

UPDATE

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Brutal attacks on the Dalits of Gujarat

The Hati Darbars, that is, the upper caste Rajputs of Pankhan village of Junagadh district of Gujarat carried out a ghastly attack on the Dalits of the village on 27th November 1999. On this day over 500 Hati Darbars surrounded and attacked the 100 Dalits who were clearing the thorny bushes to make the land cultivable. Even after seven months about 10 of them need assistance to move around. Many of the young men and women managed to escape to nearby villages and thus were saved from being beaten up and raped. But all of them were not lucky enough to escape the wrath of the upper caste Darbars. Jayaben Sondarva was gang raped by thirteen men and she was thoroughly bashed up. The impact of the atrocity was so serious that even for days she continued to scream with pain and agony. The marks of the wound inflicted with a crow bar and an axe are still fresh on her body. The Darbars were armed to their teeth. They not only carried conventional weapons like spears, woodcutters, swords, choppers, and axes but also modern firearms with them.

The Dalits of Pankhan suffered not only humiliation and physical torture due to this organized vandalism but now they are forced to undergo economic deprivation. Muljibhai Govindbhai was the only breadwinner of a family of 8 members. But for the last seven months, he is bedridden and he needs extensive medical care. His minor son who was studying had to abandon his studies to earn a living for the family. Three of the victims had to be admitted in Jamnagar hospital for treatment and one was hospitalized there for three months. For daily wage earners to take care of some one in a far away place is beyond their means. Hence, they were forced to borrow money for a high interest rate and thus putting themselves in greater hardships. Amrabhai

Sondarva was brutally battered. He clearly remembers that Kara Sisodia pelted a stone at his eye and thus he lost his left eye. Even after seven months of agony he can vividly remember that Vasur Lakha fired at him with his gun. When his wife tried to prevent the attackers from assaulting him they let loose a reign of terror on her and fractured her hands and legs.

Socio-Economic Conditions of Dalits: An observant analysis of the profile of Pankhan village reveals the fact that the Dalits are the landless agricultural labourers. Even in terms of literacy, the Dalits of Pankhan village lag way behind their caste in the district as well as in the state. Though the educational status of Dalit women is comparatively better than the BIMARU states, yet the literacy rate of women is deplorable. Even the comparatively better literacy rate of the women was due to some foresighted policy of some of the rulers of the pre-independence period. Sayajirao Gaekward-III is reported to have opened boarding schools for the benefit of the Dalits against the stiff opposition from the orthodoxy. It is also recorded that in 1930, then Nawab of Junagadh opened an educational institution exclusively for the Dalits and thus education came to play a major role in the upward mobility of the Dalits of Junagadh. But Pankhan village has been untouched by these attempts too.

All the cultivable land is owned by the Darbars. In an average every Darbar household owns about 10 acres of land. But this data hides more facts than what it reveals. Among the Darbars there are landlords who own more than 18 acres of land which is the ceiling limit. The biggest landlord is Augaudh Devdan who owns about 93 acres of land. The Sarpanch Rawat Vakmat Sisodia owns about 50 acres of land. He is one of the prime accused in this pre-planned crime committed on the Dalits. The Darbars own 17 tractors and thus are economically better equipped to carry on agricultural activities. Ten of them are also gainfully employed in various government jobs, starting from police force to revenue magistrate. The village has around 16 shops and all of them are owned by the Darbars. It becomes easy to impose 'social boycott', when the Darbars want to penalize the Dalits. Suresh Rathore a social worker

declared, “Social boycott is enforced by the upper castes on the Dalits in rural Gujarat to ensure unconditional obedience. This is an unwritten law and thus the Dalits are kept in their ‘due place’.”

There are about 13 motorized rickshaws transporting people and goods to and from the village. Out of these 7 are owned by the Darbars, 2 by the Rabaris and 4 by the Dalits. After the incident the Dalits are scared to fly these rickshaws. The 3 flourmills that are operative in the village are also owned by the Darbars. After the incident these flourmills are also closed for the Dalits and they have to go 15 km to Keshod to get their wheat milled. But an official when contacted about the boycott asserted, “I personally went to the village, took the Dalit women to the flourmill and asked the mill owner to grind the wheat of his customer. He willingly obliged me”. But the women from the Dalit section said, “The incident has left lasting impact on us. Now we are scared to step into the location inhabited by the Darbars. Infront of the officials the Darbars behave in a human manner but once the officials leave the place then the Darbars show their true colour”.

