

South Asian Policies on Caste



Asia Dalit Rights Forum



Regions Refocus 2015

ASIAN PARLIAMENTARIANS' FORUM ON DALIT CONCERNS

This document compares the existing laws, policies, and quotas of Bangladesh, India, Nepal, Pakistan, and Sri Lanka. Identifying gaps in this framework, the matrix includes relevant recommendations by the [Asia Dalit Rights Forum](#) for legal and policy measures and mechanisms to eliminate caste discrimination and exclusion across South Asia. In this moment of the adoption of the 2030 Agenda, the matrix also compares each of the relevant arenas – Accountability and Peace, Gender and Social Justice, Economic Justice, Ecological Justice, and Data – to the

Sustainable Development Goals and targets of the new [2030 Agenda](#). As a guide, the points are labelled with the following symbols:

- ➕ indicates a progressive policy or legal measure
- ✖ indicates a policy gap or problematic action
- ➔ indicates a measure that could be improved or strengthened with amendments
- ➔ indicates a relevant policy recommendation by the Asia Dalit Rights Forum

ACCOUNTABILITY, GOVERNANCE, AND PEACE

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
Law					
➔ 16.b Promote and enforce non-discriminatory laws and policies for sustainable development ➔ 10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status ➔ 10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard	➕ The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth (Constitution, Article 28) ➕ Draft law to combat different forms of discrimination, including caste-based discrimination Introduced in Parliament 2012, ✖ yet to be enacted ➕ All citizens have equal rights irrespective of caste, race, religion or colour in protecting the individual against any form of discrimination or violence. (Civil Procedure Code and Criminal Procedure Code)	➕ Right to non-discrimination on the basis of caste (Article 15) ➕ Ban on the practice of 'untouchability' namely the imposition of social disabilities on a person due to birth into certain 'polluted' castes (Article 17) ➕ The state is committed to promoting the educational and economic interests of Scheduled Castes, and protecting them from exploitation (Directive Principle of State Policy, Article 46)	➕ The right against untouchability and racial discrimination in any form, on grounds of caste, race, community or occupation (Interim Constitution 2007, Article 14) ➕ Discrimination against any citizen is prohibited in the application of general laws on grounds of religion, color, sex, caste, tribe, origin, language or ideological conviction (Interim Constitution 2007, Article 13(2))	➕ Constitution prohibits caste-based discrimination ✖ Discriminatory laws and policies deepen the impoverishment of Dalits.	➕ Constitution prohibits discrimination on grounds of race, religion, language, caste, work or descent, sex, political opinion, place of birth or any such grounds (Constitution, Article 12)

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Law					
<p>→ 16.1 Significantly reduce all forms of violence and related death rates everywhere</p> <p>→ 16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children</p> <p>→ 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all</p> <p>→ 16.6 Develop effective, accountable and transparent institutions at all levels</p> <p>→ 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels</p> <p>→ 16.9 By 2030, provide legal identity for all, including birth registration</p> <p>→ 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements</p>	<p>➕ No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution. (Constitution, Article 28)</p> <p>✖ No direct or explicit provisions that prohibit the multiple forms of caste-based discrimination or untouchability.</p> <p>→ Enact specific laws for prohibiting caste segregation and denial of equal access to public spaces</p> <p>→ Include section in Penal Code ensuring punishment of such practices</p> <p>✖ No mention of intersectional caste and gender violence and exploitation in law or policy.</p> <p>✖ No special legal measures to access to justice and legal mechanisms.</p> <p>✖ No separate mechanism of lodging complaints made by Dalits in police stations.</p> <p>→ Create a Dalit Commission or Equity and Inclusions Commission to monitor the situation of Dalits in all arenas, including employment and access to any government measures intended to protect and promote their rights.</p>	<p>➕ Right to equality before the law and equal protection of law (Article 14)</p> <p>➕ ‘Untouchability’ related offences punished by Protection of Civil Rights Act, 1976;</p> <p>✖ Does not apply to private sphere, and punishments inadequate</p> <p>→ Enact and implement laws to stop all caste discrimination and segregation at all levels, in public and private spaces.</p> <p>→ Take strict legal measures against anyone who discriminates or practices ‘untouchability’ against Dalits in relation to midday meals provisioning in schools, the public distribution system, and access to water.</p> <p>➕ Crimes commonly committed against SCs on basis of caste punished; higher penalties imposed for crimes such as murder, rape, etc. (SCs & STs (Prevention of Atrocities) Act, 1989);</p> <p>✖ Inadequate implementation; no explicit provisions for the protection of Dalits from physical violence in the Act; low rate of conviction under the Act has resulted in denial of justice to SCs. No budgetary allocation.</p>	<p>➕ The state is obligated to restructure inclusively, democratically, and progressively, address the problems including those of women, Dalit, Indigenous people, Madhesi, oppressed, excluded and minority communities and backward regions, while at the same time doing way with discrimination based on class, caste, language, gender, culture, religion and region; (Interim Constitution 2007, Article 33 (d & d1))</p> <p>➕ Participation of Madhesis, Dalits, Indigenous peoples, women, laborers, farmers, the disabled, backward classes and regions in all organs of the state structure on the basis of proportional inclusion. (Interim Constitution 2007, Article 33 (d & d1))</p> <p>➕ Caste-based Discrimination and Untouchability (Offence and Punishment) Act, 2011: seeks to protect Nepali citizens from a number of crimes based on caste discrimination and ‘untouchability’.</p> <p>✖ Yet to be implemented.</p>		<p>➕ Discrimination on the basis of caste prohibited in the matter of access to places of worship, shops, public eating houses and hostels, public wells, hairdressing salons, laundries, and cemeteries or for purposes of education and employment (Prevention of Social Disabilities Act, 1957, 1971 strengthened)</p> <p>➕ Right to equality before the law and entitlement to equal protection (Article 12)</p>

