

# **THIS VILLAGE IS MINE TOO**

**Dalit assertion, Land Rights and  
Social Boycott in Bhagana**

Joint Report by Peoples Union for Democratic Rights  
(PUDR) and Association for Democratic Right (AFDR)

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## PREFACE

On 23rd May reportedly 70 Dalit families from village Bhagana, Hisar District, Haryana left their village together with their cattle and settled themselves outside the Mini- Secretariat in Hisar town in Haryana. As per news reports they were protesting against mounting oppression, and the appropriation of land by the Jats of their village. Among others these included denial of access to water sources, taking over of rights to common areas in the village, and of land on which they buried their animals, etc. As several complaints to the administration yielded no results and the incidents were only escalating, they had taken this drastic action. In the course of their sit-in, despite several meetings the stalemate continued. No FIR had been registered on the basis of the Dalits' complaints. The state had responded by trying to effect a settlement and then used the strong arm of the law against the protestors. Matters had reached a head on 18th June when 45 protestors had been arrested and 6 charged with sedition though later these were dropped.

The response of the Jats to the Dalit allegations of boycott had been to say that there had been a misunderstanding between some individuals which could be settled within the village itself, and that they otherwise lived in amity with their Dalit "brethren".

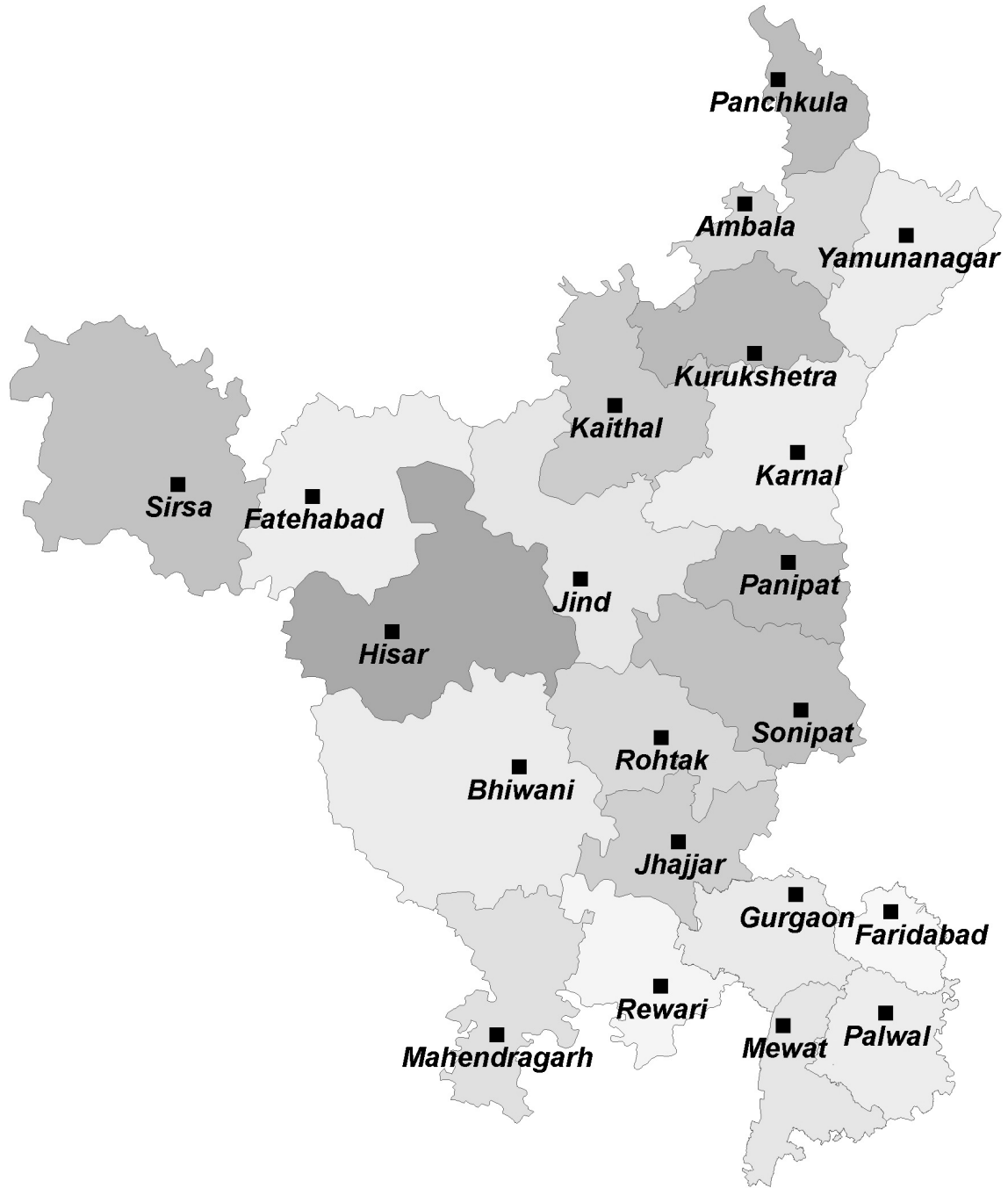
In a context where Haryana is synonymous with caste oppression what made Bhagana especially significant? Unlike acts of brutal mass violence or incidents of horrifying dehumanisation of individuals, Bhagana seemed to offer in the form of the boycott a concentrate of all those individual cases of discrimination and hundred little acts of caste oppression, that constitute the lived reality of caste in Haryana that had remained unchallenged because of an absolute hierarchy in the ownership and control of resources.

Sitting here in Delhi the Bhagana protest was an incident of Dalit resistance, a collective assertion of equal rights as citizens challenging not just Jat dominance but also the state as the guarantor of democratic rights.

For us to intervene in any way we needed to know and understand the facts. It is in this context that Peoples Union for Democratic Rights(PUDR), Delhi and Association for Democratic Rights(AFDR), Punjab conducted a joint fact-finding into the matter on 21 June. We were accompanied by a local Hisar resident. The team met the protestors sitting on dharna outside the mini-secretariat, and the Superintendent of Police. We visited Bhagana village where we spoke to men and women from the Dalit and Jat communities and to the village Sarpanch.

Given below is a report of our fact-finding.

**Box 1 – HARYANA DISTRICT MAP**



Source: Official Website of the Government of Haryana  
URL: <http://haryana.gov.in/haryana%20state/distircts.asp>

## **SOCIO-ECONOMIC CONTEXT**

Bhagana village in Hisar-I Mandal, is part of Hisar district in Western Haryana. The nearest town is Hansi, thirteen kilometers away. With a total land area of 1635 hectares as per the 2001 Census, Bhagana is a medium sized village as per Hisar standards. This includes 1329 hectares of irrigated land; 149 hectares of unirrigated land and 157 hectares of land not available for cultivation.

According to local sources the village is about 300 years old. The layout of Bhagana, like in most other villages in North India is an indication of changing social relations and histories. Most of the Scheduled Caste(SC) and Backward Caste(BC) houses lie in the outer areas of the village with the Jat houses occupying the center. However there isn't the absolute segregation between the two communities so visible in villages in North India. While there are streets inhabited only by members of a particular caste, in a few parts of the village different groups occupy the same area.