The Root Cause for the Attack

Probing into the root cause of the murderous attack one becomes aware of the fact that age-old caste system and untouchability are intact in rural Gujarat. Though untouchability is abolished by law, in practice it exists in various forms in Gujarat. Renowned social scientist I.P. Desai had made a study on the ‘Untouchability in Rural Gujarat’ in 1976. In this work the author with painstaking effort tried to argue that untouchability is slowly disappearing in the public sphere while it is being practiced in private domain. But talking to the people of Pankhan one is struck by the fact that whether in the public or in private sphere, untouchability is prevalent albeit in different form. Madhavbhai stated, “ For common meals we have to take our own utensils to get the meal and even today we have to sit in a different row, far removed from the Darbars. Our women have to cover their head if a Darbar is passing by. The bride-grooms cannot ride on a horse and go around the village on the marriage day”. Young Arvindbhai with repugnance said’ “ We have to address with respect even a small girl of the

Darbars as ‘mausi’. But our women folk are called by all kinds of abusive terms’. The Dalits of Pankhan also reported that for the same labour the labourers from the Darbar caste get more wages, while they get only half of the stipulated wages.

The most significant fact which needs to be kept in mind is that though the Dalits perform all forms of labour like purification, building, cultivating and providing agricultural and household utensils they are kept out from every domain of the society. In the changed economic conditions they constitute the main force of the agricultural labourers. Since they are scattered over the whole the state and since agriculture falls under the unorganized sector, they are not able to exert pressure on the landed gentry for implementing minimum wages. Hence, demanding and initiating a struggle for redistribution of land is a far cry.

Fifty-three years of independence has not made any tangible difference in their life situation. In contrast their situation is turning into a bottomless pit of misery and suffering. Abolition of untouchability or land reform and the ‘Harijan Cooperatives’ started under the Special Components schemes in 1982 did not in reality lead to any alteration in the lives of the Dalits. Ghanshyam Shah demonstrates that, “The parties went on shouting slogans: ‘social justice’, ‘Equitable Distribution’, ‘Antyodaya’ etc., to attract the voters of the rural poor. Pro-landed class policy and programmes on the one hand, and the pro-poor rhetoric and half-hearted programmes on the other baffled the havenots. Such strategy provides breeding ground for manipulative politics at the elite level”.

It is a fact that some of the Dalits have made use of social mobility initiated by modern education. Many of them also enter into electoral politics and enhance their own socio-economic fortunes. They also overtly and covertly appeal to the caste sentiments of the Dalits during the election, but shy away from fighting for the cause of the Dalits. This was clearly seen in the behaviour of the local MLA Samat Rathor of BJP a Dalit himself. Keshod is the reserved constituency and the people of Pankhan had voted for Samat Rathor. But when he visited the village after the criminal

attack, he did not decry the brutal attack on the Dalits. He was more interested in highlighting the 'good deeds' done by the Chief Minister Keshubhai Patel. He was incapable of forcing the district administration to do the needful to the victims.

Crimes committed against the Dalits are also very high in Gujarat State. The state ranks 5th after Uttar Pradesh, Rajasthan, Madhya Pradesh and Andhra Pradesh where crimes committed against Scheduled castes are very high. Significantly, these are only the crimes that are reported. But there are other crimes that go unreported every day. A state in which economic development seems to have made great leaps, concurrent social reforms seems to be a far cry. This is because economic progress is carried out without making necessary alterations in the age-old feudal and patriarchal social structures. If we take the record of crimes committed against the Dalits in Gujarat and compare it with the crimes recorded for India, then there is a growth from 5.71 per cent in 1996, to 6.55 per cent in 1997 and 6.72 per cent in 1998. Thus, there is a slow but steady increase in the number of crimes committed against the Dalits in Gujarat. The Keshubhai Patel Government in spite of its public pronouncements has not succeeded in curbing the crimes against the Dalits.

