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18 April 2005

**IND43499.E**[Search](#)

India: the current situation of the Scheduled Castes, especially in Punjab; whether there is a viable Internal Flight Alternative for Caste members outside Punjab; information on the "Scheduled Caste Certificate" or any other document that officially identifies persons of the Scheduled Castes (2003-2005)

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The 2004 *Country Reports* states that, in India, "widespread discrimination based on the caste system occurred throughout the country" (28 Feb. 2005, Sec. 5; see also IPS 19 May 2003). Cases of social segregation included separate wells and temples, housing and public transportation (*Country Reports 2004* 28 Feb. 2005, Sec. 5) as well as discrimination in access to education (IDSN Mar. 2005; *Le Monde* 17 Jan. 2004). Impunity for upper caste Hindus who committed crimes against Dalits was high, either as a result of the authorities' failure to prosecute the offenders or the underreporting of the crimes by victims who feared retaliation (*Country Reports 2004* 28 Feb. 2005, Sec. 5). Discrimination extended to Christians descended from Dalit families (*ibid.*; see also MRG 15 Mar. 2004). Women belonging to the Scheduled Castes were often targets of harassment and violence, including mass rapes by upper caste gangs to intimidate the lower castes (*Country Reports 2004* 28 Feb. 2005, Sec. 5). According to *Country Reports 2004*, caste-based violence was the most widespread in Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh, Tamil Nadu and Andhra Pradesh (Sec. 5). There are around 250 million Dalits in India (*Le Monde* 7 Jan. 2004).

While the implementation of legislative and constitutional provisions to improve the situation of Dalits has been generally weak in India (*Hindu* 4 Mar. 2003; IDSN Mar. 2005), in northern Uttar Pradesh, India's largest state and "political crucible," the chief minister began implementing an election promise to reserve for Dalits up to 50 per cent of "key" positions in labour tribunals and on the executive boards of educational institutions (IPS 19 May 2003). In Orissa, following an intervention by the National Human Rights Commission, the state government agreed to pay compensation to victims of violence under the Scheduled Castes and Tribes Act (Prevention of Atrocities) (1989) and Rules (1995) (*Country Reports 2004* 28 Feb. 2005, Sec. 5). In Chandigarh, the first Dalit woman was elected to the mayor's post in 2004 (*ibid.*). In June 2003, a special court in the northeastern state of Bihar sentenced eight people to death and six to life in prison for the murder of Dalits in 1988 (AFP 7 June 2003).

Following the earthquake and tsunami of 26 December 2004, Dalit communities in affected areas were reportedly being denied access to delivery of food, water and medical care, as well as being "forced to carry out the worst tasks of dealing with bodies and clearance of debris with little or no protective clothing" (MRG 13 Jan. 2005). For further information on the situation of Dalits following the tsunami, please refer to IND43352.E of 27 January 2005 and IND43330.E of 21 January 2005.

For general information on the Scheduled Castes in India, including treatment of persons belonging to the Castes, prior to 2000, please see IND31487.E of 26 April 1999.

**The Situation in Punjab**

Jawaharlal Nehru University sociologist Surinder Jodhka explained in a 15 June 2003 *Indian Express* article that "[I]ow

caste Sikhs of Punjab are the only Dalits from a non-Hindu religious community listed among scheduled castes." According to Prof. Jodhka, the caste system in Punjab is agrarian-based rather than Brahminical, as in other parts of India (*Indian Express* 15 June 2003). The Scheduled Castes, who own less than 3 per cent of the agricultural land (*Frontline* May 8-21 2004; see also *Indian Express* 15 June 2003), constitute over 30 per cent of the population in Punjab (*Tribune* 21 June 2003). More than 80 per cent of the Scheduled Castes in Punjab live in the rural areas (*Tribune* 21 June 2003), while roughly 15 per cent of Dalits in Punjab have been allocated jobs in the public sector under the reservation scheme of the Constitution (ibid.). Dalits, according to Dr. Jaspal Singh of the Ambedkar Institute, have a small share of the power structure in the state, with a "negligible" presence in trade, industry, finance, health and religious institutions (ibid.). Illiteracy and unemployment are not uncommon among the Dalit population in Punjab (*Frontline* May 8-21 2004).

While since Partition, instances of caste-based violence have been rare in Punjab (*Tribune* 21 June 2003; see also *India Today* 23 June 2003), "social boycott" and segregation are a part of daily life for the Scheduled Castes (*Frontline* May 8-21 2004). Dalits, for example, have separate gurdwaras (Sikh shrines) and cremation grounds (*Tribune* 21 June 2003). There have also been reports of mistreatment and even death of Dalits in police custody (*Tribune* 12 Feb. 2005; ibid. 8 Feb. 2005). According to one media report, the Punjab State Human Rights Commission ordered an inquiry into the death of a Dalit youth who was picked up by police in the town of Lohian and allegedly tortured (ibid.). One human rights activist said that the Punjab government had not taken any measures against the police "to stop the recurrence of such incidents despite directions issued by the [Human Rights] [C]ommission in the past" (ibid.).

In June 2003, a violent clash between Dalits and Jat Sikhs erupted over the issue of control of a shrine in Talhan that receives substantial annual cash offerings but is managed by a committee with no Dalit representation (*India Today* 23 June 2003; see also *Tribune* 8 June 2003). According to one media report, the clash may have also been an attempt by the Dalits to protest against a "social boycott" of Dalits imposed by the Jats in the village in January 2003 (ibid.). Dalits comprise the majority of the population of the village (*India Today* 23 June 2003).

### Scheduled Caste Certificate

According to information on the Web services portal of the Punjab government,

Caste Certificates are generally required for obtaining benefits from various Government Schemes provided to Reserve Castes, such as Reservation [and] Relaxation in Government Services [and] Government Educational Institutions [...] (India n.d.)

Permanent residents who have lived in Punjab for at least five years can obtain caste certificates from the office of the Sub Divisional Magistrate (ibid.). Applicants must fill out an application form, present an affidavit indicating proof of residence and membership in a particular caste, and "court fee stamps" (ibid.). The application is usually processed within seven days (ibid.).

Information on an internal flight alternative for Scheduled Castes in Punjab to cities such as New Delhi and Bombay could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

### References

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*The Tribune*. 12 February 2005. "Dalit Dies in Police Custody." (NEXIS)

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#### Additional Sources Consulted

Three oral sources did not provide information within the time constraints of this Response.

**Internet sites, including:** Ambedkar.org; Human Rights Watch; National Human Rights Commission, India; Home Office, Immigration and Nationality Directorate, United Kingdom.

  
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