At least three Dalit houses lie in the center of the village back to back with a Jat house and close to other such. These houses however don't open on the same chowk – the Dalit houses face the Chamar Chowk. One of these houses was newly built. In the same area we found both a Ravidas chaupal where the Dalits congregate and a Jat chaupal. In another street Jat and BC/Dalit houses stand on two sides of the same street. All these houses are of newer construction suggesting that this newer section that has come up as the village expanded. At the center of the village are large older houses with ornate doors and carved arches – evidence of inherited prosperity and power. Not surprisingly these belong to Jats, one of the grandest being that of the Sarpanch. Close to these are very large but newly renovated houses like Phoolchand's, a retired government official and large Jat landowner. The houses of the Jats are generally larger and pucca. A few of the Dalit houses, for example, that of a Dalit school teacher are also pucca and reasonably large. But a greater number of Dalit houses are semi-pucca.

The following is an account of what the team learnt about the village, its people and the factors that govern social relations in Bhagana.

### **1. Demography and Caste Distribution**

Hisar is the fourth most thickly populated district in Haryana with a population of 1,536,417. Scheduled Castes comprise 21.99% (3,38,045) of the total population of Hisar. This is higher than the state average where SCs comprise 19.1 % of the total population. In Hisar a total of 2,86,955 people belong to the three largest Scheduled Castes i.e. Chamars(158,860); Dhanaks(73,850) and Balmikis(54,245).

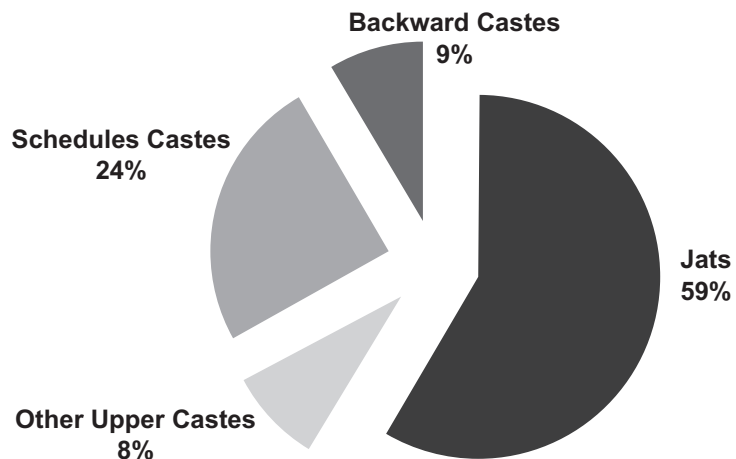
### Box – 3 SHAMILAT DEH LANDS

'Shamilat Deh' lands are common lands in the village that can only be put to use for the benefit of the community and not individual purposes. Shamilat Deh lands have been described in detail in the Punjab Village Common Lands (Regulation) Act, 1961. These include those "lands used or reserved for the benefit of village community including streets, lanes, playgrounds, schools, drinking wells or ponds". These also include forests, mountains, grazing grounds, rivers and drains. This act has been adopted by the Haryana Government in 1968.

The control of these lands is officially vested in the Gram Panchayats. Sale, division or distribution of Shamilat land can only be done in specific circumstances, with approval of government. However, the Panchayat is free to lease the land for development works for the community, and also thereby earn an income. The 1961 Act lists 26 such development tasks as creation of farms, hospitals, schools, public latrines, Panchayat bhawan, brick kilns, ponds, fisheries, manure pits, grazing grounds, cremation/burial grounds, playgrounds, accommodation for homeless and so on, as deemed fit by the Panchayat and approved by the government. According to the official website of the Development and Panchayat Department of Haryana government, Shamilat lands in this state are one of the main sources of income to the Gram Panchayats. During the year 2008-09 the Gram Panchayats in this state, had 8,27,015 acres of Shamilat land, out of which 22% is cultivable and 78% is non-cultivable land.

### Box 2 – CASTE DISTRIBUTION IN HARYANA

#### Caste Distribution in Bhagana



In Bhagana, as per the 2001 census, there were 878 households with a total population of 4884 persons. Of these 1322 persons belonged to the Scheduled castes i.e. about 27% of the total population of the village. Today eleven years later as per the information provided by the village Sarpanch, there are approximately 950 families in the village i.e., a population of about 7000 people (average household size taken as 6 as per the 2001 census). The largest percentage are Jats, followed by Brahmins and Banias among the upper castes, as also some Panjabi families. Amongst the Dalits, the Chamars are the largest number with followed by the Dhanaks. Other Dalit castes in the village are Khati, Duma, Balmiki, and Baiga. Backward castes include Chimbi, Teli, Lohar, and Goswami of whom the largest group are Kumhars. On the basis of the figures given by the Sarpanch, it appears that Jats and the upper castes together form approximately 67% of the population of Bhagana, of which about 85% are Jats. Dalits form about 24% of the village among whom Chamars are the largest group. Rest are backward castes which form about 9% of the village.

## 2. Land and Labour

In Bhagana, the total land area of the village including cultivable and non-cultivable, and common lands according to the Sarpanch is currently about 4400 acres of which 400 acres are Panchayat land including 280 acres of Shamilat land. Shamilat land includes land used for public purposes (defined in adjoining box), vacant land and other small areas of land which fall in residential areas by the accident of how the village has grown.

The largest landholding in the village is 45 acres, and the smallest under 1.5 acres. Of the others, most families own around 3 or 4 acres on an average. All the Dalits and many of the backwards are landless. The Jats are landed and own the larger holdings, but there are class disparities among them. There are also those Jats who own less than 1-1.5 acres and besides cultivating their own land also work on the landlords' fields.

Most of the Dalits in Bhagana are agricultural labourers. They work on the fields of Jat and upper caste landlords. The crop sharing arrangements vary across Haryana, but here specifically we were told that the Dalits and backwards either take plots on lease on batai basis i.e. a crop-sharing arrangement where the bataidar cultivates the land and the produce is divided between the landowner and the bataidar. In Bhagana the ratio is of 2/3 and 1/3 with the larger share going to the landowner. The costs of cultivation- seeds, fertilizers, and so on are borne by the bataidars. For this they often have to take loans from the landowner, on which interest is charged.

The Dalits and BCs who we met said that most of the Dalits in Bhagana work as seeris. While seeri arrangements have varied historically and geographically, in Bhagana currently it is a form of attached labour in which the labourer enters into an annual arrangement where he is paid a consolidated amount and for that period is bound to work on the landowner's fields. He may also have to perform other chores at the landlord's behest. This attached labour is usually landless and belongs to Dalit and Backward Castes. The landowners are predominantly Jat and from other upper-caste communities like Rajputs. In Bhagana, attached labour is paid a sum of Rs. 20,000-25,000 for an annual arrangement. He might also have to contribute a small amount to meet the costs of production in return for which he receives a small quantity of the produce.