Going further, an attentive inquiry into the root cause of the murderous attack reveals that the mayhem was ignited due to fight over 'gauchar zamin', that is, pastureland. Gujarat has the tradition of allotting about 40 acres of land per 100 cattle. Unofficial record states that there are more land allotted for cattle. Jyotsnaben a social worker from Ahmedabad commented, "On the face value this unwritten law seems to be an important provision made by then rulers in favour of cattle. But in reality this provision has been misused by the upper castes all over the state. Though they already own vast tracts of land yet they seize the pastureland too. But the significant fact is that as long as the upper castes grab land there is nothing wrong. But when the landless Dalits try to encroach upon waste land then the upper castes let loose a reign of terror. Thus caste oppression and economic exploitation go hand in hand in rural Gujarat".

Pankhan village had about 325 acres of pastureland. Out of this the Darbars had grabbed 200 acres of land and are cultivating it for ages. Significantly, it is not the landless Darbars who have seized the land, but the landlords among them who have captured the land. For the last 5 years, the Dalits are trying to occupy the land and cultivate it. Last year they had sown millet in the land but the rain gods failed them. This year they attempted to clear the thorny bushes so that it can be made cultivable. They had even demarcated the plots for the 40 landless Dalit families. The Darbars could not tolerate this feeble attempt by the Dalits. Ramabai submitted that, "For generations we have been toiling as the bonded labourers of the Darbars. Since we were economically dependent upon them they ill-treat us in numerous ways. To escape from this bondage we were clearing the pasture land so that we can become somewhat independent. But even this attempt is thwarted by the Darbars".

A former member of the panchayat maintained that since the disposal of the gouchar zamin legally rests with the panchayat, the Dalits had represented the matter in the panchayat to allot the land to them so that they too can cultivate the land and provide for their families. But this request has been constantly turned down by the panchayat which is dominated by the upper caste Darbars. Since the Dalits were denied justice in the panchayat, they had petitioned to the district administration to look into the matter. But no one paid any attention to the supplication of the Dalits. But when the Dalits began to occupy the land, the Darbars filed a case in the court and the court in its usual style decreed section 144 without going into the root of the problem. Interestingly, a highly placed official in the district administration boasted, "We have taken serious note of the incident that took place in Pankhan. Hence, we have prepared a detailed report about the entire issue and have recommended to the state government to allot the pasture land to the Dalits".

The official categorically denied any tension in other villages. But the slogan shouting landless Dalit demonstrators from Bamnasa village just in front of the collectorate belied the assurance given by the official. One of the demonstrators

narrated that, "From 1993 we have been demanding for the allotment of waste land to us so that we can earn our living and lead a decent life. In 1996, the local MLA and the Minister of Land Reform both had promised that their government would immediately allot the land in their names. But that has remained only a promise. From October 28th 1999, we have been on relay fast in front of the collectorate to demand for the allotment of the pasture land to us". Another district official on the condition of anonymity stated that in atleast in 200 villages of the district, similar volatile situation is prevailing. It is significant to note that Dalits from 200 villages in Surendranagar District on 12th January protested in front of the collectorate to demand for the fulfillment of the promise made by the government to distribute land to the Dalits.

Role of the State

Right from the month of July tension has been brewing in the village. The Dalits had requested the administration and a police camp was set up in the village on 12th July. But during the Lok Sabha elections the police camp was removed and no police force was deployed in the village after the election. It is only after the brutal assault that the administration has provided police protection. The villagers also alleged that some of the policemen used to drink daily and the villagers got them transferred from Pankhan. But the Dalits of Pankhan gratefully remembered the role played by some of the police personnel from the Dalit community. Since some of these policemen knew the whereabouts of the perpetrators of the crime, they led the combing operation and arrested all the culprits. They even marched up to Galodar village which is about 10 kilometers away and arrested 20 accused from Khuman's hide out. But these officers had to pay dearly for performing their duty. They were not only shifted from Keshod police station, but also shunted out of the district. But Khuman who is one of the liquor baron of the region, who also was present in the planning of the attack is moving about scot-free, due to lack of evidence.