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Law					
	<p>→ Fast-track courts to address discrimination against Dalits; process cases within 90 days.</p> <p>→ Points on registration of cases missing</p>	<p>➕ Mandatory measures to prevent atrocities and to protect SC victims and ensure relief and rehabilitation following atrocities. (SCs & STs (Prevention of Atrocities) Act, 1995)</p> <p>➖ Dalit Christians and Dalit Muslims are not included as members of Scheduled Castes.</p> <p>→ Amend schedule to Constitution to include Dalit Christians and Dalit Muslims in SC status, to protect and promote their rights</p> <p>→ Election Commission should revamp its vulnerability mapping completely, to deal with threats and intimidation of Dalit voters; polling booths should be available in neutral territory; security should be provided at fraud-prone polling stations and in areas of high conflict risk before and after elections</p>	<p>→ Formulate a comprehensive policy and plan of action for implementation; effective elimination of caste discrimination and untouchability; and the overall protection of Dalits from violence and atrocities</p> <p>→ Increase sentence for punishment of related offences.</p> <p>➖ National Dalit Commission's Bill has been pending since 2011.</p> <p>→ Make current provision for free legal aid to the poor in general Dalit-specific</p> <p>→ Allocate a separate budget in a separate budget heading for Dalits in order to promote the overall development of Dalits and the elimination of caste-based discrimination and 'untouchability'</p>		
Policy					
<p>→ 1.1 By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day</p> <p>→ 1.2 By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions</p>	<p>➕ National Human Rights Commission: - project funded by UNDP, with focus on caste-based discrimination. - dedicated commissioner designated to take special care of Dalit issues.</p>	<p>➕ National and State Commissions for Scheduled Castes: monitor Constitutional and legal safeguards and welfare of scheduled castes.</p> <p>➕ National SC Finance and Development Corporation</p> <p>➕ National Safai Karmacharis Finance and Development Corporation</p>	<p>➕ Neglected, Suppressed and Dalit Community Upliftment Development Committee</p> <p>➕ Badi Development Board</p> <p>➕ National Dalit Commission</p> <p>→ Transform Commission into constitutional body, with guarantee of representation of Dalit community in decision-making</p>		

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Policy					
<p>→ 2.1 By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round</p>	<ul style="list-style-type: none"> ✘ No specialized institutions to safeguard or oversee Dalits' welfare. ✘ Insufficient budget and legal power of the institutions 	<ul style="list-style-type: none"> ✔ National Commission for Safai Karmacharis ✘ No state government has set up mechanisms to ensure the effective implementation of the SC/ST (PoA) Act. ✘ Insufficient budget and legal power of the institutions. 	<ul style="list-style-type: none"> ✔ Awareness-raising, including through TV/radio programmes; 3 Boards allocated NPR 3181000 for skill development and awareness trainings and consultations (National Dalit Commission) ✔ Mechanism to Promote Dalit Rights and Eliminate Caste-Based Discrimination and Untouchability, 2011: to take immediate action with regard to incidents of caste discrimination and untouchability ✔ Proclamation of "Untouchability-free State" by reinstated Parliament; declaration of "National Day against Untouchability", 2006; ✘ both yet to be implemented. 		
Quota					
	<p>→ Develop a comprehensive reservations policy for public service posts, including the judiciary</p>	<ul style="list-style-type: none"> ✔ Affirmative action: seats for SCs and STs in the House of the people (Article 330) ✔ Affirmative action: seats for SCs and STs in the Legislative Assemblies of the States (Article 332) ✔ Reservation of seats for SCs and STs in every Panchayat as well as Municipalities, with no less than one-third of the seats reserved for women (Articles 243D & 243T) 	<ul style="list-style-type: none"> ✔ 13% (6.5% male and 6.5% female) seats of the total 335 seats in the Constituent Assembly allocated to Dalits. ✘ Despite reservation, Dalit Community lacks representation in policy and decision making bodies. 	<p>→ Develop a comprehensive reservations policy for public service posts, including the judiciary</p>	<p>→ Develop a comprehensive reservations policy for public service posts, including the judiciary</p>