We learnt from the Sarpanch that, of the land available in the village, 65 acres of the Panchayat lands are auctioned off every year for cultivation. 40 acres are irrigated and 25 non-irrigated. These are auctioned to the highest bidder, with every "10th or 12th plot" being reserved for Dalits as per government policy. However the Dalit 'bidders' don't usually have the money to bid for these. So it often happens that the Dalit bidder is simply a front for acquiring land by a Jat who has the wherewithal to purchase.

Interestingly, the Jat Sarpanch forwarded this piece of information as a natural part of the process of auctioning suggesting that it was routine and accepted.

Landlessness combined with their dependence on landlords for livelihood has perpetuated patron- client relations which is a key aspect of caste ideology. However, many Dalits and BCs expressed dissatisfaction and anger with the prevailing labour and crop sharing arrangements. They criticised the indebtedness that many of these arrangements created, as well as the exploitation by the landlord.

The Dalits we met said wages for agricultural labourers who cultivated the lands ranged between Rs. 250-300 per day along with food. A study conducted by the Department of Economic and Statistical Analysis of Haryana, in 2008-2009 found the average wage in Western Haryana (Hisar, Fatehabad, Sirsa, Bhiwandi) to be Rs 136, the highest being Rs 143 in central Haryana. Current wages in Bhagana are almost double. We were told that the coming of MNREGA lay behind the increase.

The Sarpanch claimed that MNREGA was in operation in the village. Rs 3.70 lacs had been sanctioned and received under the scheme which was used for road construction, widening and digging of canals, ponds etc. with workers being paid a minimum daily wage Rs. 190-192. But the Dalits had another story to tell. Work under MNREGA had been stopped 12-18 months ago thus drying up an alternative source of livelihood, and increasing dependence on the Jats. The Dalits complained that most work is got done with the help of mechanised farm implements. The money sanctioned under MNREGA is in turn utilised by the Jats for making payments to agricultural labourers in their employment.

### **3. Access to Common lands and Other Resources**

There are 280 acres of Shamilat land in the village. 220 acres is non-agricultural and under the Panchayat to be used for community purposes such as schools, dispensaries, wells and so on. 70 acres are available to all members of the village for a variety of non-agricultural purposes. We came across piles of dung, mounds of dung cakes, and firewood collected on one such stretch in Bhagana, which was also used for collecting fuel, as well as for their animals, for feeding cattle, burying dead animals on the fringes. On another stretch of Shamilat land adjoining a residential section of the main village were several semi-pucca houses. It is apparently a common phenomenon in rural Haryana for later entrants in the village to set up homes on the outskirts of Shamilat land. However they don't enjoy ownership rights over these lands.

The Shamilat lands in Bhagana, as in other villages, don't lie at a stretch. Apart from this as the village has developed, houses built, streets laid out, certain pieces of land



have fallen between houses. These are used for holding chaupals two such being the Ravidas Chaupal and the Jat chaupal. They also form chowks between houses, for example, the Chamar chowk traditionally used for tethering cattle and carts, for festival and marriage celebrations.

#### **4. Education and Alternative Occupations**

Literacy level among Dalit population in Haryana has seen a considerable increase over the years. The literacy rate in the 2001 census registered an increase of 16.2% from the 1991 census. Bhagana has also shown this trend. Majority of the young men among the Dalits are literate and some can also write English. Education among Dalit children has also increased. In the last ten years the number of graduates has also risen among the Dalits of Bhagana.

As per the 2001 census there were 5 schools in Bhagana, 3 of which were primary schools. We were informed that currently there are two government schools and 3 private schools in the village. The Dalit and BC children attend the government schools. The children of the Jats attend private schools. It is this private education going onto colleges that has contributed to some members of most Jat families moving away to the city and getting jobs within the administration, or as doctors and lawyers.

The increased literacy and education among the Dalits are visible in the movement away from agriculture among the new generation Dalits and BCs in Bhagana. Reservations have also speeded up this process. Among the Dalits in Bhagana, there are 3-4 school teachers (one of whom we met), 2 people in the army, 2 in the police and 3 bank employees. Also, the last Sarpanch of the village was from the Dalit community; the current one is a Jat.

This increased awareness among the Dalit youth in Bhagana, and aspirations to move away from traditional occupations have made themselves felt in the entire process of contestation in Bhagana of which the ongoing protests are only a part.

## GENESIS OF THE PROTEST: KEY ISSUES

What resulted in 70 Dalit and Backward Caste families of Bhagana abandoning their village with chattels and animals? Of course the macro picture will indicate years of oppression of Dalits by the dominant Jat community. In this context, what triggered off this protest in which Dalits are being witnessed asserting their right to a life of dignity and equality? The immediate factors and series of incidents in Bhagana leading up to the exodus are as follows:

### **1. Land for the Landed: Unauthorised Appropriation and Distribution of Shamilat Land**

The primary area of conflict was the use, control and ownership of Shamilat lands including areas of the village that formed part of the community life of Dalits in the village.

70 acres of the Shamilat land has been acquired by the government for the Mahatma Gandhi Basti Vikas Yojana soon after the programme was introduced by the Haryana Government in 2008. This land does not belong to any individual, and is under the Panchayat, though in practice, given the social dynamics of the village, the Jats have dominated the use of these lands. A part of the Shamilat has traditionally been used by all members of the village for a number of non-agricultural purposes. Rough areas have been demarcated through use and accepted as such over the years, though there are no formalised boundaries. So far, as also mentioned above, some houses of Dalits and BCs had also been allowed to stand on the fringes of Shamilat lands.

We learnt that a committee was set up in the year 2011 for the distribution of common lands of the village. The committee had 21 members, 6 of whom belonged to the Dalit and BC community. This committee had no formal relation to the Gram Panchayat though from all accounts the Sarpanch, played a key role in setting it up. The consent of the Gram Panchayat members was not sought. As per a Jat Panchayat member, many of them were against the setting up of the committee but were helpless. This extra-constitutional committee was headed by a very prosperous Jat resident Phoolchand who has been named in the Dalits' complaints and petitions to the authorities. Our team met him.

According to the Sarpanch and Phoolchand 'they' had decided on distributing the land and formalizing ownership to prevent the altercations and fights that frequently broke out because of the impermanent nature of boundaries based on traditional use. The Sarpanch emphasized that this Shamilat land thus distributed was to be used only for tethering and feeding animals, making dung cakes, collecting firewood etc., and not for residential or agrarian purposes.

The Jats were to get shares in proportion to their existing land holdings in the ratio of 100 sq. yards for every acre, while the landless Dalits and BCs were promised 100 sq. yards each for which they were asked to pay Rs 1000 each. Most of them paid this amount, at times with great difficulty. They readily vacated their traditional usage areas in the hope that they would be allotted land elsewhere in the village. However, when the committee began marking out the lands, the Dalits were not given any. On the contrary they discovered that they were being displaced from the areas under their use, and were thus being dispossessed of existing use rights.

The intent of the dominant Jats to appropriate the land was apparent from the Sarpanch and Phoolchand informing us that the plots were carved out keeping in mind contiguity with the Jats' existing holdings. They argued that they were not being unfair as they were giving the Dalits 100 sq. yards each. Phoolchand denied that any money had been collected from the Dalits. He said that the Dalits had collected a fund on their own for clearing and leveling out the plots they would get out of the Shamilat land.