Haren Pandya, Minister of State for Home visited the hospital on the same evening and 'consoled' the victims. But he 'ordered' the press not to

highlight the incident. His contention was, due to communal violence in the Dangs the government was already in bad lights. A government official on condition of anonymity stated, "The Gujarati press is not only communal but it is biased and at times even venomous. It failed to carry even factual report of such a grievous act like this." It is alleged that the minister 'requested' the Junagadh hospital authorities to discharge the injured after the initial medical treatment so that the incident does not get too much publicity. The hospital authorities obeyed the dictate of the minister and sent home the victims even before they were 'sufficiently' cured. Lakhabhai bemoaned the fact that, "I was discharged even before I could sit or stand up without someone else's help. For the last seven months I have been lying down here with out any proper medical care".

About the payment of compensation to the injured, the government has been moving on snail's phase. Whatever little that has been given in the name of compensation is so paltry that the victims are left with no choice but to borrow money from moneylenders to attend to their wounded family members. Some of the relatives from the neighbouring villages have been kind enough to provide some assistance. Significantly, the Social Welfare Department waited more than three months for the 'official report' about the rape victims to be finalised so as to provide compensation. But by the time the help came the condition of the victims deteriorated from bad to worse. Even after seven months eight victims have not been given the total amount of compensation from the Chief Minister's relief fund.

Altogether about 79 names were registered in the FIR. And all of them were apprehended by the police by the third day. After 40 days in custody, 76 were released on bail. Three others who were the main accused in the rape case were also released after two months. When the matter was referred to a district officer he replied, "The law will have to take its own course of action. We can not interfere in this matter". But when pressed further he was candid in his answer, "These poor fellows have been in the jail for more than 40 days. What other punishment do you want to impose on them?". Ishwar Das a social worker from

Ahmedabad stated, “This clearly indicates the casteist bias of the administration. In this unequal situation whether the Dalits will obtain justice from the administration remains a moot point”.

At this juncture the role played by the ration shop owner needs to be highlighted. Various governments both at the state and the centre had repeatedly promised that the Public Distribution System will be streamlined and those coming under the ‘poverty line’ alone will be provided with this facility. But these announcements remained only a promise and in reality it is the rich and the powerful of the village who continue to benefit out of this scheme. Balubhai Sondarva alleged, “We hardly get kerosene from the ration shop. Even if we get it is less than 10 liters instead of the stipulated 12 liters. But Rana Kala Sisodia, the ration shop owner donated 400 liters of kerosene to set fire to the bushes and to us who were working to clear the bushes. Will our fate be ever changed?”

Impact on the Dalits

Social boycott is continuing in its worst form after the brutal onslaught. The Dalits are not allowed to buy even the essential edible items from the shops. Since all the shops are owned by the Darbars, the Dalits now are forced to go 15 kilometers to buy their provisions or to grind the wheat. When a highly placed government official was reported of this he retorted saying, “Other villagers also have to come to Keshod to purchase their provisions and the Dalits also have to do so. There is nothing strange about it”. This official pretended to be unaware of the social boycott that is strictly enforced by the Darbars. Forced by poverty the Dalits are ready to work for the Darbars but the Darbars have decided not to employ the Dalits of Pankhan. Even the wounded are not allowed to sit on the motorized rickshaw if they want to go the hospital. Above all, the Darbars have also issued stricture that if any one entertains the Dalits of the village they will be ostracized from their caste and a fine of Rs. 500/- will be imposed on them.

The village with about 3,000 population had not witnessed any serious clashes in the past. The Dalits who were also the landless agricultural labourers of the village worked for the upper caste

Hati Darbars and thus eked out a living. Govindbhai recollected, “For more than five generations we have lived in harmony here. We never disobeyed the dictates of the Darbars. Even if the Darbars humiliated us we suffered in silence. But when we began to work on the pastureland, the Darbars got threatened. They have carried out this horrendous crime to terrorise us”. Not many children used to go to school, since they had to help their parents in the agricultural and other household chores. After the incident even the few children who used to go to school had stopped going. Two months after the incident the State Reserve Policy used to accompany the children going to school so that they are not harassed by the Darbars. The November 27th incident is still dreadful to them and they do not dare to step into the area where the Darbars reside.