ACCOUNTABILITY, GOVERNANCE, AND PEACE

GENDER AND SOCIAL JUSTICE

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SOCIAL SERVICES					
Law					
	<p>➕ No discrimination on any grounds in health, nutrition, educational opportunities, food security, access to water and sanitation. (Constitution, Article 28)</p>	<p>➕ State is committed to promoting the educational and economic interests of Scheduled Castes, and protecting them from exploitation (Constitution, Article 46, Directive of State Policy)</p>	<p>➕ All citizens have the right to education, health, and housing, employment and food sovereignty (Article 33 (h), Interim Constitution)</p>		
Policy					
<p>➔ 1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable</p> <p>➔ Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all</p>	<p>➕ Taka 167.5 million allocated 2012-13; Taka 123 million 2013-14, to “mainstream” Hijra, Dalit, Harijon and Bede communities by providing education stipends to their children, imparting skills training to adults, involving these communities in income generating activities, providing allowances.</p> <p>✖ No dedicated policies to combat discrimination and lack of access to housing, water, sanitation, education, healthcare faced by Dalits.</p>	<p>➕ Ministry of Social Justice and Empowerment: in charge of overall policy, planning and coordination of programmes for development and welfare of SCs.</p> <p>➕ Funding allocations in proportion to SC population, across all major ministries/ departments with direct impact on SC development, to be spent only on programmes that have a direct benefit to SC individuals, families, or habitations (Scheduled Caste Sub Plan).</p>	<p>➔ Restore Dalit targeted planning and programmes in the coming five or three year interim plans. Develop these plans and programmes through a process to assess the situation and needs of Dalit communities, with a separate section on Dalit women.</p> <p>➔ Initiate and distribute a "State Privileged Identity Card" scheme to families living below the poverty line. Give the cardholders privileged access to health, education and public supply system services.</p>		<p>✖ Welfare policies from 1930 onwards assume universal coverage in providing services</p>
GENDER					
Law					
	<p>✖ No specific mention of Dalit women in Domestic Violence Act.</p>	<p>➕ Devadasi Prohibition of Dedication Acts for Karnataka and Andhra Pradesh (1982, 88)</p> <p>✖ Increasing rates of crimes against women and SCs point to Indian state’s failure to comply with human rights obligations</p>			

GENDER AND SOCIAL JUSTICE

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GENDER					
Law					
<p>→ 5.1 End all forms of discrimination against all women and girls everywhere</p> <p>→ 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation</p> <p>→ 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation</p>	<p>✘ Women and Children Trafficking Repression and Prevention Act, 2000 has not taken into account or positively impacted the situations of Dalit women and girls.</p> <p>→ Laws and policies to address violence against women should make specific reference to Dalit women and girls, or multiple discrimination and violence and should outline protection measures that are particularly applicable to them.</p>	<p>✘ No central government legislation to uniformly protect against the dedication of Dalit girls as Devadasis.</p> <p>→ Enact national legislation to abolish the Devadasi system in any part of the country and to provide relief and rehabilitation to the victims, including livelihood and development programmes for them and their families.</p>			
Policy					
<p>→ 4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations</p> <p>→ 5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate</p>	<p>➕ Gender sensitive budgeting for education, health and family welfare, social welfare, and food and disaster management</p> <p>✘ Panchayats accessed by Dalits to resolve internal disputes are male dominated, not allowing women to participate in the panchyats.</p> <p>✘ National Women Development Policy considers women as a homogenous group, does not acknowledge the difference and nature of violence and discrimination in the lives of Dalit women.</p>	<p>➕ Action to be taken to eliminate violence against women, including that arising from customs and traditions, like caste (National Policy for the Empowerment of Women, 2001)</p> <p>✘ In many cases women are not included in lists of released bonded labourers and do not receive rehabilitation.</p> <p>✘ Planning and special budget allocations separate for scheduled castes and for women, without recognition of multiple identities and consequent vulnerabilities that SC women face</p>	<p>→ Establish a Dalit Women Empowerment Development Desk in the National Woman Commission, the National Dalit Commission, the Neglected, Suppressed & Dalit Community Upliftment Development Committee and the Badi Community Development Board.</p> <p>→ Launch awareness programs and make budgetary allocations for educating and capacitating Dalit women to claim their rights.</p> <p>→ Ensure meaningful participation so Dalit women are involved mechanisms and development processes.</p>		

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Policy					
<p>→ 5.5 Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life</p> <p>→ 5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences</p> <p>→ 10.4 Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality</p>	<p>→ Adequately train government officials, particularly the members of law enforcement agencies, to understand the heterogeneity of Bangladesh society, and how to particularly address the specific vulnerabilities of Dalit women.</p> <p>→ Create special schemes to ensure income generation schemes, skills trainings, vocational education and related initiatives for Dalit women across the country.</p>	<p>→ Converge the Ministry of Social Justice and Empowerment and the Ministry of Women and Child Development at the central government level in order to plan and implement complementary and comprehensive schemes to specifically address Dalit women’s rights.</p>			
HOUSING					
Law					
	<p>→ Implement laws and undertake specific campaigns to prevent, prohibit and eliminate practices of segregation and discrimination against Dalits, including in housing, food and drinking water provisioning.</p>	<p>→ Take strict legal measures against the discriminatory practices of local authorities or private owners with regard to Dalits’ residence and access to adequate housing</p>			

