



AILAJ

ALL INDIA LAWYERS' ASSOCIATION FOR JUSTICE

#18, Bharat Bhavan, No. 35, Infantry Road, Bengaluru- 560001

ailajhq@gmail.com | <https://ailaj.wordpress.com/>

17th April 2022

DEMANDING IMMEDIATE ACTION AGAINST BAJRANG DAL FOR THEIR ATTACK ON THE AMBEDKAR JAYANTHI RALLY IN BARGARH DISTRICT OF ODISHA

While people across the country celebrated the 131st Ambedkar Jayanthi on 14th April 2022, in Bargarh district of Odisha, Bajrang Dal members carried out a horrendous assault on a bike rally taken out by youth celebrating Ambedkar Jayanthi. The attackers also tore/damaged Ambedkarite banners, flags and bikes and urinated on them.

AILAJ members from Odisha contacted the Ambedkarwadi Yuba Sangh, who organised the Ambedkar Jayanthi rally and learnt that the attack by members of Bajrang Dal was carried out at around 3.00 pm at the Godbhaga area of Bargarh district. It was learnt that the rally began at Attabira and when it reached its destination, Godbhaga, members of the Bajrang Dal attacked. Flags were torn, about 25 vehicles were vandalised and broken, banners were torn and urinated upon, and the youth were attacked with knives, sticks and broken glass bottles, resulting in injury to four Dalit youth. It was also learnt that the police stood by silently while this attack took place and no action was taken to prevent it.

AILAJ has learnt from the organisers that even on 13th April itself, Bajrang Dal members had torn the Ambedkar Jayanthi rally posters. Consequently, the organisers had approached the police apprehending trouble from Bajrang Dal. They were told by the Police that since the Bajrang Dal was also planning on Hanuman Jayanthi rally on 14th April, the Ambedkar Jayanti rally would happen first, and later there would be a rally of Bajrang Dal. Despite being aware about the genuine potential for violence and disruption, the police failed to take any steps to prevent



AILAJ

ALL INDIA LAWYERS' ASSOCIATION FOR JUSTICE

#18, Bharat Bhavan, No. 35, Infantry Road, Bengaluru- 560001

ailajhq@gmail.com | <https://ailaj.wordpress.com/>

the attack on the Ambedkar Jayanthi rally. Shockingly, after the violence, though the police promised action against the culprits and compensation for the damages, there has been no action thus far. AILAJ is informed that Bajrang Dal members are intimidating the Dalit youth who have raised their voice against this attack. The State Government police would do well to remember that section 15A(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (*henceforth the Atrocities Act*), mandates that it is the duty and responsibility of the State to make arrangements for the protection of victims, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence, which the Odisha Government has squarely failed to do.

Incidentally this attack has been largely ignored by the state and national media, and came to light only when videos of the attack were circulated on twitter.

The role of the local police has to be closely enquired into, especially since the Dalit youth had informed them, well in advance, on 13th April itself, about the Bajrang Dal tearing down their posters, and also because of the various videos reveal that the attack took place in the presence of the police, who acted as silent bystanders. Section 17 of the Atrocities Act requires that the District Magistrate or Police Officer now below the rank of DSP on receiving information of the likelihood of a person committing an offence, may declare the area to be prone to atrocities and take necessary action to maintain the peace, which the Odisha Police authorities failed to do.

The attack by the Bajrang Dal is nothing short of the offence of caste crime, and falls within several offences enumerated in Section 3 of the Atrocities Act. Thus, under the scheme of the Atrocities Act, the authorities are required to undertake



AILAJ

ALL INDIA LAWYERS' ASSOCIATION FOR JUSTICE

#18, Bharat Bhavan, No. 35, Infantry Road, Bengaluru- 560001

ailajhq@gmail.com | <https://ailaj.wordpress.com/>

several measures, including conducting a spot investigation, ensuring protection of the victims, disbursement of compensation, and punishing the offenders. It is necessary to highlight that section 4 of the Atrocities Act, criminalises the wilful neglect of duties under the Act, by any public servant. The Director General of Police must ensure that the jurisdictional police discharges its duty and immediately records the complaint of all victims and register First Information Reports, and conduct speedy investigation into the attack.

This attack yet again brings to fore the failure of the State to implement the provisions of the Atrocities Act, particularly the provisions pertaining to prevention of crimes against Dalits and steps to be taken post atrocities against Dalits. Here we must recall what the Supreme Court held in National Campaign on Dalit Human Rights & Ors. v. Union of India & Ors. [(2017) 2 SCC 432], which holds good even today:

"We have carefully examined the material on record and we are of the opinion that there has been a failure on the part of the concerned authorities in complying with the provisions of the Act and Rules. The laudable object with which the Act had been made is defeated by the indifferent attitude of the authorities... The constitutional goal of equality for all the citizens of this country can be achieved only when the rights of the Scheduled Castes and Scheduled Tribes are protected. The abundant material on record proves that the authorities concerned are guilty of not enforcing the provisions of the Act. The travails of the members of the Scheduled Castes and the Scheduled Tribes continue unabated. We are satisfied that the Central Government and State Governments should be directed to strictly enforce the provisions of the Act and we do so..."



AILAJ

ALL INDIA LAWYERS' ASSOCIATION FOR JUSTICE

#18, Bharat Bhavan, No. 35, Infantry Road, Bengaluru- 560001

ailajhq@gmail.com | <https://ailaj.wordpress.com/>

The wheels of law, particularly the Atrocities Act, have to be put in motion, and criminal cases must be registered against the members of the Bajrang Dal. Disciplinary action should be taken against the members of the police force for dereliction of duty. The State Government must immediately announce compensation for all the Dalit victims of the Bajrang Dal violence and their damaged vehicles must be immediately replaced. Indeed, the State Government must also apologise for failing to protect Dalits.

This attack on Dalits, that too on Ambedkar Jayanti, is an intimation of what the Sangh finds deeply threatening. The attack symbolizes the fear that Hindutva has of an awakened Dalit population which attempts to take forward Babasaheb Ambedkar's vision. Babasaheb Ambedkar's vision founded as it is on the trinity of liberty, equality and fraternity saw the threat to these ideals as emanating from 'Hindu raj'. As he put it,

"... if a Hindu Raj does become a fact, it will, no doubt, be the greatest calamity for this country. No matter what the Hindus say, Hinduism is a menace to liberty, equality and fraternity. On that account it is incompatible with democracy. Hindu Raj must be prevented at any cost."

An urgent response to this attack on Dalit is imperative as the attackers have not only attacked the victims but also the ideals that Babasaheb Ambedkar stood for. The State Government must ensure that strict action is taken against the Bajrang Dal for this barbarous attack on Dalit youth and disrespect of Babasaheb Ambedkar and the ideals that he stood for.

Clifton D' Rozario
National Convener