Stressing on the SC and OBC presence in the committee the Sarpanch argued for the inclusiveness and non-discriminatory nature of the committee. He said that the Dalits' readiness to accept the 100 sq. yard plots then made their motives in complaining about the committee suspect.

The Dalits agreed that they were happy at the prospect of 'owning' land, and therefore readily agreed to the payment of the money. They also said that they had mistaken it to be a government programme and believed that the committee was a Gram Panchayat committee. The presence of the SC and OBC members on the committee made it seem that the committee was above-board.

The Dalit and BC protestors looked to constitutional remedies and government agencies to demand the restoring of use rights, and action against the offending parties. The process of writing complaints began in 2011 itself beginning with the Sarpanch, the Block Development Officer(BDO), and the District Development Officer(DDO). The Sarpanch was openly partisan – he refused to act on the complaint and in fact was complicit in the distribution.

The BDO and DDO visited the village after repeated complaints. In a letter to Kumari Selja, the Dalit residents complained that these officials had found the complaints true and assured them of filing cases and levying fines on the guilty, but no action was forthcoming.

Complaints were then sent to the District Commissioner starting from January 2012. The protestors have received copies of these. The complaints are about the takeover of the football ground, of the Shamilat land, the setting up of the illegal committee, and of being duped off Rs.1000 by the Jats.

The Dalit villagers then took their demands further, demanding criminal cases against the committee members. From March 2012, petitions were sent to the Police Superintendent, Hisar naming the six involved in the setting up of the committee, asking for registration of cases against them and others.

## **2. Land to the Landless: Mahatma Gandhi Gramin Basti Yojana**

Other than being duped off rights in the Shamilat land (both rights as per traditional use as well as the illegal redistribution), the Dalits were also being deprived off their legitimate rights as per government policy. A Government scheme regarding land to the landless was indeed to be implemented by the Gram Panchayat. In 2008, the Haryana Government introduced a scheme, called the Mahatma Gandhi Basti Vikas Yojana. As per the scheme all BPL, SC and BC (category A) families of Haryana were to get a 100 sq. yard plot each for homestead purposes. In Bhagana, the Gram Panchayat had passed a resolution to this effect. The then Sarpanch (a Dalit) had actively begun the process of implementing the scheme. A survey was conducted after which it was concluded that 222 plots were to be distributed among the identified families in this village. Seventy acres of Shamilat land were to be used for this purpose.

However once the Dalit Sarpanch changed, the scheme was not implemented despite the process having been already started. The current Sarpanch (a Jat)denied this. The true state of affairs can be surmised from only 48 out of 222 plots having been registered till date. Possession has yet to be given. On having a closer look at the certificates we found out that the registry was done only in March 2012. The registration and possession of these lands has been one of the demands of the protestors. It was apparent that the registration of the plots to the extent it had happened was the outcome of the pressure being mounted by the Dalits who had been approaching the administration for the last few months.

The chronology of events suggests that there is a connection between the government's taking over part of the Shamilat lands for distribution under the Mahatma Gandhi Gramin Basti Vikas Yojana(MGBVY), and the later decision to carve out the remaining Shamilat land. The latter appears to be an outcome of the fear of gradually losing control over the remaining land through such policies.

## **3. Land and Social Spaces**

### **a) Playground**

The takeover and distribution of the Shamilat land not only raised questions of life and livelihood, they also had implications for the Dalits' social and cultural lives and their claims in the village as residents. As part of the Shamilat land distribution, a

part of the land which had been turned into a playground—constructed & maintained by the Dalit children for themselves also got engulfed. The Dalit children were not allowed access to the school playground by upper caste children. Therefore, the former had taken initiative, collected chanda(donations) from villagers and planted trees on the boundaries of the playground. According to a Dalit villager, the former Sarpanch too had contributed. The Dalit villagers' complaints say that the Jat residents broke the boundary wall and stopped children from playing there. Jats also cut down the trees standing on the playground and sold off the wood.

The Dalits responded by appealing to various authorities starting with the Sarpanch, the BDO and the DDO, and followed by the ADC. They also wrote to the forest department. In fact the earliest complaint is about the takeover of the playground. They did a signature complaint as well sending a letter signed by over Dalit and BC children.

#### **b) Ambedkar Chowk vs Jat Izzat**

Things finally came to a head over rights to a triangular piece of land known as Chamar chowk, next to the Ravidas chaupal, the Dalits' meeting place. Chamar chowk lies in front of three Dalit houses. There are however Jat houses both in the block behind it and across the road that passes the chowk. This Chamar chowk, was in use by the Dalits of the village for over 200 years. It was used by the three Dalit families, whose houses opened on it, for parking their carts, livestock and also by the community during festivals, marriages and other celebrations held at their Chaupal. For some time, the Jats had been abusing and threatening these Dalit residents using the chowk that they would throw them out asserting that the land of the chowk belonged to the Jats. The Dalits complained to the Sarpanch but he refused to act on it .

The Dalits then lay claim to the chowk and decided to rename it Ambedkar chowk in an assertion of their claim to the village. For this, under the aegis of the Ambedkar Welfare Samiti(formed in Bhagana in 2000) they filed an application in the BDO's office and petitioned the authorities. This was opposed by the Jats who moved the SDM court to claim ownership of the piece of land. The court held on to the Jats' claim on the basis of the Jats' statement that the chowk was an 'anna-panna chowk' i.e. between two areas – the anna and the panna occupied by two separate communities i.e. Jats and Dalits. The court handed over the overseeing of the land to the Gram Sabha. The Jats took this as sanction to enclose it with a wall simultaneously blocking off access to the three houses in which Dalit families live. When the Dalit families protested against this act, writing to the District Commissioner, the BDO visited the village and ordered that the wall be broken. Part of it was pulled down, but rebuilt by the Jats the same night. When we visited

Bhagana, we saw that the wall had been rebuilt, though there were signs of part of it having been earlier pulled down.

The Jat owner of one of the house that stood back to back with the corner house of the three Dalit houses asserted that the land was now legally his and the Jats had put up the wall by right as the court had ruled in their favour. He said that the Dalit families who had built their houses near the chowk had been encroaching and that out of 'largesse' he had already allowed the Dalit family to extend their house onto his property. "Agar mangte to aur bhi de dete par who to court pahunch gaye."

The Dalit villagers complained to various authorities including the SC-ST commission, the Chief Minister, and also the minister for Social Welfare about this issue. They also met with a certain amount of success in so far as the wall built by Jats had been broken, even if temporarily.

In rebuilding the wall the Jats through resorting to illegal, coercive means based on their historical dominance, were aggressively restating their authority, in the face of the Dalit resistance through constitutional means and remedies.

In this context in Bhagana the way in which pseudo-constitutional bodies like the 'committee' for the distribution of Shamilat lands, were set up, with a chairman, and representatives from Dalit and BC communities is a noticeable feature. In their manner of operation, it mimicked the workings of constitutional committees set up to extend the 'rights' of the Dalits, but to the opposite effect – i.e. it systematically deprived the Dalits and BCs of their rights.

