

**ALTERNATIVE REPORT TO THE COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION (CERD)**

CASTE-BASED DISCRIMINATION

**REVIEW OF THE COMBINED 20th
AND 21st PERIODIC REPORTS OF THE REPUBLIC OF INDIA**

**MINORITY RIGHTS GROUP INTERNATIONAL (MRG)
and
INTERNATIONAL DALIT SOLIDARITY NETWORK (IDSN)**

*118th Session of the Committee on the Elimination of Racial Discrimination (CERD), 10 to 25 August
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Introduction

1. This submission is made to the Committee on the Elimination of Racial Discrimination for its consideration of India's combined twentieth and twenty-first periodic reports at the 118th session (10–25 August 2026).¹ India's last review by the Committee took place nineteen years ago in 2007. The combined periodic report, due in 2010, was submitted thirteen years late.

2. This submission focuses on caste-based discrimination as a form of descent-based discrimination within the meaning of the Convention. Dalits — communities historically subjected to untouchability and caste-based exclusion — number over 200 million in India.² The population of Scheduled Castes and Scheduled Tribes, as per the 2011 census, is 201.4 million (16.6%) and 104.5 million (8.6%) respectively. The Indian Constitution designates many of these communities as “Scheduled Castes,” entitling them to specific legal protections and affirmative action measures.³ The submission draws on government data, parliamentary answers, judicial records, and independent civil society documentation. A longer working analysis with paragraph-by-paragraph engagement with the State party report, and raw data, is available on request.

3. As the table below shows, the Committee's 2007 recommendations to India have remained substantially unimplemented. In several areas, India has regressed.

Implementation of the Committee's 2007 Concluding Observations (CERD/C/IND/CO/19)

2007 CO para	Recommendation	Status (2026)	Relevant paras in this submission
8	Accept caste as descent under Article 1; enact comprehensive anti-discrimination legislation	Not implemented. India continues to contest. No comprehensive legislation enacted.	Paras 4–5, 6
13	Eradicate segregation and untouchability; enforce Protection of Civil Rights Act	Not implemented. PCR Act effectively non-functional.	Para 11
14	End police violence against Dalits and Adivasis; establish independent police complaints mechanism	Not implemented. No independent complaints mechanism established. In February 2026, UN Special Rapporteurs warned of “systemic policing failures” disproportionately affecting Dalits.	Paras 13–14
15	Address sexual violence against Dalit women; ensure access to justice	Not implemented. Conviction rate for crimes against Dalit women under the Prevention of Atrocities Act below 35% (2014–2022). The Special Rapporteur on violence against women cited “crisis levels” in September 2024.	Para 16
17	Ensure adequate political representation of SC/ST	Partially implemented. Constitutional reservation for elected seats continues, but Dalits remain near-absent from senior levels of the bureaucracy and the judiciary.	Para 17
21	Extend SC status to Dalit converts to other religions	Regressed. SC status remains restricted to Hindu/Sikh/Buddhist. Supreme Court ruled in March 2026 that conversion results in immediate loss of SC status.	Para 7

¹The submission uses British English throughout. Footnote references are to sources; explanatory notes provide contextual information. India's combined twentieth and twenty-first periodic reports (CERD/C/IND/20–21) were received on 26 July 2023.

²“Dalit” — meaning “broken” or “oppressed” — is the term adopted by affected communities and widely used in civil society and academic literature. “Scheduled Castes” is the constitutional term. This submission uses both. Discrimination against indigenous/tribal communities (“Scheduled Tribes”) is addressed in a separate submission.

³Dalits who have converted to Islam or Christianity are excluded from the Scheduled Caste designation and the protections it carries. See paragraph 7 below.

23	Eradicate manual scavenging; rehabilitate affected persons + forced labour issues	Not implemented. 1,313 sewer deaths recorded since 1993. Zero offences recorded under the prohibiting legislation. In June 2026, the United States proposed a 12.5 per cent tariff citing India's failure to enforce its prohibition on goods made with forced labour. Starting December 14, 2027, the EU FLR bans the sale, export, or import of all products made wholly or partly with forced labour into Europe. The ban applies to all goods, industries, and companies of any size, regardless of origin. On June 26, the EU launched the preparedness package and single portal. That India moved within weeks to insert a prohibition on the import of goods made with forced labour into its Foreign Trade Policy as the United States tariff was proposed and the European Union's Forced Labour Regulation advanced toward enforcement reveals a readiness to act swiftly where export access is at stake that it has not extended to enforcing the same prohibition against the caste-based bonded labour within its own economy.	Paras 19–20
25	Ensure equal access to education for SC/ST	Not implemented. Scheduled Castes remain underrepresented among university faculty. Government scholarships for SC students declining. Anti-discrimination regulations struck down by the Supreme Court.	Para 23
26	Ensure effective access to remedies; strengthen Prevention of Atrocities Act	Not implemented. Over 95 per cent of Prevention of Atrocities Act cases pending. Two in three verdicts end in acquittal. Dedicated courts in only 11 of 36 states and union territories.	Para 23
27	Undertake education and training on tolerance and non-discrimination	Regressed. School textbooks revised to remove caste-related content. No national action plan against racial discrimination adopted.	Para 24

Article 1: Definition of racial discrimination

4. India continues to reject the Committee's long-standing position that caste-based discrimination constitutes descent-based discrimination within the meaning of Article 1. The Committee settled this question in General Recommendation No. 29 (2002),⁴ reaffirmed it in its 2007 Concluding Observations on India,⁵ and reiterated it in the List of Issues Prior to Reporting for the present review.⁶ In its State party report, India describes information on Scheduled Castes and Scheduled Tribes as offered "out of courtesy" rather than out of Convention obligation and iterates that General Recommendation No. 29 "ignored" the drafting history of the Convention.⁷

5. India's own domestic legislation demonstrates that the State recognises caste as an inherited status requiring specific legal intervention. Article 17 of the Constitution abolishes untouchability. The Protection of Civil Rights Act 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of

⁴CERD, [General Recommendation No. 29 \(2002\)](#).

⁵CERD, [Concluding Observations on India, CERD/C/IND/CO/19 \(2007\)](#), para. 8.

⁶CERD, [List of Issues Prior to Reporting, CERD/C/IND/QPR/20-21 \(2021\)](#), para. 4.

⁷[State party report, CERD/C/IND/20-21](#), paras. 2-5.

Atrocities) Act 1989 create a protective framework premised on precisely this recognition.⁸⁹ India does not explain why caste warrants dedicated domestic legislation but does not constitute descent-based discrimination under the Convention.

Recommendation to the Committee:

The Committee should reaffirm that caste-based discrimination constitutes descent-based discrimination within the meaning of Article 1 and urge India to accept this categorically. The Committee should recommend that the India report on measures to address caste-based discrimination under Articles 2 to 7 in its next periodic report and make a declaration under Article 14 of the Convention recognising the competence of the Committee to receive individual communications from victims of caste-based discrimination.

