

## Updates

The first two phases of the 2009 General Elections has proved the worst of our fears; that intimidation and violence against the Dalit voters are increasing by the day. There are a large number of villages where the Dalits decide to keep silent about the threats and intimidation due to fear of socio-economic boycott or of reprisal attacks. Obviously in those areas there would be no visible, reported violence. Where the Dalits assert, or even attempt to exercise their franchise, there is violence. [The NDEW watched 2386 polling stations in 121 constituencies during these two phases.](#) The update that was sent earlier covered certain cases which were representative of the kinds of cases which flowed in during the whole day on the 16<sup>th</sup> of April, 2009. This update will give a more comprehensive coverage of the two phases of the elections.

### **Overview of states, PCs and PS being watched by the NDEW during the 2 phases**

#### **First phase states:**

<b>States</b>	<b>Number of Districts</b>	<b>Number of Constituencies being watched</b>	<b>Number of polling stations</b>	<b>Number of volunteers</b>
Andra Pradesh	10	10	348	201
Bihar	13	12	263	263
Jharkhand	09	05	300	100
Maharashtra	12	09	050	060
Orissa	04	04	100	100
Uttar Pradesh	10	15	332	332
<b>Total</b>	<b>58</b>	<b>55</b>	<b>1393</b>	<b>1056</b>

#### **Second Phase States**

<b>States</b>	<b>Number of Districts being watched</b>	<b>Number of Constituencies being watched</b>	<b>Number of polling stations</b>	<b>Number of volunteers</b>
Andra Pradesh	06	07	246	231
Bihar	08	09	200	200
Karnataka		12	59	59
Maharashtra	08	11	50	45
Orissa	09	10	250	216
Uttar Pradesh	07	07	180	180
Madhya Pradesh	05	04	21	21
<b>Total</b>	<b>41</b>	<b>66</b>	<b>993</b>	<b>942</b>

### **Observations regarding the serious cases from the states:**

- Bihar reported a large number of cases of violent intimidation of dalit voters. There seems to be a pattern even in booth capturing; it happens when the dalit voters are at the polling station. Invariably they are sent back, unable to exercise their franchise. The positive aspect of the cases in Bihar is that they also reveal a desire of the dalit communities to participate in the elections; they have resisted, filed complaints, voted after the observers took action. But in a large number of cases the EC is yet to take action. NDEW will be following up the cases so that appropriate legal action punitive and corrective is taken by the authorities concerned.
- UP showed a different pattern; a large number of cases were of people who did not have their names in the voter id and those who did not have adequate proof of identity. This certainly cannot be accidental. There seems to be a deliberate conspiracy to exclude Dalits from the voters' list. Concerted action needs to be taken by the EC before the next elections to ensure that there is 100% inclusion in the electoral rolls. We may have to take up advocacy measures to help the EC understand that the process of inclusion and exclusion of Dalits in the voters' list is many a time determined by local political equations. Pre-election there has to be a campaign to ensure precise inclusion of Dalits in the list, and also ensuring that all voters have the requisite proof of identity.
- AP also shows disturbing signs. As in Bihar, the Dalits here too bear the brunt of severe political rivalry amongst the dominant caste interests in contending parties. All of them try to 'woo' the Dalits, but through allurements or failing which it is threats, intimidation and crass violence. The local police also frequently hands in glove with the dominant caste interests and play their role in intimidating and threatening through implication of dalit activists in false cases or illegal detention before the polls, to send out a strong message and instil fear among the Dalit electorate.
- Dalits and Tribals have always been the focus of strategic attention of communal forces; so it is not surprising that in Orissa there have been several incidents of intimidation against Dalits.
- NDEW coverage of MP in this phase has been very limited. It would be difficult to draw any conclusion on the basis of these reports. The reported incidents seem to emphasize the use of money and liquor to exert undue influence over the Dalit voters. Incidents of dalit assertion or insistence on voting leading to conflict have not been reported.
- Maharashtra also has reported majorly on use of money and liquor.

Certain selected cases which gives a flavour of the kinds of complaints received by NDEW from various states.

**Bihar**

Bihar has the maximum number of reported cases, primarily because it is a state in transition; Dalits are asserting their desire to participate in political decision making. This is certainly leading to the kind of intimidation and violence that is taking place. The happenings in Bihar are what happen to Dalits across the country when they assert. In a caste-ridden society, where the politics also is driven by dominant caste communities, it is not acceptable that a significant chunk of the population which was a vote bank available at their beck and call today decides to vote on their own. See the wide variety of cases that have come into NDEW control rooms across the country:

1. In Chamariya Polling Station of Maharajganj constituency, Bhojpur district, Dalits were forced to confine themselves in their village and not allowed to go to the polling booth to cast their votes. The dominant castes groups led by the Rajputs knew that if the Dalits allowed to vote then they might vote against the party or candidate to which they owed allegiance to. So the easy way out – threaten then to submission, physically obstruct them from going to vote!
2. In a similar incident in Rawalbigha polling station of Aurangabad Parliamentary Constituency, Congress workers belonging to the dominant Rajput community stopped the dalits on the way to the polling booth and turned them back with threats and abuses, warning them of dire consequences if they attempted to vote. The incident was reported to the observer of the Election Commission who did not seem to be accessible, and later with a written complaint to the District Election Officer, but there was no action.

In Sheohar PC, in a village by the name Nayagaon the Sarpanch who is a Bhumihar (landed dominant caste community) threatened the Dalits in the entire area that they would be murdered if they dared to vote. They could not vote, and there was no action from the EC officials.