Following this the Jats of this village decided to do a social boycott of the Dalits.

## **THE BOYCOTT AND THE EXODUS: RESISTANCE, ASSERTION, CONTESTATION**

The Jats have been and are numerically the largest caste group in Haryana. They are also the most powerful economically, politically and socially. Most of the SCs (78%) in Haryana live in rural areas. Among the major SCs, Chamars have the highest (82.6 per cent) rural population, followed by Dhanaks (78.5 per cent) and Balmikis (73.1 per cent). As most Dalits and BCs in Haryana are involved in agriculture, and are predominantly landless there is great economic dependence on the Jats. This makes Jat landlords the largest non-state employers in the village economy.

Their dominance has been traditionally ensured through community institutions like the Khap Panchayats which pass diktats regarding the social life of the village, levy punishments and fines. Constitutional Gram Panchayats have not replaced these institutions. To a large extent dominated by Jats they have worked only to enhance the dominance of the Jats through their administrative powers. These structures have decided if, by whom and till when resistance can take place. The apportioning off of the land by the illegal committee to not only maintain, but also consolidate Jat dominance through the two pronged process of appropriating Shamilat land for themselves on the one hand, and depriving the Dalits' of usage rights on the other, seems to have been based on assumptions of this control over various village mechanisms . The conflict over the playground and the chowk then became a re-assertion by Jats that the Dalits could not lay claim to the village as equal residents, that their way of life could only be sustained through Jat munificence.

It is against this history that, threatened by the Dalits' assertion—of laying claim to areas of the village, of publicly asserting their identity in the naming of Ambedkar Chowk, of resorting to governmental avenues against the Gram Panchayat's arbitrariness, and their refusal to cow down to cheating and manipulation the Jats resorted to an aggressive, coercive method—a social and economic boycott or 'bandhi'- as a reassertion of their caste dominance.

### **1. The Boycott**

A group of women, who were part of the group of protestors in front of the Hisar secretariat, told us what was so severe this time about the caste oppression that they were forced to leave the village. For the past four months they had been facing 'bandhi' or social boycott in their own village. The Jats had called a sabha of the 'dabang' i.e. the dominant castes where the decision was taken. A warning was also issued that a fine of Rs 2000 would be imposed against anyone who violated the boycott. The Dalis and BCs were not given work in the fields. They explained how they had been victims of social and psychological attacks in addition to an attack on their

share in resources. Addressed as 'Dedh' in everyday routine by the Jats, the Dalits were now being boycotted by the Jats for the past three months. They were denied access to water by breaking all taps; they couldn't roam about freely as they would be threatened by Jats to stay in, and going out for defecating for bowel movement also became difficult. Access was now totally denied to Shamilat land earlier available for placing cow dung and burying their animals. Unlike earlier, the lady doctor Sheela who visits the village (also a Jat), either denied her services to SC and BCs, or charged astronomically high fees. Finally, Jats also refused to sell products to the Dalits and also prevented them from using public transport. A Jat woman Panchayat member told us that in the present scenario the Jats had made it impossible for the Dalits to live in the village as they refused to be abject.

Our team also learnt from the individual and group letters to the authorities which tell, of Jats barging into Dalit houses and threatening the women, of their asserting that the land on which Dalit houses stood was their's and they could throw out the Dalits at any time, and also of the beating of a Dalit youth by Jats. There is a complaint about a Dalit youth who the Jats abused, choked and tried to strangle. They threatened to kill him, warning him to recall the fate of Dalits in the Mirchpur massacre, also in Hisar. He fled in fear. We saw the MLC (Medico Legal Certificate) in this case, in which the doctor has recorded bruises around the neck and abrasions on arms and foot as well as a swelling on the cheek, all of which bear out the truth of the complaint.

The boycott also had a pronounced economic dimension. A letter to the District Commissioner brings to his notice that hardship being faced by Dalits as the Jat landowners were not giving them work. Together with the related stoppage of MNREGA, the boycott has meant a crisis of livelihood - 'daal- roti ka sankat' as they wrote.

## **2. The Dalit response and Counter Assertion: Exodus and Protest**

After the 70 families left Bhagana, the general perception has been that the Dalits have left the village out of fear and an inability to withstand the oppression from the Jats. The media represented the situation as one of victimization, of caste humiliation and forcible departure or displacement.

But that media reports should do so is not surprising. The boycott and its aftermath are consonant with the horrific acts of social and cultural violence that are still so common in the definition of crime and punishment prevailing in much of rural Haryana – Not being allowed to drink water from a pot in a Jat courtyard, preventing a Dalit groom from riding a horse and punishments for the same, fines, beating with chappals, chopping off a hand(see box 4 - list of some recent incidents). In recent times several instances have come to light where the response of the Dalits has been to leave the



village. The most visible of these are the ones following the Mirchpur murders and arson, and the Gohana massacre. In the wake of these the Dalits and BCs leaving Bhagana with their families and possessions seems to have been a repeat of the same- a response to social violence by the Jats, the other face of the physical violence they perpetrated.

The exodus from Bhagana is thus not unique in itself. It is a response to the social and physical violence meted out by the Jats, affecting every aspect of the Dalits' lives in the village. However that is not the complete picture. Despite the similarities, Bhagana is different.

These Dalit families have not left the village as victims - displaced and dispossessed by caste persecution. They have marched to the mini-secretariat where they have been sitting since the month of May, taken out processions twice, demanded their rights from the authorities, refusing to take 'no' for an answer despite the protests having twice resulted in arrests. They have now even reached the capital to demand from the highest their rightful claim control over the village, its lands, and facilities.

It is important to remember that the process of resistance had begun long before the boycott and the sit in at the mini-secretariat. From the end of 2011 the Dalit and BC communities have been flooding the authorities with letter after letter. Their demands which still continue are still the same that they were before the boycott. The boycott has only been added to them. This then makes the dharna, the inevitable culmination of constitutional protests that had preceded and in fact been a factor in imposing the boycott.

The dharna outside the mini-secretariat began on 20th May, 2012. When we visited Bhagana there were about 150-200 people there. Some more including the children were under a tree on the other side of the field. Some of the cattle were there. We learnt that the rest had been confiscated and taken to the government run cow-shed or gaushala. We learnt from the protestors that some families had perforce returned and some were going to villages where they had relatives, to start anew. Some went between Bhagana or relatives houses and the protest area, joining in whenever possible. Economic compulsions prevented a continuous stay.

Forty six of the protestors including some local leaders who have been supporting the protest had cases against them .They had been arrested when they took out a procession at which they burnt an effigy of the Chief Minister. 20 protestors were again arrested when they protested on 18th May against the death of Rajkumar a Dalit from Bhagana in suspicious circumstances and the police inaction.