Article 2: General obligations

6. India has no comprehensive anti-discrimination legislation prohibiting caste-based discrimination by public and private actors in housing, employment, education and services.¹⁰ The sole caste-specific legislative instrument is the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, which addresses criminal atrocities but does not create civil remedies for everyday discrimination.¹¹ Even this limited protection was judicially weakened in 2018, when the Supreme Court introduced procedural barriers to the registration of complaints. The government restored the original protections through a legislative amendment the same year, upheld by the Court in 2020, but the episode demonstrated the fragility of the existing framework.¹² No government or major political coalition has supported comprehensive anti-discrimination legislation. A private member's bill introduced in Parliament in 2016 lapsed without debate.¹³ When the UN Human Rights Committee (UN HRCtee) reviewed India in July 2024, it recommended that India adopt such legislation. India responded that its existing subject-specific statutes were sufficient and that comprehensive legislation was unnecessary. The UN HRCtee disagreed, finding that the framework does not provide full and effective protection.¹⁴

7. The Constitution (Scheduled Castes) Order 1950 restricts Scheduled Caste status to persons professing Hinduism, Sikhism or Buddhism. Dalits who profess Christianity or Islam are excluded, even though they continue to face the same caste-based discrimination. The exclusion denies them access to the protections of the Prevention of Atrocities Act, reserved seats in legislatures and public employment, educational quotas, and targeted welfare programmes. The Committee recommended in 2007 that India extend Scheduled Caste status to Dalit converts.¹⁵ India has not done so, with India's State party report describing the matter as "currently sub-judice."¹⁶ However, in March 2026, the Supreme Court ruled that conversion out of Hinduism results in the immediate loss of Scheduled Caste status, definitively moving the legal position in the opposite direction from the Committee's recommendation.¹⁷ A government-appointed Commission of Inquiry headed by a former Supreme Court Chief Justice, constituted in October 2022 to examine the question, has been extended three times and has not reported.¹⁸ The UN HRCtee separately flagged the exclusion of Dalit Muslims and

⁸⁹The interpretation that caste constitutes descent-based discrimination is widely agreed upon across the UN system. For instance, the Special Rapporteur on minority issues devoted her 2016 thematic report ([A/HRC/31/56](#)) to discrimination based on caste and analogous systems of inherited status.

⁹⁰Constitution of India, Art. 17. Protection of Civil Rights Act 1955. SC/ST (Prevention of Atrocities) Act 1989.

¹⁰Private member's bills in the Indian Parliament are introduced by individual legislators without the backing of the government or major political coalitions. They rarely progress to debate and almost never become law.

¹¹SC/ST (Prevention of Atrocities) Act 1989, as amended 2015 and 2018. See also Committee for Vigilance and Monitoring, [*Handbook on Justice for Scheduled Castes & Scheduled Tribes*](#) (2024).

¹²**Subhash Kashinath Mahajan v. State of Maharashtra** (2018) 6 SCC 454. SC/ST (Prevention of Atrocities) Amendment Act 2018 (Act 27 of 2018). **Prithvi Raj Chauhan v. Union of India** (2020).

¹³*Anti-Discrimination and Equality Bill 2016*, introduced by Dr Shashi Tharoor, MP, Lok Sabha, 10 March 2017. Lapsed without debate. A civil society draft ([Centre for Law and Policy Research, Equality Bill 2019](#)) was not introduced in Parliament.

¹⁴UN HRCtee, [CCPR/C/IND/CO/4 \(2024\)](#), para. 13(a). India's position: [OHCHR Summary Record, July 2024](#).

¹⁵CERD, [Concluding Observations on India, CERD/C/IND/CO/19 \(2007\)](#), para. 21.

¹⁶*State party report, CERD/C/IND/20-21*, para. 48.

¹⁷**Chinthada Anand v. State of Andhra Pradesh**, [Supreme Court of India, 24 March 2026](#).

¹⁸The Commission of Inquiry, headed by former Chief Justice K.G. Balakrishnan, was given a two-year mandate (to October 2024), subsequently extended to June 2026. Its terms of reference are limited to studying the socio-economic conditions of Dalit converts and the implications of extending reservations. The Indian government has historically opposed extending Scheduled Caste status to Dalit Muslims and Christians.

Christians from Scheduled Caste protections as discriminatory in its 2024 Concluding Observations on India.¹⁹ The exclusion layers a religion-based bar onto descent-based discrimination: Dalits who convert continue to face untouchability and caste-based exclusion in daily life while being denied the protections designed to address it, an intersection of caste and religion that falls squarely within the Convention.

8. As opposed to the Convention requirement to encourage organisations working to eliminate discrimination, India's Foreign Contribution (Regulation) Act 2010 (FCRA) has been used to systematically restrict civil society organisations working to combat caste-based discrimination.²⁰ A parliamentary answer placed the number of FCRA cancellations between 2019 and 2021 at 1,811, with organisations working on Dalit and Adivasi rights — including international organisations like Amnesty International — reportedly disproportionately affected.²¹ In March 2026, India amended the FCRA to empower authorities to seize assets of organisations whose registration lapses or is cancelled.²² Anti-terrorism laws have also been used to detain human rights defenders working on caste discrimination.²³

9. The institutional framework for monitoring caste-based discrimination has been progressively weakened. India's National Human Rights Commission (NHRC) faces imminent downgrade from 'A' to 'B' accreditation status later this year, after multiple deferrals — a process India's State party report does not disclose.²⁴²⁵ The National Commission for Scheduled Castes (NCSC), the constitutional body mandated to safeguard the rights of Dalits, can only make recommendations and has no enforcement powers.²⁶ The National Commission for Safai Karamcharis (NCSK), responsible for the welfare of sanitation workers — the vast majority of whom are Dalits — has operated without statutory status since its enabling Act expired in 2004 and survives on periodic executive extensions.²⁷²⁸

10. India reports extensive special measures for Scheduled Castes but cannot demonstrate that these measures are reaching their intended beneficiaries. The principal fiscal instrument, the Special Component Plan for Scheduled Castes (SCSP), earmarks a share of public expenditure for Dalit-specific programmes.²⁹ However, audit findings by India's Comptroller and Auditor General and independent civil society analyses have repeatedly documented the diversion of these funds to general infrastructure that does not specifically benefit Dalits.³⁰ Further, India's State party report does not disclose utilisation against allocation or audited outcomes for any scheme. This accountability gap is compounded by the absence of current demographic data: all figures in the State party report rest on the 2011 Census, now over fifteen years old. India's decennial Census was delayed for years. House listing began in April 2026, and in April 2025 the Cabinet approved caste enumeration for the first time since 1931, with population enumeration scheduled for February 2027.³¹ Until current data is available, India's claims about the reach and effectiveness of its special measures for Dalits cannot be independently assessed.

¹⁹UN HRCtee, [CCPR/C/IND/CO/4 \(2024\)](#), para. 15(c).

²⁰The FCRA requires government registration for any organisation receiving foreign funding. Registration can be cancelled at executive discretion on broadly defined grounds including acting against "public interest." Once cancelled, organisations cannot receive international funding, including for research, documentation or engagement with UN treaty bodies.

²¹Lok Sabha Unstarred Question No. 1562, 26 July 2022. [Amnesty International India ceased operations](#) in September 2020 after its accounts were frozen under FCRA proceedings.

²²Foreign Contribution (Regulation) Amendment Bill 2026, introduced 25 March 2026. Currently deferred. See [Christianity Today, May 2026](#).

²³See paragraph 18 below.

²⁴The NHRC is India's national human rights institution, established under the Protection of Human Rights Act 1993.

²⁵GANHRI SCA recommended downgrade April 2025, citing concerns about pluralism, independence and the Commission's failure to address violations against minorities. India's challenge rejected by GANHRI Bureau, December 2025. Final decision deferred to November 2026. See [GANHRI SCA Report, March 2025](#); [GANHRI Bureau decision, December 2025](#); [FORUM-ASIA statement, 13 March 2026](#).