GENDER AND SOCIAL JUSTICE

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HOUSING					
Policy					
<p>→ 11.1 By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums</p> <p>→ 11.2 By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons</p> <p>→ 11.3 By 2030, enhance inclusive and sustainable urbanization and capacity</p>	<p>➕ Government responsible for creating housing facilities for extremely and medium poor population, which includes Dalits (National Housing Policy, 2008)</p> <p>✖ No specific reference in National Housing Policy (2008).</p> <p>➖ Construction of 1148 flats in Dhaka for cleaning and sweeping workers, many of whom are Dalits/Harijans (Exec. Committee of National Economic Council, 2012)</p>	<p>➕ National Urban Housing and Habitat Policy speaks of special efforts to be taken to meet needs of SCs in housing and basic services.</p> <p>✖ JNNURM housing scheme pushes Dalits to the peripheries of urban areas</p>	<p>➕ Janata Aawas Karyakram (People’s Housing Program) focuses on Terai/Madheshi Dalits in Terai districts.</p> <p>✖ National Housing Policy contains specific provisions to meet the needs of Dalits in housing and basic services.</p> <p>→ Expand the “People’s Housing Programme” to cover all landless Dalits in all regions of the country</p>		
WATER					
Law					
<p>→ 6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water for all</p>	<p>➕ Access to clean drinking water ensured for all, irrespective of caste, region, religion and gender (National Water Act, 2013)</p>				
Policy					
<p>→ 6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations</p>		<p>➕ Needs of SCs should be given due consideration in local planning of water projects (National Water Policy).</p> <p>➕ Local cost sanitation available for liberated scavengers</p> <p>✖ National Rural Drinking Water Programme and National Urban Sanitation policy do not have special provisions for SCs for equal access to water and sanitation.</p>			

GENDER AND SOCIAL JUSTICE

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LAND					
Law					
	<p>→ Create supportive legal structures (such as Special Land Tribunals or Fast Track Courts) at the local level for deciding land disputes between Dalits and others, and for those Dalits who have their lands encroached upon by non-Dalits or face long delays in acquiring land title.</p>	<p>+ Land Ceiling Acts ensure land redistribution to landless poor, a disproportionately large number of whom are Dalits.</p>			
Policy					
<p>→ 2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment</p>	<p>✘ Slow implementation of act that led to structured discrimination based on land.</p>	<p>+ Credit towards purchase of land by SCs, land redistribution schemes for landless labourers, etc. ✘ Rehabilitation and Resettlement Policy, 2007 silent on the issue of forced acquisition of lands, much of it being SC/ST land. → Reserve land resources for Dalits, with all lands allotted to Dalits (SCs) being non-transferable under any circumstances to non-SC/ST persons → Formulate and implement a national land reforms policy across the country</p>			

GENDER AND SOCIAL JUSTICE

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HEALTH					
Law					
		<p>✘ National Food Security Act 2013 does not specifically mention SCs as vulnerable households or as a priority community in terms of the right to food.</p>	<p>✔ Right to access to health services free of Cost (Article 16(2)) ✔ State should pursue policies for uplifting the economically and socially backward population like indigenous people, Madeshi, Dalit... by creating provisions of reservations in health for certain period of time. (Article 35 (10))</p>		
Policy					
<p>→ 3.8 Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all</p> <p>→ 3.7 By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes</p> <p>→ 2.2 By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons</p>	<p>✖ Health, Nutrition and Population Sector Programme, 2013 to strengthen health and its awareness as a pro-poor which also include Dalits</p> <p>✘ No official recognition that specific groups like Dalits are particularly vulnerable to ill-health and, therefore, deserve special protection or access to health entitlements</p> <p>✘ No policies to address disproportionately high rates of poverty and chronic malnutrition amongst Dalits.</p> <p>→ Categorically refer to the disadvantageous condition of the Dalits in health and nutrition policies in Bangladesh and provide frameworks for improving their health and wellbeing.</p>	<p>✔ National Health Policy acknowledges inequalities in access to healthcare, pledges to improve access for socially disadvantaged members like Dalits.</p> <p>→ Ministry of Health and Family Welfare should take up a concerted drive on reproductive health issues in those areas where the literacy level of SC girls is below 30%. Generate awareness among SCs, specifically women, regarding anti-natal care, postnatal care and other areas of health and hygiene to protect them from morbidity and mortality.</p>	<p>✔ The second Long-Term Health Plan (1996-2016) promises to make basic free health services available to all and pledges to improve access for socially disadvantaged citizens including Dalits.</p> <p>→ Provide health insurance for Dalits</p> <p>→ Make a special program and separate budgetary allocation for the improvement of the sanitary and hygiene conditions of Dalits, especially for those who are living in the rural areas of Nepal.</p>		