However since our visit, we now find that the struggle has entered a new phase. Finding no action forthcoming from the local administration and government, the Bhagana Dalits extended their struggle to the capital. They sat on a dharna at Jantar Mantar for over a month. They met Rahul Gandhi who has promised an inquiry by the Congress, submitted a memorandum to the Home Minister whom they could not meet, met opposition leaders like Sharad Yadav, and petitioned the SC-ST Commission—in short, approached all mainstream political and government venues. Simultaneously the dharna outside the mini-secretariat continued. They have now returned to Hisar with the state government having assured them of providing a solution. Despite the police repression in the form of arrests, confiscation of cattle, sedition charges, as well as inaction, the indifference of the administration and the very adverse and challenging situation of staying away from their homes, the Dalit and BC residents of Bhagana persisted with their protests.

It cannot however be ignored that the local BSP leadership had a role to play in organising the resistance and protests by the Dalit residents and sustaining it. One of the key persons involved was Virender Bhagoria who originally hailed from Bhagana and was reputed to be close to the local BSP legislator. He has played a central role in the negotiations that have taken place with ministers and political leaders, as well as the administration. The administration sought to discredit the entire protest alleging that it was manufactured by the BSP because of vested interests and political gains. While we did find the BSP's involvement, however the caste assertion as a response to Jat oppression predated this particular protest as the issues behind the conflict indicate. Electoral politics attract the participation of political parties but this assertion cannot be sustained without the will and participation of the people.

**BOX 4 – RECENT INCIDENTS OF CASTE CONFLICT IN HARYANA**

| <b>Date</b>  | <b>Place</b>              | <b>Incident</b>   | <b>Fall out</b>  | <b>State Response</b>   |
|--------------|---------------------------|---|--|---|
| August, 2005 | Gohana, Sonapat           | Looting and burning of 50 houses by 1000 strong Jat mob in retaliation for killing of Jat youth allegedly by two Dalits   | Large numbers of Dalits (Balmikis) fled the village  | Police inaction, backed the Jats, only 4 of the 23 who were charge-sheeted got arrested. CM's son attended the Jat youth's cremation. |
| March, 2010  | Village Ladhani, Bhiwani  | Violent altercation between Dalits and upper castes over village entry. Rajput youth killed.  | 150 Dalit families fled the village fearing backlash from the khaps.   | Cases against 20 Dalits.  |
| April, 2010  | Village Mirchpur, Hisar   | Old Dalit man and his daughter killed after Jat youths set fire to their hut in caste related violence over Dalit boy objecting to the Jats throwing stones at his dog. | 125 Dalit families fled the village after the incident. Jan 2011, eleven khaps block traffic demanding release of those arrested. In December, 2011 Dalits were still in a special camp. | 15 Jats convicted, 3 sentenced to life imprisonment in October 2011. Dalits placed in a special camp. Still there in December, 2011   |
| March, 2011  | Village Batour, Panchkula | Atrocities by upper caste men on Dalits protesting against Gram Panchayat's misuse of revenue of 15 lakhs earned from 400 acres of land.                                | The Dalits who had been protesting had to flee the village following atrocities.   | FIR lodged but no action taken.   |
| June, 2012   | Village Puthi, Hisar      | Manoj Kumar(26), a Dalit, banished from village for 11 years by panchayat. Fine of Rs. 21,000 and face blackened for falling in love with a girl from the same village. | Manoj out of the village but family members still there. Fear violence. Complained to police.  | Police lodged FIR against 15 people. Manoj allegedly given police protection. Police patrolling in the village.                       |

### 3. Social Response

We were told by the activist who accompanied us that local people and groups were not coming out in support of the protestors. The caste structure and the dominance of the Jats was so deeply entrenched that people chose to look the other way. In urban areas it was not so much the Khaps that they feared, but the power that the Jats now enjoyed occupying high posts in the government and the administration, as well as their political clout.

While the authorities and civil society have shown little or no response we learnt that a seven member Sarva Jatiya Panchayat had come forward to try and resolve the matter. And get the Dalits to end their protest and return to the village. However at the meeting that was held, the Jat representatives walked out.

Another effort was made by the MahaKhap Panchayat of 42 villages. The Khap Panchayat of 42 villages also met to discuss the matter. They formed a seven member committee which asked the Jats to remove the wall, let the Dalits form Ambedkar Chowk and hand over the playground. At their instance, part of the wall was indeed pulled down. However, it was rebuilt by the Jats the same night as now it was a matter of Izzat i.e. honour and supremacy, in this case that of their caste. They would not bow down before the Dalits.

This conciliatory approach is apparently one of the new strategies used by Jats in the region in such instances of caste conflict—especially when faced with the imminent possibility of being charged under the SC-ST Act. This is the other face of the aggressive and militant actions of the Khaps to protect their own as witnessed in the Mirchpur case. In this case too, in trying to effect a compromise the attempt seems to have been to diffuse a situation that challenged Jat dominance. However, noticeably they did not try too hard. This could be for various reasons 1) as there had been no physical and overt violence the likelihood of enforcement of the Act was that much less 2) The matter can be passed off as a land dispute which is the colouring that the Sarpanch and other Jat residents gave it. 3) That their declaring helplessness maintained the status quo regarding the land and gave the Jats time. Given the economic reality it seemed only a matter of time before the Dalit resistance collapsed in which case they would either be forced to return to Bhagana, or disperse to other villages.

## THE ROLE OF THE STATE AND RULE OF LAW

The Executive structure as per the Constitution ranges from the Gram Panchayat to the President. These bodies are meant to safeguard and ensure rights guaranteed to every citizen by the Constitution. The response of various state agencies ranging from the Panchayat to the district level administration, the district police, to the state and central ministers has been revealing about the caste and class character of the state, and the constitution of citizenship in India.

As mentioned earlier the Dalit and BC protestors have looked to constitutional remedies and government agencies to resolve matters. The process of writing complaints began in 2011 itself beginning with the Sarpanch, the BDO, and the DDO. As shown earlier the Sarpanch was openly partisan, for example, regarding the implementation of state policies MGBVY, and MNREGA as well as in auctioning off of land. Each of these policies aimed towards changing existing agrarian relations of landlessness, wages, and tenancy was sabotaged. The BDO and DDO visited the village only after repeated complaints by the Dalits. In a letter to Kumari Selja, the Dalits complained that these officials had found their allegations true and assured them of filing cases and levying fines on the guilty but no action had been taken subsequently.

As mentioned above, from January onwards, complaints were sent to the District Commissioner. The protestors have received copies of these. The complaints are about the takeover of the football ground, of the Shamilat land and the setting up of the illegal committee, of several Dalits being duped off Rs.1000 by the Jats, about the chowk and stoppage of MNREGA. Besides petitions bearing the signatures of Dalit and OBC residents – both men and women- there are also letters signed by children asking for their playground to be restored to them. From March 2012 petitions were sent to the Police Superintendent, Hisar with the above complaints naming the six involved in the setting up of the committee, asking for registration of cases against them and others. In a letter dated 1st April 2012, the ADC was informed of the social boycott. Copies of the letter were also sent to the SC-ST Commission and the Prime Minister. The escalation of the tension and the repression is evident from the increasing frequency and content of the letters to the administration. It was brought to the notice of the authorities that this increasing aggression by the Jats had forced some families to leave the village and others were likely to soon follow in their wake.