²⁶Constitution of India, Art. 338. The latest NCSC annual report submitted to the President covers 2022-23.

²⁷See paragraph 19 below for a fuller discussion of manual scavenging and caste-based occupational entrapment.

²⁸National Commission for Safai Karamcharis Act 1993 (expired 2004). Cabinet approved extension to March 2028.

²⁹The SCSP requires central and state governments to earmark funds for Scheduled Castes in proportion to their share of the population. A parallel mechanism, the Tribal Sub-Plan, operates for Scheduled Tribes.

³⁰NCDHR, [*Dalit Adivasi Budget Analysis 2026-27*](#). See also ["Bihar govt diverted over Rs 8,800 crore from SC funds for development projects: CAG report"](#), Sabrangindia, 1 November 2021.

³¹The 2021 Census was postponed repeatedly. House listing and housing Census commenced 1 April 2026. The Cabinet approved the inclusion of caste (jati) enumeration on 30 April 2025 — the first such enumeration since 1931. See [BBC, "India begins long-delayed census"](#).

Recommendation to the Committee:

The Committee should recommend that India:

- (a) adopt comprehensive anti-discrimination legislation explicitly prohibiting discrimination on the grounds of caste and descent, applicable to public and private actors in housing, employment, education and the provision of goods and services, with effective civil and administrative remedies;
- (b) take legislative or executive measures to extend the protections of the Prevention of Atrocities Act to Dalits who have converted to Islam or Christianity, and publish the report of the Commission of Inquiry on the matter within a fixed timeline;
- (c) enact comprehensive Special Component Plans for Scheduled Castes (SCSP), and Tribal Sub-Plan (TSP) legislation in all States and Union Territories, based on the legislative models already adopted by states such as Andhra Pradesh, Karnataka, Telangana, Rajasthan, and Tamil Nadu;
- (d) enact a Central SCSP–TSP Act to establish a uniform national legal framework governing earmarking, allocation, utilization, and monitoring of funds dedicated to Scheduled Castes and Scheduled Tribes to bridge the persistent socio-economic gaps faced by SC and ST communities, ensuring developments in education, health, livelihoods, housing, and social protection;
- (e) conduct the decennial Census without further delay, including caste enumeration, and publish caste-disaggregated outcome data for all flagship welfare schemes on an annual basis;
- (f) review the Foreign Contribution (Regulation) Act 2010 and its amendments to ensure that its provisions do not restrict the ability of civil society organisations working on caste-based discrimination to operate freely, receive funding, and engage with international human rights mechanisms;
- (g) implement the recommendations of the Global Alliance of National Human Rights Institutions to bring the National Human Rights Commission into full compliance with the Paris Principles and confer statutory status on the National Commission for Safai Karamcharis.

Article 3: Prohibition of racial segregation and apartheid

11. India's State party report does not engage at all with Article 3. Caste-based residential segregation in India is empirically documented and compared with other countries, severe. A 2026 study of 1.5 million urban and rural neighbourhoods found that Scheduled Caste segregation is only lower than racial segregation in the United States, with public facilities — schools, clinics, piped water, sewerage — consistently less available in Scheduled Caste neighbourhoods.³² Continuing exclusion of Dalits from temples, water sources, cremation grounds, mid-day meals, and shared public spaces is documented across the country.³³ The most recent nationally representative survey data, now over a decade old, indicated that 27 per cent of Indian households admitted to practising some form of untouchability.³⁴ No comparable survey has been conducted since. Yet the Protection of Civil Rights Act 1955 (PCR Act), India's principal statute against untouchability, is effectively non-functional: the National Crime Records Bureau recorded only 13 cases under the Act in 2024.³⁵³⁶³⁷

In March 2026, two states moved in the opposite direction. Rajasthan enacted legislation empowering authorities to restrict property transactions in designated “disturbed areas” on grounds of “demographic imbalance,” while Gujarat expanded existing legislation of a similar nature.³⁸³⁹ In October 2024, the Supreme Court struck down caste-based segregation provisions in state prison manuals, finding that

³²Sam Asher, Kritarth Jha, Paul Novosad, Anjali Adukia and Brandon Tan, “[Residential Segregation and Unequal Access to Local Public Services in India: Evidence from 1.5m Neighborhoods](#)”, NBER Working Paper 34818 (2026).

³³See also Naveen Bharathi, Deepak Malghan and Andaleeb Rahman, “[Isolated by Caste: Neighbourhood-Scale Residential Segregation in Indian Metros](#)”, Economic and Political Weekly 53(36), 2018. Sukhadeo Thorat et al, “[Urban Rental Housing Market: Caste and Religion Matters in Access](#)”, EPW 50(26-27), 2015.

³⁴India Human Development Survey (IHDS-2, 2011-12), conducted by the National Council of Applied Economic Research and the University of Maryland. See [NCAER summary](#).

³⁵The PCR Act 1955 prohibits the practice of untouchability and related forms of social exclusion. No state has designated any area as “untouchability prone” as the Act envisages.

³⁶The PCR Act and the SC/ST (Prevention of Atrocities) Act 1989 operate as complementary legislation: the latter addresses the broader range of caste-based atrocities, while the PCR Act retains exclusive jurisdiction over untouchability offences. The near-total absence of prosecutions even within this narrower domain indicates that the practice of untouchability goes effectively unpunished.

³⁷NCRB, Crime in India 2024 (published May 2026). Of the 13 cases registered, chargesheets were filed in only five.

³⁸Though these laws are primarily directed at Muslim communities, they also disproportionately affect Dalit communities who already face systemic discrimination in the housing market. See a statement by civil liberties organisation [PUCL](#) (March 2026).

³⁹[Rajasthan Disturbed Areas Bill 2026](#). [Gujarat Disturbed Areas Act \(Amendment\) Bill 2026](#).

prisoners from marginalised castes were systematically assigned to separate barracks and to labour designated as “menial” or “polluting.”⁴⁰ Scheduled Castes account for 20.6 per cent of India's undertrial prison population but 18.4 per cent of convicted prisoners, indicating disproportionate pre-trial detention.⁴¹

Recommendation to the Committee:

The Committee should urge India to take immediate and effective measures to eradicate caste-based residential segregation, enforce the Protection of Civil Rights Act 1955, and ensure equal access for Dalits to places of worship, water sources, cremation grounds, and all places and services intended for use by the general public.

Article 4: Prohibition of propaganda and incitement to discrimination

12. India's State party report cites existing penal provisions and three Supreme Court judgments on hate speech, but does not provide the data the Committee requested.⁴² The National Crime Records Bureau does not disaggregate hate speech cases by caste motive, rendering the scale of caste-based incitement invisible.⁴³ The replacement of the Indian Penal Code by the Bharatiya Nyaya Sanhita 2023 (BNS) offered the legislative opportunity to codify caste or descent motive as a statutory aggravating circumstance, but no such provision was included. The State party itself acknowledges this gap in paragraph 84 of its report, but proposes no remedy.⁴⁴ In April 2026, the Supreme Court declined to issue additional directions on hate speech, ruling that existing laws were sufficient — even as the only caste-specific criminal provision, the Prevention of Atrocities Act, was being simultaneously narrowed by the courts themselves.⁴⁵ Online caste-based hate speech — including targeted harassment of Dalit activists and the use of caste-coded language designed to evade platform moderation — has been documented as pervasive, yet India's Information Technology Rules 2021 and 2023 do not include caste as a ground for content removal.⁴⁷ The Supreme Court has ruled in multiple cases — most recently in May 2026 — that caste-based slurs do not attract criminal liability under the Prevention of Atrocities Act unless uttered in “public view,” further narrowing the space for accountability.⁴⁹

Recommendation to the Committee:

The Committee should urge India to amend the Bharatiya Nyaya Sanhita 2023 to codify caste, descent or racial motive as a statutory aggravating circumstance applicable to all offences and amend the Information Technology Rules to include caste-based hate speech as a ground for content removal.