In a situation surrounded by total darkness, the support and strength provided by some of the Dalit organizations lifted the drooping morale of the victims. The Dalit Yuva Vikas Sanghathan founded in 1991 to expose the atrocities heaped upon the Dalits in the district played a major role in bringing the wounded to the hospital and getting prompt medical help. They are mobilising the Dalits in more than 300 villages to resist these types of oppression and humiliation suffered under the upper castes. The BAMCEF, another Dalit organization of the government employees garnered all strength to move the ill-equipped hospital staff to attend to the victims screaming with excruciating pain. K.N. Rathore declared, “We had to literally force the civil surgeon to make adequate arrangements to attend to the sufferings of the wounded. Since the Junagadh hospital did not have an orthopaedician we requested the hospital authorities to shift the injured to Jamnagar. But the civil surgeon expressed his inability since the hospital does not have an ambulance in condition. Hence we got the help of some good Samaritans to take the seriously injured victims to Jamnagar hospital”. If not for their timely help some of the victims would have died. Like the men the women folk of these officers daily visited the hospital and provided solace and comfort to the suffering people. The leaders of Pankhan too moved all the forces to come to the service of the victims.

Recommendations

Various Dalit organizations presented the following demands to the Governor of Gujarat on the 13th of December: 1. They demanded land allotment policy to be changed, especially with regard to the "Gouchar zamin". There should be new policy drafted by the state and land should be redistributed to the landless Dalits of Gujarat so that they can have source of income and can live with self-respect and dignity. The argument behind this demand is that even the cattle is allotted land by the state, while the landless Dalits are not. This seems to mean that the Dalits are inferior to cattle. If the Dalits are inferior to cattle in the eyes of the state, then consider the Dalits as equal to the livestock and allot 2-3 acres of land to them. 2. Since the Sarpanch Rawat Sisodia himself was the main accused in the attack, the power of Pankhan Gram Panchayat should be superceded by an implementing agency of Government and within one month every Dalit should be allotted 2-3 acres of land. 3. The Government should atleast now accept that there was "social boycott" in Pankhan village and should penalize the Hati Darbars for imposing social boycott. The Government should also release cash dole immediately from the Social Welfare Department to every Dalits of Pankhan village. 4. The main accused in this heinous crime should be arrested under TADA Act. The accused in gang rape should be taken before the public so that in future such people would think twice before committing such atrocious acts.

Looking at the socio-economic structure of Gujarat, it becomes imperative that the legal provisions about gouchar zamin and other common property land resources be regulated and made available to the Dalits and the downtrodden. Sudarhsan Iyengar who made a comprehensive study in the year 1989 also had recommended this as the primary task. This study was carried out in 25 villages spread out in five different regions of Gujarat focused on the size, status and use of common property land resources. This study also had recommended that the village panchayats be involved in the protection, maintenance and use of the common property. Since the village panchayats themselves are coloured by the social character of the village, other voluntary agencies be involved as catalytic agents. This is the urgent need of the hour

and if this is not done in the immediate future, the rural Gujarat will go along the path of Jehanabad district of Bihar. A district officer on the condition of anonymity expressed this judgement, "Unless the gaucher zamin and other common resources of the villages are not allotted to the landless and the poor, the rift between the upper castes and the Dalits will widen further. This may ultimately lead to violence and from where there is no return".

The Dalits of Pankhan still live under the shadow of the crime committed against them. Since they are determined to carry on the struggle in the legal arena they are threatened by the Darbars. Hence, they are contemplating of the need to protect themselves in self-defense. An official in the district headquarters confirmed to the fact that six of the Dalits have applied for possessing firearms. This once again indicates the socio-political crisis that has taken deep roots in rural Gujarat. The Gujarat State has made great stride in the field of economic reforms but its socio-political edifice remains untouched. It is this social reality that will determine even the economic wellbeing of the state in the future. The atrocities heaped on the Dalits in Pankhan is only a sign of the much severe socio-political crisis that is haunting the very social fabric of Gujarat.

In this process the Dalits are not going to take things lying low but will assert their legitimate rights constitutionally and extra-constitutionally.

For your solidarity and support contact:;

Dalit Yuva Vikas Sanghathan
Makbuls Chamber, 3rd Floor, Dr Ambedkar Chowk
Nagar Road, Junagadh District and P.O
Gujrat – 392001 INDIA

Update Collective

F-10/12, Malviya Nagar, New Delhi – 110017
Tel: 6426783, Telefax: 6237724,
Email: delforum@vsnl.com

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