On 12th April, another enquiry was also conducted by the administration, but no action was taken. Only after the protest in front of the mini secretariat and after the national media highlighted this issue that Deputy Commissioner (DC) Amit Kumar Agarwal and other district officials, Inspector General of Police (I.G.) State A.S. Chawla, and Superintendent of Police (SP) Anil Dhawan visited Bhagana village. A police team was posted at the village to maintain peace. The Deputy Commissioner declared that his main objective was to

restore peace. To this end the administration constituted a 16 member committee. After this visit, the I.G. too declared that the attempt was to resolve this issue through dialogue.

In the last week of May, National Commission for Schedules Castes(NCSC) Chandigarh, visited the village as well as the mini secretariat where Dalit families were sitting in protest. A team led by senior investigator R.K. Sharma with two other members met a cross section of people in the village and protesters in the mini secretariat and recorded their statements. He gave the assurance that he would prepare a report and take action. But after two months, the report was still awaited.

On 9th June the Haryana Social Welfare minister Geeta Bhukkal met Dalit representatives of the protestors. Accepting their demands as legitimate, Ms. Bhukkal attempted to convince them to end the stir and return to the village. But the assurances did not materialise into any action and the protest continued.

Central cabinet minister Kumari Selja went to Hisar on 21st June, a month after the Dalit families had left their village, and met with the district officers and Dalit representatives. She told the protestors that they will get justice. She directed the DC and SP to resolve this issue and ensure that they get back in the village. After all these attempts, this issue was still unresolved which shows a lack of will on the part of the government administration is not interested to deliver justice for this community.

As per newspaper reports the SDM Amardeep Jain said that DC has given an order for inquiry about illegal holding of land by villagers and if anything was found illegal they would take necessary action. The SDM said that the disputed Shamilat land, Chamar chowk, land had been placed in the Tehsildar's custody under Criminal Procedure code section 145 regarding land disputes. Now any activity on these lands is disallowed without the government's permission.

Attempt of the administration to misrepresent the issue as one of a conflict over land (quite dissociated from caste conflict), and the boycott as a "misunderstanding" on the part of the Dalits is an obvious attempt to downplay the caste atrocities, as these have serious legal implications. The DC Amit Kumar Agarwal said in several news papers that the issue was more of a dispute over Panchayat common lands rather than caste clash. The SP repeated the same when we met him. In a context where land relations and control over land and resources form the central pillar of caste relations, and class relations are predominantly along caste lines with the greatest number among the landless being Dalit, the Bhagana conflict is a caste issue. Moreover the boycott or 'bandhi' is very much a caste atrocity under the SC- ST Act. But to what extent the laws come to be effective for the oppressed is also a different story.

### **The Rule of Law**

Despite the right to non-discrimination on the basis of race and caste enshrined in article 15 of Indian constitution, discrimination against SCs and STs is pervasive. In 1989, the

Parliament had passed an Act called the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. This Act gives more comprehensive and punitive power to protect SCs and STs from violence committed by other communities. This was recognition of the fundamental rights of 'equality before the law', and 'freedom of speech and expression' which was not guaranteed to SC-STs in lived reality.

It's a law which carries stringent punishments and gives the depressed communities as well as their movements, a legal weapon to fight caste oppression. The Act brings into its ambit various facets of caste oppression which normal law doesn't account for. It recognises and punishes social violence and denial as crimes. However, in Bhagana no cases have been registered under the SC-ST Act despite the constant demand.

Despite the recent incidents which have taken place in Hisar, followed by a mass social boycott and several incidents of manhandling and threats given to SCs and STs, not a single FIR has been filed by police under this Act.

The SC-ST Act recognises any interference with enjoyment of right over any land or premises, and being forced to leave one's house, village or other place of residence as clear instances of caste atrocities and offences (See box 5). The non-registry of an FIR is also a clear-cut violation of section 4 of the SCs & STs (Prevention of Atrocities) Act. As the law stands, Section 4 prescribes punishment from six months to a year against public servants who do not implement the law as per norms.

The minimum punishment under the Act is six months and a fine, but in cases where the offence is also punishable under the Indian Penal Code, the maximum punishment can extend up to life imprisonment along with a fine.

**Box 5 – PUNISHMENTS UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989**

**Section 3(1)** of Chapter 2 of The SC and ST (Prevention of Atrocities) Act, 1989, describes the punishment for offences\* of atrocities. According to this section, anyone who:

- (v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;
  - (ix) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;
  - (x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
  - (xv) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence
- shall be imprisoned for 6 months to 5 years together with a fine.

**Section 4:** Whoever, being a public servant, but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.

\*Only relevant sections have been given here.

The only legal action upon Dalits' complaints till the present has been under Sec. 145 of the CrPC. Section 145 deals with the procedure for inquiry into any dispute regarding land or water that leads to disruption of peace. The use of a milder law to circumvent more serious charges under the SC-ST Act, illustrates how despite the SC-ST Act, lawful ways are found by a complacent and apathetic administration to deny justice to those wronged.

However, that the SC-ST Act casts some social pressure is visible in the different approaches now adopted by the Jats to prevent their being brought under the ambit of this law. Noticeably not only the Sarva Khap Panchayats, but also administrative officials have been working towards resolution through negotiation. One such is the resolution through negotiation aimed at withdrawal of complaints, visible in Bhagana.

The attempt of the authorities too has been rather to get the protestors to take back their complaint and return to Bhagana if not through negotiation, then through criminalising the Dalit and BC communities, both over the Shamilat lands as over the protest itself. The Deputy Commissioner of Hisar has tried to cow down the protestors by stating that the entire village was complicit in this illegal land distribution. According to him the Dalits complained in December only when they realised that they were being cheated and a portion of the Shamilat land and the playground taken away. Despite commenting on the illegality, beyond the casting of these aspersions against the Dalits, we noticed that no criminal action was forthcoming against the illegal committee for its activities obviously as it would bring the Jats into the net.

On the contrary the wrath of the law has been brought down on the protestors with the whole caste issue being treated as simply a law and order problem and not as a socio-economic one. On 5th June when the protestors headed by a local leader Virendra Bhagoriya made a foiled attempt to burn the effigy of Haryana Chief Minister Bhupinder Singh Hooda during his tour to the city, 46 activists were initially booked in under Sections 147, 148, 186, 283, 332, 341 and 353 Indian Penal Code. These sections deal with rioting, obstructing an investigation, preventing a public official from discharging his duty, and causing hurt to the said official. Later IPC section 124 A (sedition) was added in the case of 6 people, as it was supposedly found on the video footage these six had used derogatory language against the government and also used casteist slogans. It was only after another public protest and media outrage, that the sedition charges were removed, but the rest still remain. This incident reveals much, both about the use of sedition as a means to curb dissent, but also in terms of what constitutes sedition. Protests against Jat oppression becomes an anti-state activity. The caste of the state is apparent.

Twenty protestors were again arrested in June 2012 under section 304 and 307 of the IPC. They are currently out on bail. They were protesting against the lack of an investigation into and suspicious police actions in the case of the suicide of a Dalit man from Bhagana in suspicious circumstances. Rajkumar's house which we visited stands on Shamilat land.



