water with them.

Post Office - Nowadays visit of people to post offices has increased because of disbursement of MGNREGA payment through it. Post offices are not free from caste-based discrimination. 41 of the sample villages had post offices. 14 of these were being run from the house of a non-dalit person owing to non-availability of government building. The intensity of discrimination increases when the post office is run from home of non-dalit. In all such post offices, entry of dalits was denied and they were not given water or served from up

Fig 4 - Location of Post Offices



² Jona Aravind Dohrmann and Sukhadeo Thorat, Right to Food, Food Security and Discrimination in the Indian Context, ASIEN 102 (January 2007), S. 9-31

without touching. There is no place to sit and dalits from far off localities sit under the tree and wait for their turn. 15 of the post offices run from government building were in or near to non-dalit locality. In 77 percent of the post offices run from government building, there is no water facility. In others dalits are not allowed to touch pots and are served water from up. In almost all the post offices, there is no sitting arrangement for people. They are supposed to sit outside. 11 percent of postman or post master were from the dalit community.

In 10 villages people reported that the non-dalit post man did not visit their locality but communicated news of arrival of post through someone else. Receivers later collected their post from the post office or the home of the post man.

Police Station - Police is a state authority enshrined with the responsibility of upholding and enforcing the laws. In one police station of Sivana block of Barmer district dalits were not allowed to drink water from common earthen pots, they were not offered chairs to sit and sometimes they were asked to pay money for services.

Public Transport - Public transport is the most usual mode of travel for poor people. In western Rajasthan all the villages are not connected with public transport system. 23 out of 75 sample villages were connected with government bus services. In two villages, one from Sivana block of Barmer district and other from Bhopalgarh block of Jodhpur district, it was reported that dalit people are supposed to stand up if non-dalit alights in crowded bus and conductor uses caste words to call dalit people.

RECOMMENDATIONS

Findings of the study have prompted the following recommendations:

1. The legislation protecting dalits from attacks, harassment and misbehavior must be enforced effectively and offenders prosecuted. As a signatory to the Convention on the Elimination of All Forms of Racial Discrimination (CERD), the government should observe and implement CERD General Recommendations. Effective implementation is also required of existing constitutional provisions and legislation, including the SC/ST (Prevention of Atrocities) Act.
2. There is need for the development of a monitoring mechanism in partnership with civil society organizations to ensure that the existing schemes, policies of law are implemented.
3. Caste hierarchy is intrinsically entrenched. Complaints are not forthcoming. The state thus needs to institute pro-active mechanisms for investigating and taking action on cases of discrimination. Basic services provided by the government and various schemes implemented by the government need to be monitored on indicators of discrimination. This will require collection of caste and gender desegregated data and appropriate changes in the monitoring and evaluation systems and formats. Monitoring and evaluation system should be linked with rewards and punishments to be effective. Discrimination needs to have the weightage of a non-negotiable indicator.
4. Panchayats as the local governance unit need to be sensitized to issues of caste and gender based discrimination and so this must be made part of the National Capacity Building Framework followed by appropriate changes in the curriculum of the current trainings of elected representatives and functionaries. Rewarding affirmative action by panchayats will have a motivational impact.
5. Activation and capacity building of Social Justice Committees in the three tiers of panchayats would also be a positive step.
6. There is intensive need for legal literacy of village people and aid to persons in need that is a mandate of the Legal Service Authorities.