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HEALTH					
Policy					
<p>→ 3.4 By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being</p>	<p>→ Establish specialized health and medical centres for populations such as the sweepers, methors, tea workers and others to cater to their health needs.</p>	<p>→ Identify specific programmatic measures to protect Dalits' equal right to health, including through ensuring discrimination-free access to medical treatment, and through eradicating the inhuman practice of septic tank cleaning and other hazardous tasks performed by manual scavengers.</p>			
EDUCATION					
Law					
	<p>⊕ All children should have the right to free and compulsory education irrespective of caste or other discriminative variables. (Article 17, Constitution, Article 5(1) of draft Education Law, 2013) → The law should contain a dedicated section on Dalit children's right to education ⊕ Free primary education in all schools for all children (Primary Education (Compulsory) Act, 1990)</p>	<p>⊕ Right of Children to Free and Compulsory Education Act, 2009; ⊗ Inadequate monitoring, accountability and grievance redress mechanisms; lack of information. ⊗ No specific measures exist to address discrimination against SC children in schools</p>	<p>⊕ Everyone has right to basic education and access to free education till secondary level. (Article 17, 17(2), Interim Constitution) → Make Dalits' access to adequate housing, food, water and sanitation into legal entitlements, providing a basis for individuals and groups to hold governments and other stakeholders accountable for realizing these rights. → Make existing legal mechanisms and educational programs Dalit-friendly and inclusive.</p>		

GENDER AND SOCIAL JUSTICE

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EDUCATION					
Policy					
<p>→ 4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes</p> <p>→ 4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and 12re-primary education so that they are ready for primary education</p> <p>→ 4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university</p> <p>→ 4.4 By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship</p>	<p>➕ Free education, free admission, free lunch and stipend ensured for all the students; aims to reduce inequalities in phases with equal access to primary and secondary education; ensures proper hostel facilities to citizen with out caste bias. (National Education Policy, 2010)</p> <p>➕ Education programmes and policies to date talk about access and equity and refer to the backwardness of 'tribal' people and of women and poorer section of the population. ❌ No specific mention of Dalit communities.</p> <p>❌ No specific measures to target low enrolment rate and high dropout rate of Dalit children.</p> <p>→ Constitute an 'Equity Working Group' within the Education Ministry to continually devise and monitor targeted education schemes for Dalits. These schemes should be devised in consultation with Dalit communities and CSOs. Schemes would include scholarships allocated for Dalit children in order to encourage their schooling and higher education.</p> <p>→ Encourage educational institutions to adopt equal opportunities policies coupled with affirmative action for Dalit girls.</p>	<p>➕ National Education Policy: goal of education to remove social disparities and equalise educational opportunity irrespective of caste.</p> <p>➕ National Curriculum Framework: textbooks should be aligned to constitutional values of equality and social justice, and teachers trained to bridge caste/gender divides and be sensitive to Dalit issues.</p> <p>➕ Guiding principles of equality and non-discrimination on grounds such as caste, especially with regard to education (National Policy for Children, 2013)</p> <p>➕ Socially disadvantaged children should not be discriminated against, segregated or prevented from pursuing and completing elementary education (Right of Children to Free and Compulsory Education Act, 2009.)</p> <p>→ Appoint a central government committee to develop pedagogical methods for translating 'social inclusion with equity', ensuring the diversity and complexity of diverse groups of children, including Dalit children, and include them in teacher education/trainings.</p>	<p>➕ NPR 350.00 scholarship provided every year to each Dalit student enrolled in school; nutritional food programme for primary school-going Dalit children; 9% scholarship seats reserved to Dalit students in higher education; 10% scholarship for Dalits provided in private schools.</p> <p>→ Constitute 'Equity Working Groups', bringing together government and civil society organisations to continuously evolve strategies to promote the inclusion of Dalit children in education (Guideline 46: Education)</p> <p>→ Increase the existing scholarship percentage and for Dalit students in all the universities, colleges, schools and related educational institutions.</p>		

GENDER AND SOCIAL JUSTICE

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EDUCATION					
Quota					
	<p>➕ 1% admission quota for Dalit students, University of Dhaka; quota for Harijon/Dalit students, Islamic University, Kushtia</p> <p>✖ Number of Dalit student intakes yet to be published by Dhaka University</p> <p>➔ Immediately undertake legal initiatives to create a mandatory quota system for Dalits in all public and private educational institutes at the primary, secondary and tertiary education levels.</p>	<p>➕ Affirmative action for SCs via reserved quotas in educational institutions.</p> <p>✖ Low representation of Dalit teachers in the education system</p> <p>✖ No special measures for reservations in private higher educational institution</p>	<p>➔ Expand reserved seats for Dalit students in all the universities, colleges, schools and related educational institutions.</p>		
INTER-CASTE MARRIAGE					
Law					
		<p>➕ Special Marriage Act enables inter-caste marriages to be registered.</p>			
Policy					
	<p>✖ No legal measures to address violence stemming from inter-caste marriages.</p> <p>➔ Take up human rights education and awareness campaigns to actively promote inter-caste marriages and prohibit violence against them.</p>	<p>➕ Promotive scheme for inter-caste marriages</p>	<p>➕ NPR 100,000.00 as incentive / encouragement for inter-caste marriage</p> <p>➔ Strengthen Chapter of Marriage under the Civil Code (1963) by incorporating provisions on inter-caste marriage, including punishment to those who discourage and conspire against it.</p>		