⁴⁰*Sukanya Shantha v. Union of India* (2024), Supreme Court of India, 3 October 2024. The Court directed all states to revise prison manuals and delete caste columns from prisoner records. The judgment also addressed discrimination against denotified and nomadic tribes under colonial-era “habitual offender” laws.

⁴¹NCRB, Prison Statistics India 2024. As on 31 December 2024, 25,088 of 136,138 convicts and 76,432 of 371,440 undertrial prisoners were Scheduled Castes. Six states and union territories did not provide caste data.

⁴²State party report, CERD/C/IND/20-21, paras. 59-84.

⁴³NCRB, *Crime in India*, annual series. No sub-tables on caste-motive disaggregation are published.

⁴⁴State party report, CERD/C/IND/20-21, para. 84.

⁴⁵See paragraph 23 below for a fuller discussion of the Prevention of Atrocities Act's implementation failures.

⁴⁶*Shaheen Abdullah v. Union of India**, Supreme Court of India, 29 April 2026. The Court held there was “no legislative vacuum” and that the power to create new offences lies with Parliament. See also “Has the Supreme Court gone soft on hate speech?”, Scroll, 19 February 2026.

⁴⁷Meta (Facebook) added “caste” as a protected characteristic in 2018, fifteen years after entering the Indian market. In January 2025, as part of a broader rollback of its content moderation policies, Meta reportedly [removed](#) protections prohibiting insults based on caste and other characteristics. India's digital technology standards do not require platforms to moderate caste-based content.

⁴⁸NCDHR, *Caste-Hate Speech in the Age of Digital Society** (2024). IDS, *Caste-hate speech: Addressing hate speech based on work and descent* (2021). APC/CIS, *Online caste-hate speech: Pervasive discrimination and humiliation on social media* (2021).

⁴⁹*Gunjan v. State of NCT of Delhi**, Supreme Court of India, May 2026. See also *2024 INSC 753**, 3 October 2024; *The Telegraph*, May 2026.

Article 5: Equality in the enjoyment of rights

Right to security of person and protection against violence (Article 5(b))

13. Caste-based violence in India is pervasive and continuing. India's National Crime Records Bureau recorded 55,698 cases of crimes against Scheduled Castes in 2024.⁵⁰

Impunity is the norm: in 2024, over 95 per cent of cases remained pending, and two in three completed cases ended in acquittal or discharge (see paragraph 23 below). Independent civil society monitoring — which captures only a fraction of actual incidents — documented 113 separate anti-Dalit atrocities in the first six months of 2025, including murder, sexual violence, forced tonsuring, and public humiliation.⁵¹ India's State party report does not provide caste-disaggregated data on custodial deaths, custodial violence, or extrajudicial killings.⁵² Surveys of police personnel found that one in five upper-caste officers believe that complaints under the Prevention of Atrocities Act are false, and that victims of police torture are drawn disproportionately from Dalit and Adivasi communities.⁵³

14. In February 2026, UN Special Procedures experts warned of "systemic policing failures" in India, citing credible information of a pervasive pattern of extrajudicial killings and custodial torture in which Dalits and Adivasis were disproportionately affected.⁵⁴ India is yet to ratify the Convention against Torture despite signing it in 1997. India's Law Commission recommended ratification and a domestic anti-torture statute in 2017, but the State has not acted.⁵⁵ The replacement of India's criminal law by the BNS in 2023 did not introduce a standalone offence of torture.

The UN HRCtee, noting 324 custodial deaths between 2019 and 2022, recommended that India amend the BNS to establish torture as a specific crime.^{56,57}

15. In response to the Committee's request for information on violence against inter-caste couples,⁵⁸ India listed existing criminal provisions and a cash incentive scheme but provided no data and did not address the absence of standalone legislation on killings committed in the name of caste "honour"— violence against individuals who marry across caste lines. Official data recorded 221 such incidents nationally between 2017 and 2022; independent monitoring by Evidence, a Tamil Nadu-based civil society organisation, documented 59 caste-motivated killings in that state alone between 2017 and 2025—against three recorded by the NCRB for Tamil Nadu over the same period.⁵⁹ The Law Commission of India recommended standalone legislation criminalising such violence in 2012, but only one state—Karnataka, in 2026—has acted.

⁵⁰NCRB, Crime in India 2024 (published May 2026). 9,966 cases against Scheduled Tribes were also recorded. The SC figure represents a decrease of 3.6 per cent over 2023 (57,789 cases). Among SC cases, the three largest crime-head categories were offences exclusively under the Prevention of Atrocities Act (6,963; 12.5 per cent), grievous hurt (4,302; 7.7 per cent) and rape (4,262; 7.6 per cent). The ST pattern is similar: Prevention of Atrocities Act offences (1,375; 13.8 per cent), rape (1,268; 12.7 per cent) and assault on women (613; 6.2 per cent).

⁵¹CJP, "Everyday Atrocity: Mapping the normalisation of violence against Dalits and Adivasis in 2025" (5 July 2025). Civil society data based on media monitoring and direct documentation.

⁵²State party report, CERD/C/IND/20-21. The judgments cited are D.K. Basu v. State of West Bengal (1997), EEFVAM v. Union of India (2017), and Prakash Singh v. Union of India (2006).

⁵³Common Cause and Lokniti-CSDS, "Status of Policing in India Report 2018*" and 2025 edition. The 2025 report found that victims of police torture are most often from Dalits, Muslims, tribal communities, and the poor.

⁵⁴OHCHR, "India: UN experts warn of systemic policing failures over reports of deaths and torture in custody", 25 February 2026. See also [allegation letter JAL IND 1/2026](#), 3 February 2026.

⁵⁵Law Commission of India, Report No. 273 (October 2017).

⁵⁶UN HRCtee, CCPR/C/IND/CO/4 (2024), paras. 25-26.

⁵⁷More recent data confirms the scale: the NHRC registered 165 deaths in police custody and 2,338 deaths in judicial custody in calendar year 2025. Parliamentary data tabled on 24 March 2026 recorded 170 police custody deaths in FY 2025-26 (up to 15 March), with only one instance of disciplinary action reported in five years. See NHRC Newsletter, January 2026, p. 51; Lok Sabha Unstarred Question No. 5115, 24 March 2026.

⁵⁸LOIPR, para. 17(c); SPR, para. 91.

⁵⁹Law Commission of India, Report No. 242 (2012), 'Prevention of Interference with the Freedom of Matrimonial Alliances (in the name of Honour and Tradition)', recommended a standalone criminal statute. Parliamentary answers record 221 honour killings nationally between 2017 and 2022: Lok Sabha Unstarred Question No. 3610, 10 August 2021 (92, 29 and 24 cases in 2017-2019); Lok Sabha Unstarred Question No. 1954, 11 March 2025 (25, 33 and 18 cases in 2020-2022). Evidence, a Madurai-based organisation monitoring caste-based violence, submitted data to the KN Basha Commission documenting 59 murders in 53 honour killing incidents in Tamil Nadu between 2017 and 2025, supported by FIRs for all 53 cases; the NCRB recorded three honour killings in Tamil Nadu for 2017-2022. Karnataka Freedom of Choice in Marriage and Prevention and Prohibition of Crimes in the Name of Honour and Tradition Act 2026.pdf, (Act No. 26 of 2026) is the only standalone state legislation to date. A private member's bill, the Freedom of Marriage and Association and Prohibition of Crimes in the Name of Honour Bill, 2023 (Bill No. XXXII of 2023), was introduced in the Rajya Sabha on 8 December 2023 but has not progressed.

