

<https://www.milligazette.com/news/16496-indias-disproportionately-high-population-of-dalits-advasis-lodged-in-jails/>

[Human Rights](#)

## India's disproportionately high population of Dalits, Advasis lodged in jails

Abdus Sattar Ghazali, 20 Dec 2018

A report by the National Crime Records Bureau (NCRB) says, "Dalits and Advasis - two of the most vulnerable sections of Indian society - make up a considerable number of India's prison population."

Advasi is the collective term for the indigenous peoples of mainland South Asia. Advasi make up 8.2% of India's population, or 104 million people, according to the 2011 census.

Dalits are at the bottom of the Hindu caste system and despite laws to protect them, they still face widespread discrimination in India. According to the latest census, they comprise 16.2 % of India's population (166 million people).

The NCRB report says that these two communities account for about 24.4 per cent of the country's population, but constitute 34 per cent of prisoners.

Dalits and Advasis constitute a disproportionately high number of prisoners with respect to their share of the country's population, a study has shown, which adds that even behind bars, these prisoners face caste discrimination from jail authorities and their fellow inmates.

The term "Dalit," which has been used widely since the 1970s to describe the touchables means oppressed or broken to pieces in Sanskrit and accurately details

A report titled 'Criminal Justice in the Shadow of Caste', released by the National Dalit Movement for Justice (NDMJ) this week, details how caste discrimination affects Dalit and Adivasi prisoners in terms of their right to food, wage, employment, accommodation, medical, bail, parole, and similar rights to trial and appeals. "Deeply entrenched prejudices against Dalits and Adivasis play an important role in their harassment and incarceration," it states.

Citing data from the National Crime Records Bureau (NCRB), the report says, "Dalits and Adivasis – two of the most vulnerable sections of Indian society – make up a considerable number of India's prison population." The report says that these two communities account for about 24.2 per cent of the country's population, but constitute 34 per cent of prisoners.

NCRB 2015 data shows that 21.6 per cent of under trails (61,139 out of 2,82,076) belong to Scheduled Castes (SCs) and 12.4 per cent (34,999 out of 2,82,076) are from Scheduled Tribes (STs). As per the 2011 Census, the SC and ST population accounts for 16.2 per cent and 8.2 per cent of the overall population, respectively.

States that show a significantly disproportionate percentage of prisoners as compared to their actual population are in Assam, Tamil Nadu, Maharashtra, and Rajasthan. For instance, the percentage of SC/ST population in Tamil Nadu is 21.2, while the percentage of SC/ST prisoners in the state is 38.6.

The study is based on detailed interviews with 21 prisoners, convicts, those acquitted, or those out on bail in Rajasthan, Tamil Nadu, and Maharashtra.

"Most of them reported to have faced discrimination in terms of accommodation, bedding, food that is served to them, and even employment and wages provided within the jail. Another issue is also problem faced in accessing legal aid," said advocate Rahul Singh from NDMJ.

Tellingly, the discrimination against Dalits is kept alive by social practices. Dalits are not to enter temples, use the same water sources as other castes or eat with members of a higher caste. This repressive discrimination keeps Dalits constantly at war with the rest of Indian society and subject to extreme prejudice. In some cases, Dalits who have "forgotten their place" are raped, beaten, burned or lynched.

India requires that 16 percent of government jobs and spots in public schools go to

members of the Dalit group, but research shows that only five percent of Dalits actually benefit from these reservation laws.

The Hindu caste system structures Brahmans, society's priests and teachers, at the top of the ladder, followed by Kshatriyas, the rulers and soldiers. Next come Vaisyas, or merchants and traders. Lastly, Sudras are the laborers. Dalit, or Untouchables, are seen as below even the boundaries of the caste system and shoulder the brunt of discrimination.

## **Massive incarceration of black in USA**

Ironically disproportionate incarceration of Dalits in India reminds the massive imprisonment of black population in USA.

Black people in the USA are imprisoned at more than 5 times the rate of whites; one in 10 black children has a parent behind bars, compared with about one in 60 white kids, according to the Stanford Center on Poverty & Inequality study of 2017. The crisis has persisted for so long that it has nearly become an accepted norm.

Black people make up nearly 40 percent of America's incarcerated population and are more than five times as likely as whites to be behind bars according to a new study by the People's Policy Project, a progressive think tank that looks at how economic inequality exacerbates this longstanding racial divide.

Using data from the National Longitudinal Study of Adolescent to Adult Health, which has tracked a representative sample of Americans since the mid-'90s, the study by Nathaniel Lewis finds that the incarceration gap between blacks and whites is primarily driven by economic disparities. He concludes that one's class, more than race, is the single greatest predictor of how likely someone is to land behind bars. Our jails and prisons are mostly filled with America's poor.

In 2014, 57 percent of incarcerated men, and 72 percent of incarcerated women had incomes below \$22,500 before they were locked away. Many of them are white, but a stunningly disproportionate share are black.

*Abdus Sattar Ghazali is the Chief Editor of the Journal of America ([www.journalofamerica.net](http://www.journalofamerica.net)) email: [asghazali2011 \(@\) gmail.com](mailto:asghazali2011@gmail.com)*

**More from Human Rights**