ECONOMIC JUSTICE

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
Law	<ul style="list-style-type: none"> ➤ Equal opportunities for every citizen in employment or office in service of the Republic (Article 29: 1-2, Constitution) ✘ No legislation on decent work and working conditions for Dalits. ➤ The Constitution prohibits forced compulsory, and child labour; ✘ Government does not enforce this prohibition effectively and it does not specifically reference caste vulnerabilities. ➔ Develop a comprehensive employment law, covering both public and private sector employment, with a special emphasis on Dalits. This legislation should specify reservations for Dalits in employment in the public and private sectors ➔ Amend the Human Trafficking Deterrence and Suppression Act to prevent and punish local fraudulent recruiters. Bangladesh Association of International Recruiting Agencies should be monitored by state authorities to ensure that migrants who use their services agencies are not exploited. ➔ Comprehensive legislation should be formulated and implemented for the complete eradication of manual scavenging. 	<ul style="list-style-type: none"> ➤ State is committed to promoting the educational and economic interests of Scheduled Castes, and protecting them from exploitation (Constitution, Article 46, Directive of State Policy) ➤ Equality of opportunity for SCs in matters of public employment (Constitution, Article 16) ➤ Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013; Employment of Manual Scavengers (Prohibition) Act, 1993 ➤ Basic labour rights and protection of bonded and child labourers (Bonded Labour System (Abolition) Act, 1976; Child Labour (Prohibition and Regulation) Act, 1986). ✘ No equality in law that would outlaw caste discrimination in all sectors of employment. ✘ Companies Act 2013 only identifies SC/ST development concerns as part of corporate social responsibility (non-binding). ✘ Enforcement and implementation of employment policies and laws are often unsatisfactory; authorities found lacking in their response to complaints of bonded labour. ➔ Ensure that all states and districts establish and oversee bonded labour vigilance committees 	<ul style="list-style-type: none"> ➤ Interim Constitution ensures that every individual has the freedom to practice any occupation irrespective of race, caste, religion or region. ➤ Interim Constitution prohibits any kind of forced labour. 	<ul style="list-style-type: none"> ➤ Laws for the abolition of Bonded Labour 	<ul style="list-style-type: none"> ➤ Constitution ensures equality of opportunity for every citizen without discrimination in public sector

ECONOMIC JUSTICE

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
<p>Policy</p> <p>→ 10.1 By 2030, progressively achieve and sustain income growth of the bottom 40 per cent of the population at a rate higher than the national average</p> <p>→ 1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance</p> <p>→ 8.3 Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services</p> <p>→ 8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value</p> <p>→ 8.6 By 2020, substantially reduce the proportion of youth not in employment, education or training</p>	<p>➕ Dalits, Bedes, Harijans and other marginalized communities included in social safety net programmes and projects to improve their socio-economic conditions. (Directive of Office of Prime Minister, 2012; Ministry of Social Welfare, 2012-3)</p> <p>✖ No specific and targeted policies for Dalits</p> <p>✖ No policies or programmes on forced, bonded, or child labour make any reference to caste vulnerabilities.</p> <p>✖ Dalit community tends to retain traditional occupations, due to livelihood insecurities and the lack of new opportunities.</p> <p>✖ Poverty and unemployment of Dalit adults are major challenges to overcome before child labour can be abolished.</p> <p>✖ Existing policies do not address high rate of unemployment or labour market discrimination</p> <p>→ Enact and implement social security provisions for Dalit workers in the unorganised sectors.</p> <p>→ Radically lower the maximum fee for employment services provided and establish a cap of other fees.</p>	<p>➕ National Safai Karmacharis Finance and Development Corporation: promotes socio-economic development of manual scavengers, safai karmacharis (those engaged in other cleaning works) and their dependents, by way of concessional finance loans.</p> <p>➕ National Commission for Safai Karmacharis: welfare and rehabilitation of scheduled castes engaged in manual scavenging and other cleaning works.</p> <p>➕ Rehabilitation schemes for bonded labourers, devadasis, manual scavengers, child labourers in hazardous industries, a disproportionate number of whom are Dalits.</p> <p>➕ 4% target for government procurement from micro and small enterprises owned by SCs/STs (Public Procurement Policy for Micro and Small Enterprises, 2012).</p> <p>✖ Complete elimination of manual scavenging by the end of the Sixth Five Year Plan (1980-85) still unachieved.</p> <p>✖ No comprehensive employment policy for employment opportunities among SCs.</p> <p>✖ Often delay in the release of funds for rehabilitation of bonded labourers</p>	<p>➕ Schemes to abolish bonded labor (Haliya/Haruwa/Charuwa systems) introduced to ensure resettlement and proper rehabilitation of bonded Dalit laborers.</p> <p>✖ Dalit beneficiaries of Micro-Enterprise Development program are not measured.</p> <p>→ Pass the Bonded Labor (Prohibition, Prevention and Rehabilitation) Bill, so that systematic, concrete and dynamic labor standards are in place for the abolishment of bonded labor.</p> <p>→ Enact and implement social security provisions for Dalit workers in the unorganised sectors.</p> <p>→ Increase the budget allocated for the rehabilitation of Freed Haliya. There should also be budget allocated to address the issues of other forced, bonded and child labor.</p>	<p>➕ National Action Plan for the abolition of Bonded Labour</p> <p>→ Enact and implement social security provisions for Dalit workers in the unorganised sectors.</p>	<p>➕ Bonded Labour Fund, established in 2003 for the welfare of the children of released bonded labourers</p> <p>→ Enact and implement social security provisions for Dalit workers in the unorganised sectors.</p>