Recommendation to the Committee:

The Committee should urge India to ratify the Convention against Torture and its Optional Protocol, enact a domestic anti-torture statute, ensure that all allegations of caste-motivated custodial violence are promptly, independently, and impartially investigated, and enact standalone national legislation criminalising caste-motivated honour killings, as recommended by the Law Commission of India in 2012.

Violence against Dalit women (Article 5(b), continued)

16. Dalit women constitute approximately 16 per cent of India's female population but account for over a quarter of all reported rapes.⁶⁰ In September 2024, seven UN Special Procedure mandate holders wrote to India citing "crisis levels of sexual violence" in which victims were predominantly Dalit women and girls, and noting that the violence was "inseparable from existing frameworks of social, political, and legal discrimination... including caste." India has not responded.⁶¹ Independent civil society monitoring — capturing only a fraction of actual incidents — recorded 29 acts of caste-based sexual violence in the first six months of 2025.⁶² The conviction rate for crimes against Dalit women under the Prevention of Atrocities Act remained below 35 per cent over the period 2014–2022, with over 60 per cent of cases ending in acquittal or discharge.⁶³ The UN HRCtee noted in July 2024 that violence against women is "exacerbated when directed against women and girls belonging to... lower caste communities."⁶⁴ India's State party report does not provide caste-and-gender disaggregated data on registration, conviction, or compensation, and does not address any individual case of caste-based sexual violence, many of which have been covered extensively by national and international media.⁶⁵ The Supreme Court has directed an intersectional approach to caste-and-gender violence and ordered the establishment of safe houses for inter-caste couples in every district. Neither direction has been implemented at scale.⁶⁷

Recommendation to the Committee:

The Committee should urge India to adopt national protocols for the timely investigation and prosecution of caste-and-gender violence, implement the Supreme Court's directions on intersectional analysis and safe houses, and publish caste-and-gender disaggregated data on registration, prosecution, conviction and compensation.

Political rights and equal access to public service (Article 5(c))

17. The State party report aggregates Scheduled Caste and Scheduled Tribe representation in central government at 17.39 per cent and 7.64 per cent respectively, up to 2019. The aggregate conceals near-total absence at the senior decision-making level. Parliamentary answers confirm that out of approximately ninety Secretary-rank posts, only one was held by a Scheduled Caste officer in 2022.⁶⁸ While the demand for 33% reservation for women in Parliament and State Legislative Assemblies

⁶⁰NCRB, [Crime in India 2022](#). See also AIDMAM/NCDHR, [*Factsheet 2024: Caste-based Gender Violence Against Dalit Women*](#).

⁶¹[AL IND 6/2024](#), 20 September 2024. Signed by the Special Rapporteurs on violence against women, extrajudicial killings, human rights defenders, internally displaced persons, minority issues, racism, and the Working Group on discrimination against women and girls.

⁶²CJP, ["Everyday Atrocity"](#) (5 July 2025).

⁶³AIDMAM/NCDHR analysis of NCRB data, 2014–2022. See [AIDMAM Factsheet 2024](#).

⁶⁴UN HRCtee, [CCPR/C/IND/CO/4 \(2024\)](#), para. 21.

⁶⁵Cases not addressed include the gang rape and death of a nineteen-year-old Dalit woman in [Hathras](#), Uttar Pradesh (2020), in which police cremated her body without family consent, the prime accused was convicted of culpable homicide — not rape or murder — and three co-accused were acquitted; the [Bhagana](#) gang rape of four Dalit minor girls in Haryana (2014), in which all accused were acquitted in 2015 after the survivors' families were subjected to sustained intimidation — an appeal remains pending; and the [Khairlanji](#) massacre in Maharashtra (2006), in which a Dalit woman and her seventeen-year-old daughter were raped and murdered alongside two male family members.

⁶⁶[State party report](#), CERD/C/IND/20-21.

⁶⁷[*Patan Jamal Vali v. State of Andhra Pradesh* \(2021\)](#) directed an intersectional approach to investigation and prosecution of caste-and-gender violence. [*Shakti Vahini v. Union of India* \(2018\)](#) directed safe houses and special protection cells in every district. As of 2024, most states had not complied; [the Bombay High Court was still directing Maharashtra to provide implementation data](#).

⁶⁸Secretary to the Government of India is the most senior civil service position within a ministry, serving as its administrative head and principal adviser to the minister. These approximately ninety posts represent the apex of executive decision-making in the Indian government.

⁶⁹See [Department of Personnel and Training, Annual Report 2024-25](#). See also ["66% of safai karmacharis in central government from SC, ST, OBC groups: DoPT data"](#), The Hindu.

remained a longstanding one, on 19 September 2023, during a special session of both Houses of the newly constituted Parliament, the Women's Reservation Bill was passed and enacted into law as the Nari Shakti Vandan Adhiniyam. However, it is expected that this law will come into effect only after the completion of the population census and delimitations of parliamentary constituencies likely before 2029. Regarding the representation of Dalit women, the Supreme Court of India has consistently emphasized that reservation is a tool to correct structural inequalities and achieve substantive equality. In *Union of India vs. N. S. Narayana* (1996), the Court upheld reservations for marginalized groups and strengthened the principle of proportional representation. Similarly, the landmark judgment in *Indra Sawhney vs. Union of India* (1992), which upheld caste-based reservation for Backward and Most Backward Classes, established a strong constitutional precedent for affirmative action. In this context, the Nari Shakti Vandan Adhiniyam aligns with these judicial precedents. Gender-based reservation becomes essential to ensure equal access for women to political power and to correct their historical exclusion from governance and decision-making processes.

Since 2018, the government has recruited Joint Secretaries and Directors through a lateral entry process that does not apply constitutional reservation.⁷⁰ In over seven decades, fewer than ten judges from Scheduled Caste backgrounds have served on the Supreme Court.⁷¹ In August 2024, the Supreme Court held that states may sub-classify within the Scheduled Caste list for reservation, acknowledging that the benefits of existing affirmative action have been disproportionately accessed by relatively more advanced groups within the category — though the absence of current demographic data raises questions about how such sub-classification will be implemented in practice.^{72,73}

Recommendation to the Committee:

The Committee should recommend that India apply constitutional reservation to all lateral entry recruitment to senior government posts, publish caste-disaggregated representation data at every level of the civil service and the judiciary, and ensure that affirmative action measures effectively reach the most marginalised Dalit communities. In addition, the Committee should recommend taking measures to ensure the adequate representation of Dalit women in Parliament, State Legislative Assemblies, and other decision-making bodies. While seats are reserved for Scheduled Castes and Scheduled Tribes, there is no specific provision to ensure the representation of SC and ST women within these reserved seats. The State should therefore ensure that the implementation of women's reservation effectively promotes the participation of Dalit women and guarantees their equal representation in political life.

Freedom of association (Article 5(d)(ix))

18. India's use of anti-terror legislation against activists working on caste-based discrimination undermines the ability of affected communities to organise, document violations, and seek accountability.

