

## Existence of Untouchability in India

**Mains:** GS I - Indian Society

### Why in News?

As per the report, provided by NCRB, 24 cases of untouchability against Scheduled Castes and Scheduled Tribes under the Protection of Civil Rights (PCR) Act, 1955 are reported for the year 2023.

### What is untouchability?

- **Historical background** - Untouchability is a deeply entrenched social practice, primarily in South Asia's caste system that segregates, humiliates, and exploits certain groups (Dalits).
- It is denying the certain groups with basic human dignity, equal opportunities in education, work, and public spaces, and enforcing exclusion through ritual pollution beliefs.
- **Definition** - *The Constitution of India does not define "untouchability,"* nor is it clear what constitutes its "practice in any form" or "a disability arising out of 'untouchability'".
- The English term "untouchability" is of relatively recent coinage; its first appearance in print was in 1909 and, while it gained wide currency, it did not gain clarity.

### What are the key aspects of untouchability?

- **Caste-Based Discrimination** - It's rooted in the Hindu caste hierarchy, placing Dalits at the bottom, historically assigned "polluting" tasks like sanitation, leatherwork, and waste disposal.
- **Social Exclusion** - Involves denying access to temples, shared wells, schools, and even physical touch, forcing separate living areas.
- **Economic Exploitation** - Keeps Dalit communities in poverty, limiting access to land, resources, and fair wages.
- **Humiliation & Violence** - Manifests as pervasive discrimination, verbal abuse, and physical atrocities, with severe consequences.

### What are the protections available against untouchability?

- **Constitutional resolve** - *Article 17 of the Constitution* of India abolished 'untouchability', forbade its practice and made enforcement of any disability arising out of 'untouchability', a punishable offence in accordance with law.
- **Legal protections** - An Act of Parliament namely the "*Protection of Civil Rights (PCR)*

Act, 1955 prescribes punishment for enforcement of any disability arising from the practice of 'untouchability'.

- The Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989, was enacted to prevent atrocities against members of Scheduled Castes (SCs) and Scheduled Tribes (STs).
- The SC/ST (PoA) Act, 1989 was amended in the year of 2016 and 2018 respectively and the Rules made thereunder were also revised.
- **Institutional arrangements** - At the Central level, a Committee under the Chairpersonship of the Union Minister for Social Justice and Empowerment, reviews the implementation status of the Protection of Civil Rights (PCR) Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) (PoA) Act, 1989, in States and Union Territories.
- **Central-state coordination** - The Department also holds regular meetings with the State Governments and Union Territory Administrations to monitor the implementation of the PCR Act, 1955 and the SC/ST (PoA) Act, 1989.
- State Governments/UT administrations are advised to ensure prevention of discrimination on the basis of caste of any person and implement these Acts in letter and spirit.
- **Advisories to states** - The Government of India, from time to time, has been issuing Advisories to State Governments/UT Administrations for effective implementation of Protection of Civil Rights (PCR) Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- Misuse has been reported by States who act as per relevant legal provisions.

### **What are the impediments in eradicating untouchability?**

- **Deep-rooted Social and Cultural Prejudices** - Untouchability is intrinsically linked to the rigid and centuries-old caste system, which fosters a sense of superiority among so-called "higher" castes and an internalized sense of inferiority among Dalits.
- Changing these entrenched attitudes, norms, and social codes of conduct is a slow process that existing laws alone have not been able to fully achieve.
- **Economic Dependence and Exploitation** - A significant number of Dalits continue to be economically vulnerable and reliant on higher castes, particularly in rural areas.
- They are often forced into stigmatized, "impure" occupations like manual scavenging, which perpetuates their low social status.
- Efforts to secure land rights or fair wages are often met with retaliatory violence and economic boycotts, making it difficult to achieve economic independence.
- **Ineffective Implementation of Laws and Institutional Bias** - Despite strong legal frameworks like Article 17 of the Indian Constitution, the Protection of Civil Rights Act, 1955, and the SC/ST (Prevention of Atrocities) Act, 1989, their enforcement is often weak.
- There is a significant gap between the legal provisions and the ground reality due to a lack of political will, corruption, and systemic biases within the law enforcement and judicial machinery.
- This is evidenced by low conviction rates and the large number of pending cases.
- **Residential Segregation** - Dalits often live in segregated areas or slums outside the main village precincts (known as Maharwadass), which reinforces social distance and

exclusion from public amenities like common wells, temples, and roads.

- **Lack of Education and Awareness** - Many Dalits, particularly in rural areas, lack access to quality education, which is a key tool for social mobility and empowerment.
- Furthermore, a general lack of awareness about their rights among the marginalized, and a lack of sensitivity among the general population, contribute to the persistence of discrimination.
- **Caste-Based Politics** - Political parties sometimes exploit caste identities for electoral gains, which further perpetuates caste divisions and hinders a unified approach to social reform.
- **Persistence of Specific Practices** - Specific forms of discrimination continue, such as separate utensils for Dalits in tea stalls, denial of entry to temples and homes, and social boycotts for defying customary "duties".

### What are the social solutions to eradicate untouchability?

- **Inclusive Education** - Providing common and liberal education for all children in shared schools and hostels helps break down caste barriers from a young age.
- The curriculum should promote critical thinking about social injustices and include the history of anti-caste movements and reformers.
- **Inter-caste Interaction** - Encouraging frequent interaction, shared dining, and social events between different caste groups, including on religious and national occasions, helps reduce prejudice and fosters a sense of unity and brotherhood.
- **Community Vigilance** - Establishing local vigilance committees with representation from all communities to monitor and report instances of discrimination in public spaces.
- **Media and Awareness Campaigns** - Relentless propaganda through mass media (radio, TV, social media) and local communication can challenge stereotypes, celebrate success stories of inter-caste harmony, and emphasize equality as a constitutional duty and human right.
- **Rehabilitation of Occupations** - Efforts to emancipate marginalized communities from "dirty" or stigmatized occupations (such as manual scavenging) through skill development and dignified alternative employment opportunities are crucial for social standing and economic independence.

### What are the cultural way forward?

- **Challenging Religious Orthodoxy** - Engaging with religious and spiritual leaders to interpret faith in an egalitarian light and publicly denounce untouchability can help counter the traditional justifications for caste-based discrimination.
- **Promoting Inter-caste Marriages** - Actively encouraging and providing support (legal, security, and financial) for inter-caste marriages is a powerful tool for uniting families across caste lines and dismantling the very foundation of the caste system.
- **Cultural Assertion and Self-Respect Movements** - Supporting movements that build self-esteem and identity among marginalized groups is vital.
- This includes promoting their unique cultural heritage, literature, and history (e.g., Dalit literature, the Self-Respect Movement) to counter the sense of inferiority imposed by the caste system.

- **Equal Access to Public/Religious Spaces** - Ensuring that all public spaces, including temples, wells, and cremation grounds, are accessible to everyone is a symbolic and practical step toward dismantling physical manifestations of untouchability.
- **Civic Education** - Integrating the values of the constitution, human rights principles, and the lives of social reformers (like Dr. B.R. Ambedkar and Mahatma Gandhi) into education and community dialogues can inspire commitment to an inclusive society.

## Reference

1. [PIB| Existence of Untouchability](#)
2. [The Hindu| Atrocities Against Dalits](#)