ECONOMIC JUSTICE

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
Policy					
<p>→ 8.7 Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms</p> <p>→ 8.8 Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment</p> <p>→ 8.10 Strengthen the capacity of domestic financial institutions to encourage and expand access to banking, insurance and financial services for all</p> <p>→ 9.1 Develop quality, reliable, sustainable and resilient infrastructure, including regional and transborder infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all</p> <p>→ 9.3 Increase the access of small-scale industrial and other enterprises, in particular in developing countries, to financial services, including affordable credit, and their integration into value chains and markets</p>	<p>→ Grant entitlement to full and fair rehabilitation from unfree labour for Dalit labourers. Set aside adequate budgets for rehabilitation schemes for forced, bonded and child labourers; have a specific focus in all rehabilitation schemes on Dalit labourers.</p> <p>→ Create timebound plans for the complete eradication of manual scavenging must be formulated and implemented, which also provide for the rehabilitation of those engaged in manual scavenging into decent, skilled work.</p> <p>→ Government should also review its programmes to eliminate these prohibited forms of labour and report on how many Dalits become beneficiaries of the various government efforts in this regard.</p>	<p>➤ Targeted Budgeting: Scheduled Caste Sub Plan allocates population proportionate for schemes specifically for Dalits</p> <p>✘ Scheduled Caste Sub Plan funds used for social services (e.g. education, health), and not towards economic empowerment (e.g. entrepreneurship, employment, land).</p> <p>→ Transform the SC Sub Plan from a Planning Commission policy directive to a legal right; Enact national and state legislation mandating the allocation of adequate funds commensurate with the proportion of SC population be applied for the direct benefit of SCs, especially in the economic sectors.</p> <p>→ Create an Equal Opportunity Commission to monitor the situation of discrimination against Dalits in all arenas, including employment.</p> <p>→ Develop a comprehensive Employment Policy that aligns with the government's Reservation Policy and covers public and private sector employment with a special emphasis on the Scheduled Castes.</p> <p>→ Enact and implement social security provisions for Dalit workers in the unorganised sectors.</p>			

ECONOMIC JUSTICE

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
Quota	<ul style="list-style-type: none"> ⊖ 80% reservation of employment in cleaning jobs in all municipalities for Dalits (Directive of Office of Prime Minister, 2012) 	<ul style="list-style-type: none"> ⊕ Reserved quotas for SCs in government employment, promotions in government service, education and central, state and local government ⊕ 15% reserved quota for SCs in all government positions. ⊗ Reservation Act bill pending in the Parliament since 2004 and has not yet been passed. ⊗ Huge backlog in the recruitments for SC quota posts in government services. ➔ Fill all vacant SC reserved posts with suitable SC candidates ⊗ Reservation does not extend to the private sector. ➔ Provide for reservations in the private sector, including capital market, land, private education and housing, access to inputs and services, products and consumer goods. 	<ul style="list-style-type: none"> ⊖ Out of 45% of reserved seats, 9% of seats in the civil service are reserved for Dalits (Civil Service Act 1993) ⊕ 15% reservation of seats for recruitment in the police force, armed police force, and Nepali army. ➔ Ensure proportional representation of Dalits (ensuring a 13% reservation), public corporations, private and corporate sectors. ➔ Enact a law on inclusion and reservations for Dalits that covers both the public and private sectors. The percentage of such reservation should be according to the population of Dalit and 10% extra compensation should be provided. 	<ul style="list-style-type: none"> ⊗ A law ensuring 6% employment quota in government services was scrapped in 1998 during the regime of Prime Minister Nawaz Sharif. 	