In the Bhima Koregaon case, for instance, 16 Dalit and Adivasi rights activists, lawyers, and academics have been arrested under the UAPA since 2018, the last of whom—Dalit rights lawyer Surendra Gadling—spent eight years in pre-trial detention before being granted bail in May 2026, by which time the trial had not commenced.⁷⁴

One of the accused, Father Stan Swamy, died in judicial custody in July 2021 while awaiting bail. The UN Working Group on Arbitrary Detention found his detention to be arbitrary.⁷⁵ The UN HRCtee, reviewing India in July 2024, expressed concern about the use of the UAPA to suppress human rights

⁷⁰Lateral entry is a policy of recruiting professionals from outside the civil service directly into senior government positions, bypassing the competitive examination route through which constitutional reservation for Scheduled Castes and Scheduled Tribes is ordinarily applied.

⁷¹See [Supreme Court Observer, "Caste Diversity at the Supreme Court"](#).

⁷²The [judgment](#) requires states to justify any sub-classification with quantifiable and empirical data demonstrating relative backwardness and inadequate representation. See paragraph 10 above on the absence of current Census data.

⁷³*State of Punjab v. Davinder Singh** (2024), 1 August 2024. The Court overruled *E.V. Chinnaiiah v. State of Andhra Pradesh* (2004).

⁷⁴See paragraph 8 above. Bhima Koregaon is a village in Maharashtra associated with a nineteenth-century battle in which Dalit soldiers of the colonial-era army defeated the forces of the Brahmin Peshwa rulers. On 1 January 2018, violence broke out at a large Dalit commemoration of the battle's 200th anniversary. Sixteen activists associated with Dalit and Adivasi rights movements were subsequently arrested under the UAPA, though none were accused of direct involvement in the violence. Eight years later, [the trial has not yet commenced](#) — charges have not been formally framed, and the last remaining accused was granted bail in May 2026 after eight years of pre-trial detention. [Independent forensic analysis](#) found that incriminating evidence was planted on the accused's devices using malware.

⁷⁵UN Working Group on Arbitrary Detention, [Opinion 57/2021](#).

defenders and recommended that India review the legislation.⁷⁶ The UN Special Rapporteur on human rights defenders has communicated repeatedly to India on these and other cases. The State party report addresses none of them.

Recommendation to the Committee:

The Committee should urge India to ensure that anti-terror legislation is not used to target human rights defenders working on caste-based discrimination, and to review the Unlawful Activities (Prevention) Act to bring it into conformity with international human rights standards.

Right to work and just conditions of employment (Article 5(e)(i))

19. The cleaning of sewers and septic tanks by hand — also known as “manual scavenging” - remains a caste-designated occupation in India, with the vast majority of workers being Dalits.⁷⁷ Despite a legislative ban since 2013, India’s own National Commission for Safai Karamcharis has recorded 1,313 deaths of sanitation workers cleaning sewers and septic tanks between 1993 and June 2025, including 63 in 2023 and 52 in 2024.⁷⁸ According to data compiled by the National Commission for Safai Karamcharis (NCSK), Tamil Nadu has recorded the highest number of sewer and septic tank cleaning deaths in the country, with 258 deaths reported between 1993 and 2025, followed by Gujarat (206), Uttar Pradesh (141), Delhi (119), and Haryana (116). These figures highlight the continuing failure to eradicate hazardous sanitation work despite the legal prohibition of manual scavenging and repeated judicial and policy interventions.⁷⁹

The National Crime Records Bureau has never recorded a single offence under the prohibiting legislation.⁸⁰ The UN HRCtee noted in July 2024 that the Act is “not effectively enforced and the practice continues to be employed in several regions, including by local governments.”⁸¹ The Supreme Court directed in 2014 that the families of all workers who died during such cleaning since 1993 receive one million rupees (around 10,000 American dollars) in compensation. As of the latest available data, full compensation had been paid to fewer than a third of eligible families.^{82,83} In June 2025, the government stated in Parliament that “no report of the practice of manual scavenging has been received” and that “no death has been reported due to manual scavenging” — contradicting the data of its own Commission.⁸⁴

20. Bonded labour is similarly concentrated among Dalits, who constitute over 83 per cent of rescued bonded workers.⁸⁵ India has set a target of rehabilitating 18.4 million bonded labourers by 2030. In 2023–24, 468 were rehabilitated — against an annual target of 1.3 million.⁸⁶ India has not commissioned a national bonded labour survey since 1979. In early June 2026, the United States Trade Representative proposed an additional 12.5 per cent tariff on Indian imports, citing India’s failure to impose and effectively enforce a prohibition on the import of goods made with forced labour.⁸⁷ This is a proposed and contested measure of trade policy taken under domestic United States law, framed around the

⁷⁶UN HRCtee, [CCPR/C/IND/CO/4 \(2024\)](#), paras. 37-38.

⁷⁷An estimated 97 per cent of sanitation workers engaged in manual scavenging are Dalits. See paragraph 9 above and footnotes [51]–[52].

⁷⁸National Commission for Safai Karamcharis data. See [“52 Sanitation Workers Lost Lives Due To Hazardous Cleaning”](#), ETV Bharat, December 2025. See also [CounterCurrents, March 2026](#).

⁷⁹https://ncsk.nic.in/sites/default/files/Sewar_death/Sewer_Death_Cases_2802202505032025.pdf

⁸⁰NCRB, Crime in India, annual series. No offences have been recorded under the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013 since its enactment. See also [Outlook India, “Why Not A Single Conviction?”](#).

⁸¹UN HRCtee, [CCPR/C/IND/CO/4 \(2024\)](#), para. 16(d).

⁸²Lok Sabha Unstarred Question No. 261, 4 February 2020 reported 920 deaths to January 2019, of which 558 families (60.7%) had received full compensation. 161 received partial payment, 164 received no payment, and 37 families were declared “untraceable.” More recent compensation data from the NCSK indicates full compensation paid to 397 families out of the updated total. See footnotes [51] and [54] for further data and sources.

⁸³[*Safai Karamchari Andolan v. Union of India* \(2014\)](#).

⁸⁴[“No Manual Scavenger, Hence No Scavenging Deaths: Indian Government In Parliament”](#), Outlook India, June 2025.

⁸⁵See [“India Will Miss 2030 Target To End Bonded Labour — By 98%”](#), IndiaSpend. See also [“Modi Govt Rehabilitated Only 468 Bonded Labourers in 2023-24”](#), The Wire, May 2025.

⁸⁶As of January 2025, only 6% of the budgeted amount for the rehabilitation scheme had been utilised. See [The Wire, May 2025](#).

