



FACULTY OF JURIDICAL SCIENCES

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SCIENCE - II

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Lecture- 24



LECTURE 24 Caste related issue

Main articles: [Caste system in India](#), [Caste politics in India](#), and [Caste-related violence in India](#)

Contemporary India, however, has seen the influence of caste start to decline. This is partly due to the spread of education to all castes which has had a democratising effect on the political system. However, this "equalising" of the playing field has not been without controversy. The [Mandal Commission](#) and its quotas system has been a particularly sensitive issue. It has been argued by Professor Dipankar Gupta that the role of castes in Indian elections have been overplayed.^[1] More recently there has been a flux in caste politics, mainly caused by [economic liberalisation in India](#). This upsurge in lower-caste empowerment was accompanied in some regions by a spike in the level of corruption.^[2] This was partly due to lower caste perceiving development programs and rule of law as tools used by the upper caste to subjugate lower castes.^[3] [Amnesty International](#) says "it is the responsibility of the Indian government to fully enact and apply its legal provisions against discrimination on the basis of caste and descent."^[4] [Denotified tribes of India](#), along with many [nomadic tribes](#) collectively 60 million in population, continue to face social stigma and economic hardships, despite the fact [Criminal Tribes Act](#) 1871, was repealed by the government in 1952 and replaced by [Habitual Offenders Act](#) (HOA) (1952), as effectively it only created a new list out of the old list of so-called "criminal tribes. These tribes even today face the consequences of the 'Prevention of Anti-Social Activity Act' (PASA), which only adds to their everyday struggle for existence as most of them live [below poverty line](#). [National Human Rights Commission](#) and UN's anti-discrimination body [Committee on the Elimination of Racial Discrimination](#) (CERD) have asked the government to repeal this law as well, as these former "criminalised" tribes continue to suffer oppression and social ostracization at large and many have been denied SC, ST or OBC status, denying them access to [reservations](#) which would elevated their economic and social status.^[5]