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Annexure

Listing of Public Places³ Village wise where Discrimination was Identified

S.no	Village	Block	Public place where discrimination was identified
1	Burcha	Bhopalgarh	Anganwadi
2	Godavas	Bhopalgarh	Temple, School
3	Nandiya Prabhawati	Bhopalgarh	Temple, School, Anganwadi
4	Budkiya	Bhopalgarh	Temple, Health centre
5	Dhoroo	Bhopalgarh	Temple, School, Anganwadi
6	Dewatra	Bhopalgarh	Gram Panchayat
7	Salwa Khurd	Bhopalgarh	Health centre
8	Artiya Kalan	Bhopalgarh	Anganwadi
9	Artiya Khurd	Bhopalgarh	Temple, Anganwari
10	Khokhariya	Bhopalgarh	Temple, School
11	Kuri	Bhopalgarh	Temple, School, Health centre, Anganwadi
12	Kur	Bhopalgarh	Temple, Health centre
13	Hinganiya	Bhopalgarh	Temple, School, Health centre, Anganwadi
14	Bagoriya	Bhopalgarh	Temple, School, Health centre, Anganwadi
15	Ramrawas Khurd	Bhopalgarh	Temple, School, Health centre
16	Asop	Bhopalgarh	Temple
17	Bara Kalan	Bhopalgarh	Temple, School, Health centre, Anganwadi
18	Bara Khurd	Bhopalgarh	Temple, Anganwadi
19	Kheri salwa	Bhopalgarh	Temple, School, Health centre
20	Kheri Charna	Bhopalgarh	Temple, School, Health centre
21	Tigra/Ashapura	Bhopalgarh	Temple, Anganwadi
22	Malar	Bhopalgarh	Temple, Health centre, Anganwadi
23	Bandra	Bhopalgarh	Temple, School
24	Jhalamaliya	Bhopalgarh	Temple, School
25	Kelawa	Pokhran	Temple
26	Chacha	Pokhran	Temple
27	Loharki	Pokhran	Health centre
28	Jhalariya	Pokhran	Anganwadi
29	Sujasar	Pokhran	School
30	Modardi	Pokhran	Temple, Anganwadi

³ Most post offices were operating from the house of post master in which dalits were not allowed

31	Doodhiya	Pokhran	Anganwadi
32	Chanani	Pokhran	Temple, Anganwadi
33	Rathora	Pokhran	Temple, Anganwadi
34	Guddi	Pokhran	Temple, Health centre
35	Rakhi	Sivana	Temple
36	Tirgati	Sivana	Temple, School, Anganwadi
37	Sanwarda	Sivana	Temple, School, Health centre
38	Kamon Ka bara	Sivana	Temple, Health centre
39	Majal	Sivana	Temple
40	Dheedhas	Sivana	Temple, School, Health centre, Anganwadi
41	Mangi	Sivana	Temple, School
42	Baamaseen	Sivana	Temple, Health centre, Anganwadi
43	Deora	Sivana	Temple, School, Health centre
44	Jinpur	Sivana	Temple, Health centre, Anganwadi
45	Sela	Sivana	Temple, School, Anganwadi
46	Dheeran	Sivana	Temple, School, Anganwadi
47	Karmawas	Sivana	Temple, Health centre, Anganwadi
48	Bhilon ki dhani Phoolan	Sivana	Temple, Health centre
49	Kotari	Sivana	Temple, School, Health centre, Anganwadi
50	Cheeyali	Sivana	Temple
51	Loodrara	Sivana	Temple, Health centre, Anganwadi
52	Dev Nagar	Sivana	Temple
53	Jalampura	Sivana	Temple, Health centre
54	Khandap	Sivana	Temple, Health centre
55	Ratari	Sivana	Temple, Health centre, Anganwadi
56	Meli	Sivana	Health centre
57	Dabli	Sivana	School, Health centre, Anganwadi
58	Sewali	Sivana	Health centre, Anganwadi
59	Jaimalan	Pokhran	Temple, School, Health centre
60	Nananyai	Pokhran	Temple, Anganwadi
61	Ramdeora	Pokhran	Temple
62	Bardana	Pokhran	Temple, Health centre, Anganwadi
63	That	Pokhran	Anganwadi
64	Mava	Pokhran	Temple, Anganwadi
65	Orhaniya	Pokhran	Temple
66	Barli	Pokhran	Temple

About Us

UNNATI - Organisation for Development Education, is a voluntary non-profit organisation registered under the Societies Registration Act (1860) in 1990. It is our aim to promote social inclusion and democratic governance so that the vulnerable sections of society are empowered to effectively and decisively participate in mainstream development and decision making processes.

It is an issue based, strategic educational support organisation, working in Western India with people's collectives, NGOs, elected representatives in local governance and the government. Collaborative research, public education, advocacy, direct field level mobilisation and implementation with multiple stakeholders are the key instruments of our work. The interventions span from the grassroot level to policy level environment in ensuring basic rights of citizens. In this, inspiration is drawn from the struggles of the vulnerable and strength from our partners. Presently, all the activities are organised around the following programmes :

- **Social Inclusion and Empowerment**
- **Civic Leadership, Social Accountability and Governance**
- **Social Determinants of Disaster Risk Reduction**

The learning derived from our field experiences are consolidated and disseminated in print and electronic forms for wider sharing through a Knowledge Resource Centre. It is our endeavour to build an academy for community leaders, especially dalits and women, so that they can effectively address local issues.



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