⁸⁷Office of the United States Trade Representative, Section 301 proceedings on the enforcement of forced labour import prohibitions, early June 2026. The USTR proposed an additional 12.5 per cent tariff on imports from India and 53 other economies, in a 92-page report issued during India–United States trade talks in New Delhi. The proposal is not final: written comments were invited until 6 July 2026 and public hearings were scheduled for 7 July 2026, and India has rejected the allegations. See “US targets India with forced labour tariff amid talks on trade pact”, See [Reuters, 3 June 2026](#).

burden on United States commerce rather than the welfare of the workers concerned, and India has rejected the allegations. It is recorded here neither as an endorsement of unilateral trade measures nor as a comment on the labour record of any external State, but because the scale of forced and bonded labour in Indian supply chains — borne overwhelmingly by Dalit workers — is now apparent even to India's trading partners. The remedy lies in the enforcement of India's own prohibitory legislation and its compliance with the Convention, not in the commercial reactions of others. Nor is that exposure confined to the United States: from 14 December 2027 the European Union's Forced Labour Regulation will prohibit the placing on the market, sale or export of any product made wholly or in part with forced labour, whatever its sector or country of origin, so that a second major destination for Indian goods will apply the same standard not as a negotiable tariff but as an outright ban.⁸⁸ That India moved within weeks to insert a prohibition on the import of goods made with forced labour into its own Foreign Trade Policy — as the United States tariff was proposed and the European regulation advanced toward enforcement — reveals a readiness to act swiftly where export access is at stake that it has not extended to enforcing the same prohibition against the caste-based bonded labour within its own economy.⁸⁹ The persistence and brutality of that bonded labour was underlined in June 2026, when police in Muzaffarnagar, Uttar Pradesh, rescued twelve workers, some of them minors, from a disposable leaf bowl and paper plate factory. Lured from railway stations and bus stands with false promises of work and stripped of their documents, the workers had been confined for months, some for more than a year, made to work from before dawn until midnight, fed rotis made of cattle feed, and beaten with iron rods, whips and dogs; one worker is alleged to have died under torture in late 2025 and his body disposed of. Charges were registered under the Bharatiya Nyaya Sanhita, the Bonded Labour System (Abolition) Act 1976 and the Child Labour (Prohibition and Regulation) Act, and the case came to light only because one worker scaled the factory wall and reached a police station, not through any labour inspection or enforcement mechanism of the State.⁹⁰

Recommendation to the Committee:

The Committee should urge India to end manual cleaning of sewers and septic tanks through full mechanisation by a published deadline, ensure full compensation compliance with the Supreme Court's 2014 direction, and prosecute offences under the Prohibition of Employment as Manual Scavengers Act 2013. The Committee should further recommend that India commissions a national bonded labour survey, the first since 1979, and effectively enforce the prohibition of forced and bonded labour, the overwhelming majority of whose victims are Dalits.

Right to housing, public health and social services (Article 5(e)(iii)–(iv))

21. The government's National Family Health Survey (2019–21) documents persistent caste-based inequality in basic health outcomes. Neonatal mortality among Dalits is 29 per 1,000 live births, compared to 20 for the general population — 45 per cent higher. Under-five mortality is 48 per 1,000, compared to 33.⁹¹⁹² India's State party report describes the coverage of flagship welfare schemes but does not present caste-disaggregated outcome data for any of them, despite its routine availability.⁹³ As

⁸⁸ Regulation (EU) 2024/3015 of the European Parliament and of the Council of 27 November 2024 on prohibiting products made with forced labour on the Union market, in force from 13 December 2024 and applicable from 14 December 2027; the European Commission published implementation guidelines and launched [the Forced Labour Single Portal on 26 June 2026](#). See [Regulation \(EU\) 2024/3015 of the European Parliament and of the Council of 27 November 2024 on prohibiting products made with forced labour on the Union market and amending Directive \(EU\) 2019/1937](#).

⁸⁹ Ministry of Commerce and Industry, Department of Commerce, [Directorate General of Foreign Trade, Notification No. 23/2026-27, 13 July 2026](#), inserting Paragraphs 2.20B and 11.64 into the Foreign Trade Policy 2023 and prohibiting the import of goods produced or manufactured, wholly or in part, through the use of forced labour, as defined under the ILO Forced Labour Convention, 1930 (No. 29).

⁹⁰ On the rescue and the alleged custodial death, see Press Trust of India reporting, June 2026, for example "12 workers rescued from UP factory: Laws against bonded labour in India explained", [Business Standard, 25 June 2026](#) and "In Muzaffarnagar, A Factory Raid Rekindles Questions About Bonded Labour in India", [Outlook India, June 2026](#), Twelve workers, including minors, were rescued from a factory in Mandi village, Muzaffarnagar; two accused were arrested and the principal accused remained absconding.

⁹¹ A 2021 [Oxfam India report](#) found that a woman from the general category lives on average fifteen years longer than a Dalit woman. Over 90 per cent of Dalits live in rural areas, where vacancy rates for surgeons, gynaecologists, and paediatricians at rural health centres exceed 75 per cent.

⁹² Ministry of Health and Family Welfare, [National Family Health Survey 5 \(NFHS-5\), 2019-21](#). See [Think Global Health, "Caste Out" \(2022\)](#). See also [IDSN, "India's health inequality severely affects Dalits" \(2021\)](#).

⁹³ [State party report, CERD/C/IND/20-21](#). The schemes cited include Pradhan Mantri Awas Yojana (housing), Jal Jeevan Mission (water), Swachh Bharat Mission (sanitation), Public Distribution System (food), and Ayushman Bharat (health insurance).

noted in paragraph 11 above, public facilities including clinics and piped water are systematically less available in Scheduled Caste neighbourhoods.⁹⁴

Recommendation to the Committee:

The Committee should recommend that India publish caste-disaggregated outcome data for all flagship welfare schemes on an annual basis and take targeted measures to close the gap in health outcomes between Dalits and the general population, including by ensuring equitable access to healthcare facilities in Scheduled Caste neighbourhoods.

Right to education (Article 5(e)(v))

22. Government data reveals a steep caste hierarchy within India's higher education institutions. Of 1,341 Professors in central universities as of April 2023, only 7.2 per cent were Scheduled Caste, against a statutory reservation benchmark of 15 per cent. The shortfall widens at each higher rank, indicating that reservation in promotion is not being delivered.⁹⁵ The number of Scheduled Caste students receiving post-matric scholarships has declined sharply, falling from 4.8 million in 2024–25 to 3.6 million in 2025–26 — well below the government's own target of 7.6 million.⁹⁶ In January 2026, the University Grants Commission — India's regulatory body for higher education — notified new regulations aimed at addressing caste-based discrimination on campuses. The Supreme Court stayed them within two weeks, directing that older, weaker regulations continue to apply.⁹⁷ India's State party report does not address any case of caste-based discrimination in education, including student deaths linked to caste exclusion that have prompted national debate.⁹⁸

Recommendation to the Committee:

The Committee should recommend that India fill all reserved faculty vacancies in central higher education institutions through targeted recruitment within a fixed timeline, reverse the decline in post-matric scholarships for Scheduled Caste students, and address caste-based discrimination on campuses through enforceable regulations.

Article 6: Effective protection and remedies

23. As noted in paragraphs 6 and 12 above, the Prevention of Atrocities Act — India's sole caste-specific criminal statute — has been judicially weakened and its scope narrowed. Of over 55,000 cases of crimes against Scheduled Castes registered in 2024, over 95 per cent remained pending at year end. Fewer than 17,000 reached a verdict; two in three ended in acquittal or discharge.⁹⁹¹⁰⁰

⁹⁴See paragraph 11 and footnote 21 above.

⁹⁵Department of Higher Education, Ministry of Education, Category-wise Number of Permanent Faculty Appointed in Central Universities of India as on 1 April 2023, in response to Lok Sabha Starred Question No. 52, dated 24 July 2023. At Associate Professor level, SC representation was 8.2 per cent; at Assistant Professor level, 12.2 per cent. Scheduled Tribe and OBC representation showed similar shortfalls. See also Rajya Sabha Unstarred Question No. 545, dated 6 February 2020, on filled faculty posts in central universities. ["12 Lakh Fewer SC Students Get Scholarships Under PMS in 2025-26"](#), The Wire. Ministry of Social Justice and Empowerment data, Lok Sabha, March 2026.