We found cakes of cow dung right in front of his house as well as a trough for animals. His wife showed us the patch of Shamilat land from which they had been forced out and forced to therefore shift all this to their doorstep. Rajkumar was apparently very depressed by the Jat oppression and atrocities. No investigation into his death has been launched despite demands.

Following the protests the DC clamped section 144 IPC in the area to forcibly end the protest.

What exactly the S.P., Anil Dhawan meant in telling us on 21st June is that if any one breaches the law “We” will file case against them. And “We” will conduct a “free and fair inquiry”. This hardly needs further explication. It is yet another illustration of the acts of commission and omission by state functionaries revealing the support the Jats enjoy within the administrative structures in Haryana that sustains their clout.

Dalits said that during protests for reservation last year, the Jats had burnt a police chowki. But no action was taken against them. On the other hand a case was filed against SP Subhas Yadav under 302 IPC. Also, the police chowki was shifted 15km away from its earlier location.

#### **Box 6 – MEETING WITH SUPERINTENDENT OF POLICE ANIL DHAWAN**

When the AFDR and PUDR team met SP Hisar, he denied that there was any incident of victimisation of Dalits by Jats in Bhagana. Moreover the matter of caste discrimination was an administrative one, and there were no grounds for police involvement.

The SP denied that there was any issue of caste conflict in Bhagana, though such incidents were not unknown. Bhagana was a village in which peace had been maintained even during Jat agitation first over reservations, and then more recently, for amending the Hindu Marriage Act over so as to make intra-gotra marriages illegal – both protests aimed at maintaining Jat dominance but now through statutes rather than the extra-legal, co-ercion of the Khaps. Therefore it was unthinkable that the Jats of the village were guilty of caste oppression. He opined that the Jats were rough in their speech and mannerisms, which was often misinterpreted. However their intentions were not suspect.

According to the SP the protesting villagers who had evacuated were in a minority as many Dalit families continued to live on in Bhagana. The boycott story was a fabrication. Besides, according to him the number of protestors dwindled to a handful by the evening. He implied that they all had held onto their homes in the village going there every evening only to return the next day. The cause of the entire agitation lay elsewhere. In a thinly veiled reference he hinted that Virender Bhagoria and one other were the hidden hands at work with ulterior motives.

He tried to shift the entire focus of the matter to the death of Rajkumar, claiming that the Dalit protestors were trying to make capital from it by linking it to the ongoing conflict. The police had to intervene after the death of Rajkumar, as the protestors were shouting casteist slogans, obstructing police work, lying down in front of police vehicles when Rajkumar's body was being taken to the Civil Hospital in Hisar. (According to the protestors the police had forcefully ensured cremation of Rajkumar's body in Talwandi, his ancestral village. They said that even though his ancestors were from Talwandi, his family had settled in Bhagana some 25 years ago and hence for the police to have done so, made things suspicious.) Also the police had to levy section 144 as the area occupied for the protest was government land.

He also pre-legitimised any future violence on the part of the Jats. Allegedly the Dalit protestors had shouted anti-Jat casteist slogans, and used inflammatory language that would anger 'anyone' if used against them. Jat retaliation for him was a logical outcome. However, as an officer who was more than doing his duty, he had posted police in Bhagana in order to protect the Dalits from any Jat retaliation, even though the Dalits were asking for it!

The SP's response revealed much about the local administration in the state. The SP who said he was a Khatri, a money-lending and land owning caste, refused to acknowledge that there was any weight in the Dalits' complaint about caste discrimination – that the whole protest was a sham. Moreover he stated that it was the Dalits who were guilty of inflaming caste tensions through their protest. So while Dalit complaints about Jat casteism was explained away as Jat rough mannerisms, the protest by the Dalits was viewed as inflaming caste tensions, and therefore requiring police intervention. The SP has not responded to these complaints as a state functionary simply implementing existing laws and protecting fundamental rights. His inaction as well as his statements reveal that he is himself implicated in the ongoing struggle where to act on the Dalits' complaints would be to become complicit in the challenge mounted by the Dalits to the social hierarchy.

## CONCLUSION AND DEMANDS

At the heart of the conflict in Haryana is the struggle over land – land reform schemes, control of common property resources; use rights versus ownership; land ownership versus landlessness; and appropriated land over promised land. The Bhagana Dalits' knowledge of legal entitlement to land; the promise and denial of the prospect of land through changing historical practices regarding land use; and the taking away of traditional use rights affecting subsistence, together seem to have contributed to the Dalit resistance through available methods and institutions.

Interestingly enough as we found through the Bhagana fact-finding institutional spaces and rights have become the new battle ground. Jats dominate constitutional Gram Panchayats. Their authority is backed up by the significant presence of Jats in higher administrative institutions and positions. The deeply entrenched caste ideology and hierarchies are now being propagated through state institutions. The levying of sedition charges exposed a face of the state where it was no longer just exhibiting apathy towards tackling caste oppression, but actively using its authority and draconian legislations to suppress any assertion challenging caste and class hierarchies. Protests against caste exploitation became an expression of “disaffection” against the nation!

Despite all the above, the Bhagana protests showed the Dalits as continuously pressurizing state institutions, and winning victories like withdrawal of sedition charges, and making the political class sit-up and take notice both within the state and the center. Alternative employment, education, intervention of political parties, government schemes and laws, and a greater awareness of rights has meant that Dalits too are now resorting to institutional spaces and methods.

However this politicisation of Dalits is far from homogenous being effected by many factors, not the least of which is class. In Bhagana there is a section of the Dalit and BC population that did not leave the village and join the protest. Theirs were the poorer houses, and primarily women and children were at home. Nor did they speak to our team. The silence that surrounds them is that of a complete economic dependence on the Jats and of those who are still trapped within the hierarchical caste ideology. One cannot expect a movement from half filled bellies that too against one whose has provided that. Class differences too decide the level of mobilisation and politicisation.

On the other hand are those more prosperous Dalits who have stayed on in the village to offer resistance. Our guide to the village, educated and articulate, did not desist from taking our team to the Sarpanch's house despite awareness of the threat this posed. When the team expressed anxiety on his behalf he replied that any threats that he might encounter on this count were insignificant in the larger, everyday lived reality of caste

oppression which went beyond this particular incident. He refused to be forced to leave the village as everything he had was here.

His reasons for staying back could be associated with his having a lot to lose, but noticeably this had not resulted in passive acceptance but an active continuing resistance. As we were leaving the Sarpanch's house he was taken aside and warned by the Sarpanch's companions that if he ever again brought visitors like us to the Sarpanch's house he would have to face dire consequences.

The Bhagana conflict is part of a changing social reality in Haryana in which caste assertion and counter-assertion is taking place making civil society groups, administrations and governments take notice. This report is a testimony to that.

#### **AFDR and PUDR Demand**

1. Registration of cases against the guilty Jats under the SC/ST Act.
2. Ensuring the safe return of the Dalit and BC families to Bhagana.
3. Restoring land use rights over Shamilat land.
4. Arrest of members of the illegal committee that carved out the Shamilat lands.
5. Immediate distribution and registration of plots under the Mahatma Gandhi Basti Vikas Yojana.

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