ECOLOGICAL JUSTICE

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
Law					
			→ Establish access to adequate housing, food, water and sanitation as legal entitlements, providing a basis for individuals and groups to hold the Government of Nepal and other stakeholders accountable for realizing these rights.		
Policy					
<p>→ 1.5 By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters</p>	<p>➤ Comprehensive Disaster Management Policy 2003 establishes disaster response mechanisms for all population irrespective of caste, race, religion, region, gender or language.</p> <p>→ Create an integrated plan for disaster mitigation and management by integrating various development schemes, in order to ensure multi-hazard resistant housing, alternative livelihoods, etc. in Dalit localities.</p> <p>→ Amend National Plan for Disaster Management to contain grievance redress mechanism in case of denial or discrimination in access to disaster relief and rehabilitation materials.</p>	<p>➤ National Disaster Management Policy, 2009 directs state governments to restoration of the permanent livelihoods of those affected by disasters, with special attention to the needs of women-headed households, artisans, farmers and people belonging to marginalised and vulnerable sections.</p> <p>➤ No discrimination based on caste, religion, sex, region, age, or community during disaster response measures of compensation and relief. (Sec. 61, Disaster Management Act, 2005)</p>	<p>➤ Ensuring the participation of poor people, Dalits, marginalized indigenous communities, women, children and youth in the implementation of climate adaptation and climate change-related programmes (Climate Change Policy, 2011)</p> <p>→ Make budget allocation sufficient enough to support integrated and coordinated disaster management that ensures emergency response both in terms of pre-disaster preparedness plans and post-disaster humanitarian assistance.</p> <p>→ Create a Dalit-focused relief fund under the office of the Prime Minister in order to give due recognition to the disproportional impact that disasters have on the Dalit community.</p>		

ECOLOGICAL JUSTICE

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
Policy					
<p>→ 11.5 By 2030, significantly reduce the number of deaths and the number of people affected and substantially decrease the direct economic losses relative to global gross domestic product caused by disasters, including water-related disasters, with a focus on protecting the poor and people in vulnerable situations</p> <p>→ 13.b Promote mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities</p> <p>→ 3.9 By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination</p> <p>→ Goal 12. Ensure sustainable consumption and production patterns</p> <p>→ Goal 13. Take urgent action to combat climate change and its impacts</p> <p>→ Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development</p> <p>→ Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</p>	<p>➕ Bangladesh Climate Change Trust Fund, \$200 million; Bangladesh Climate Change Resilience Fund, \$114 million;</p> <p>✖ not directly impacting the Dalit community.</p> <p>✖ No awareness or understanding on issues of caste discrimination in disaster relief.</p>	<p>✖ Lack of inclusive approach to disaster management in Act; does not recognise caste based discrimination and caste-induced vulnerabilities regarding natural disasters.</p> <p>✖ Budget allocation for disaster risk relief does not specify contingency programmes for Dalits or other marginalised communities.</p> <p>✖ No reports indicating how the revised guidelines for the National and State Disaster Response Funds, which lay out the norms on compensation against physical loss and damages, are being applied vis-à-vis the social group composition of beneficiaries.</p>			

DATA

Sustainable Development Goals and Targets	Bangladesh Dalit population: 4-6 million	India Dalit population: 201 million	Nepal Dalit population: 3.5 million	Pakistan Dalit population: 2.5 million	Sri Lanka Dalit population: 4-5 million
<p>→ 17.18 By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts</p>	<p>✘ No policy or other provisions existing to make it mandatory that caste-and-gender or other disaggregated data is collected by all government statistical and other organizations that produce national and state level data on the socio-economic and political situation of different social groups.</p> <p>✘ Absence of disaggregated data, which results in policies not reflecting special needs or targeting communities.</p> <p>→ Make disaggregated data on the basis of caste-and-gender mandatory in the collection of basic statistics regarding all major socio-economic and political arenas of life.</p> <p>→ Government should provide disaggregated data on the presence of Dalits among bonded, forced and child labour populations, including trafficking victims.</p>	<p>✘ No disaggregated data available on the prevalence of mental health problems among Dalits</p> <p>✘ Lack of disaggregated data to measure impact of state health programme on SCs</p> <p>✘ No comprehensive data or survey on social and economic discrimination in current Government of India statistical data collection tools, which could also be disaggregated by caste and gender.</p> <p>→ Make disaggregated data on the basis of caste-and-gender mandatory in the collection of basic statistics regarding all major socio-economic and political arenas of life.</p>	<p>✘ No disaggregated data about Dalit entrepreneurs.</p> <p>→ Make disaggregated data on the basis of caste-and-gender mandatory in the collection of basic statistics regarding all major socio-economic and political arenas of life.</p> <p>→ New surveys into emerging areas, like migration patterns, should be disaggregated by caste and gender in order to reveal new issues arising for Dalit women and help plan specific provisions to address these issues for them.</p> <p>→ State agencies should collaborate with CSOs to develop tools based on the participatory methods and principles of social equity audit. These should be used to monitor and audit the extent of social equity and inclusion of Dalits</p>	<p>→ Make disaggregated data on the basis of caste-and-gender mandatory in the collection of basic statistics regarding all major socio-economic and political arenas of life.</p>	<p>→ Make disaggregated data on the basis of caste-and-gender mandatory in the collection of basic statistics regarding all major socio-economic and political arenas of life.</p>