⁹⁶[Supreme Court stays 2026 UGC Equity Regulations](#), Supreme Court Observer, 29 January 2026. The [UGC \(Promotion of Equity in Higher Education Institutions\) Regulations 2026](#), notified 13 January 2026, sought to replace the existing 2012 regulations with stronger measures against caste-based discrimination.

⁹⁷The Supreme Court cited "complete vagueness" in key provisions and directed a committee of experts to re-examine the regulations. See footnote [63].

⁹⁸These include the deaths of [Rohith Vemula](#) at the University of Hyderabad (2016), [Payal Tadvi](#) at BYL Nair Hospital, Mumbai (2019), and [Darshan Solanki](#) at IIT Bombay, Mumbai (2023). A government-appointed Commission of Inquiry into Vemula's death concluded in 2017 that he was "[not a Dalit](#)" and that university action did not contribute to his suicide — findings widely rejected by civil society and Dalit organisations. In 2026, the state of Karnataka — governed by the Indian National Congress, the main opposition party at the national level — introduced the Rohith Vemula Bill aimed at preventing caste-based discrimination in higher education.

⁹⁹Four states — Uttar Pradesh, Rajasthan, Madhya Pradesh, and Bihar — account for nearly two-thirds of all registered cases. Witness intimidation remains widely documented, including in cases referenced in paragraph 16 above. See also paragraph 6 above on the judicial weakening of the Act in 2018.

¹⁰⁰NCRB, Crime in India 2024, Tables 7A.5 and 7A.6. Conviction rate: 33.9 per cent; pendency: 95.2 per cent. Of 357,009 cases before courts, 339,853 remained pending at year end. For multi-year trends: in 2016, 40,774 cases produced only 3,752 convictions (Lok Sabha Unstarred Question No. 1028, 24 July 2018). In 2019, 93 per cent of 158,730 pending SC cases remained unresolved at year end (Ministry of Social Justice and Empowerment, ON2768). In 2023, the conviction rate was 12.2 per cent with 87.7 per cent pendency (NCRB, [Crime in India 2023](#)).

The Act requires trials to be completed within two months of the filing of charges and mandates the establishment of dedicated courts to hear caste atrocity cases.¹⁰¹ Neither requirement is met: the trial completion target has never been measured, and dedicated courts exist in only eleven of India's thirty-six states and union territories.¹⁰² The UN HRCtee noted in July 2024 the "delayed registration of first information reports, inadequate police investigations, lengthy trials and non-compliance with the 60-day case-disposal requirement."¹⁰³

Recommendation to the Committee:

The Committee should urge India to establish functional dedicated courts under the Prevention of Atrocities Act in every state and territory with significant case load, appoint dedicated prosecutors, and measure compliance with the statutory two-month trial completion target.

Article 7: Measures to combat prejudice and promote understanding

24. Rather than adopting measures to combat caste-based prejudice, India has moved in the opposite direction. In 2023, the National Council of Educational Research and Training revised school textbooks to remove content on caste hierarchy, untouchability, and the historical exclusion of Dalits — including passages describing how Dalits were denied access to employment, water, and schooling.¹⁰⁴¹⁰⁵ The National Integration Council — a body chaired by the Prime Minister and mandated to address communalism, casteism, and regionalism — has not convened since September 2013 and has not been reconstituted under the current government.¹⁰⁶ India has not developed a national action plan against racial discrimination, as called for by the Durban Declaration in 2001.¹⁰⁷ India's State party report describes general human rights training for officials but does not identify any specific anti-caste-discrimination training module, the number of officials trained, or any evaluation of impact.

Recommendation to the Committee:

The Committee should urge India to reverse the removal of caste-related content from school textbooks and ensure that curricula reflect the history, culture and contributions of Dalit communities; develop and embed mandatory anti-caste-discrimination training modules for police, prosecutors, judges and teachers; and adopt a national action plan against racial discrimination.

¹⁰¹Section 14(3) of the SC/ST (Prevention of Atrocities) Act 1989 prescribes a two-month trial completion target from the date of filing charges. The Act also mandates the establishment of Exclusive Special Courts and the appointment of dedicated Special Public Prosecutors to handle caste atrocity cases.

¹⁰²[State party report, CERD/C/IND/20-21](#). The State does not name the eleven states, list the courts by district, or report whether dedicated Special Public Prosecutors have been appointed.

¹⁰³UN HRCtee, [CCPR/C/IND/CO/4 \(2024\)](#), para. 15.

¹⁰⁴Specific removals include: descriptions of how Dalits were denied employment, access to homes, water, and schooling (Class 6 Political Science); the hereditary nature of the varna system and references to untouchability (Class 6 History); four examples of how untouchability operates in practice (Class 12 Sociology); and a passage from activist Harsh Mander describing the life of a Dalit sanitation worker. See also paragraph 11 above on the persistence of untouchability.

¹⁰⁵See [Indian Express](#), "Key deletions on caste, minorities in revised school textbooks" (2022). See also [The Polis Project](#), "Communicating caste, invisibilizing violence: An assessment of how NCERT textbooks teach caste" (2019).

¹⁰⁶The [National Integration Council](#) was established in 1961. Its 16th and last meeting was held on 23 September 2013. See also [The Tribune](#), "No meeting of National Integration Council in 7 yrs".

¹⁰⁷[Durban Declaration and Programme of Action](#) (2001), para. 66.

Annex: Key tables

The three tables below set out, in consolidated form, the parliamentary-answer data that supports the analysis above.

Table 1: Scheduled Caste cases under the SC/ST (Prevention of Atrocities) Act, India, selected years

Indicator	2016	2019	2021	2024
Cases reported in the year	40,774	41,793	50,900	48,722
Cases pending with police, year end	n/r	15,251	n/r	15,018
Total cases pending in courts, year end	n/r	147,575	264,698	287,996
Cases convicted in the year	3,752	3,583	3,640	5,193
Conviction rate, of cases reported	9.2%	n/c	n/c	n/c
Pendency rate in courts, year end	n/r	93.0%	n/r	94.9%

Sources: 2016 figures from Lok Sabha Unstarred Question No. 1028, 24 July 2018. 2019 figures from Ministry of Social Justice and Empowerment ON2768. 2021 figures from CERD/C/IND/20-21, paragraph 149. n/r = not reported in source. n/c = not directly comparable across years owing to different denominators.

Table 2: Permanent faculty in central universities of India, by category and rank, as on 1 April 2023

Rank	Total	General	SC	SC %	ST	ST %	OBC	OBC %	EWS	PwD
Professor	1,341	1,146	96	7.2%	22	1.6%	60	4.5%	3	14
Assoc. Prof.	2,817	2,304	231	8.2%	69	2.4%	187	6.6%	7	19
Asst. Prof.	8,940	5,284	1,094	12.2%	534	6.0%	1,654	18.5%	182	192

Statutory reservation benchmarks: SC 15.0%, ST 7.5%, OBC 27.0%, EWS 10.0%, PwD 4.0%. Source: Lok Sabha Starred Question No. 52, dated 24 July 2023.

Table 3: Sewer deaths and Safai Karamchari Andolan compensation compliance, India, as on 15 January 2019

Compensation status	Number of families	% of total
Received Rs 10 lakh in full as ordered by the Supreme Court	558	60.7%
Received less than Rs 10 lakh	161	17.5%
No payment or payment not yet confirmed	164	17.8%
Legal heir declared untraceable	37	4.0%
Total recorded sewer deaths	920	100.0%

Source: Lok Sabha Unstarred Question No. 261, dated 4 February 2020.