3. Even if the Dalits overcome the dangerous threats and intimidation and decided to vote, there are further hurdles that they have to cross; suddenly they would find that their names have been mysteriously deleted from the voter's list! Their identity proof would be challenged by the election officials although the dominant castes would not be asked for such proof, or whatever proof they furnish would be acceptable! The EC has in its directive made it very clear that if anyone has not been given a voter id card, then he / she could vote after furnishing 13 other types of documentary proof of residence / identity, be it the ration card, or electricity bill or Panchayat tax receipts. However over 50% of the dalits in the Akwarpur PS of Nawada PC were not able to vote because the polling officers could not prevail over the dominant caste goons who maintained that the dalits should produce voter id cards, and not ration cards or other documents. The upper caste voters were allowed to vote with whatever document they had. There was no action from the EC and the Dalits lost their right of franchise.

4. In contrast, in village Asurar under Hajipur PC, of Vaishali district, the same thing happened, but on reporting to the observer he reached the spot and ensured that dalits could vote on production of ration cards.
5. In Dharbhanga constituency PS 198, in Bahadurpur block, 15 Dalit men and 10 dalit women were removed by the police from the queue 20 minutes before the closing time of the polls

### Uttar Pradesh

6. The modality of exerting undue influence finds many innovative ways when it comes to pressurizing dalit communities. Sultan Ahmed, the Pradhan of Udaru Khurd village of Baska PS under Jaunpur PC has refused to give ration cards or any Panchayat related document to the Dalits for Identity / residence proof unless they gave an undertaking that they would vote for his party candidate Parasnath Adhyay of the Samajwadi Party. No action was taken in spite of forwarding a written complaint to the EC officials
7. In Aspur Devsara, PS (264, 265) in village Mahuli under Pratapgadh PC the Pradhans Surindersingh, Ram Bahadur and Ram Manorath were physically grabbing the hands of Dalit voters and making them vote for BJP! This is a typical e.g. of how the polling officers are either helpless and terrorized by these feudal elements or are hands in glove with them in intimidating voters from the dalit and marginalized communities.

### Maharashtra

8. The promises of candidates and their campaigners are also dangerously conditional for dalit voters; as it turned out for the voters of village Bodhigat under PC Beed. On 22<sup>nd</sup> April, the eve of the polling, Mr. Nanasaheb Lad of the NCP, a panchayat member from ward 22 of the village, engaged in a high voltage election 'campaign' for the NCP saying that if the Dalit voters voted for the NCP candidate of Beed, then all of them would be guaranteed employment in industries around; if they did not then he would see to it that their legs were broken! He did not leave it at that; he engaged some goons to keep watch on the dalit voters, with their intimidating presence, and also arranged for 7 auto richshaws in the morning on the 23<sup>rd</sup> to 'safely transport the dalit voters to the polling station. In this way he managed to terrorise the dalit voters and kept them under extreme pressure and insecurity. The complaints sent to the EC on such violations are never acted upon since the attitude is that there was no physical violence, so what is the big deal! The right of franchise of dalits is expected to be under the control of the dominant castes!

### Andhra Pradesh

9. In Villages Chadevevandlapalli and Bandakadapalli in Kalakiri Block under Piler PC, more than 50 Dalit voters were unable to exercise their franchise since their names had disappeared from the voter's list. They tried their best to

make representations to the officials and NDEW also forwarded their complaints to the CEO and all authorities concerned, but they lost their vote.

10. Dalits at times also have to put up with deception on the part of the polling officials in the polling stations. As in Gandhasari village (PB No. 63) in Guntur PC, where an illiterate dalit voter asked the officer in the polling booth to help him use the EVM. While ostensibly assisting this voter the officer actually cast the vote for the Congress party, against the wishes of the voter. He vociferously protested, but to no avail.
11. The SC/ST community of the Buchipappanna village under Guntur PC, for the first decided to come out and exercise their vote. For past 35 years they have not voted in any election. Especially the women were getting ready and talking to each other outside their houses just before leaving towards the polling booth. But suddenly without any warning the police started beating them up; the entire community was shell shocked. But the women took a very courageous stand; the local media supported them by flashing the news and the women went ahead and cast their votes, in spite of this terror tactics deployed by men in uniform, hands in glove with local dominant caste interests. But they were very worried about reprisal attacks from the dominant castes and the police. We have to wait and see what action the EC takes on this criminal intimidation and atrocity on dalit voters.
12. Congress Party Activists did not allow a Dalit woman to cast her vote. This led to tussle between two groups in Polling Booth No.133 of Bobbili assembly segment in Vizhianagaram PC. The Reporter of HMTV who also belongs to the same Dalit community was covering this incident along with other TV Channels. The enraged upper caste people attacked him very severely since he was a dalit. When the reporter who was attacked went to file a complaint he was not allowed by the upper caste reporters and forced him to compromise. This is revealing as to how the dalits are terrorized at every level, when they assert, their political will, when they uphold their constitutional rights. Even a dalit media activist is as intimidated when it comes to exposing the rotten underbelly of the dominant caste driven politics in this country.

### Orissa

13. Dalits, Dalit Christians and Adivasis of Village –Katingia, Block – G Udayagiri, in Boudh Assembly constituency of Kandhamal Parliamentary Constituency were pressurized to cast their vote in favour of the BJP candidate by the BJP Election campaigners. The BJP Election Campaigners terrorized the Dalits and Adivasis by threatening to cut off their hands, burn their houses, and also chase them out of the village, if they did not vote for the BJP Candidate Mr. Ashoka Sahu. It may be noted that this is the same candidate who has been arrested for his criminal role in the Orissa carnage where several Christians were massacred and large numbers of them displaced from their villages, unable to return even today.

### Karnataka

14. Karnataka also is going the same way as Orissa as far as communal politics is concerned. The incidents in Kaiwara village in Chickballapur district and Kolar PC, show that the dominant caste groups belonging to BJP considers that the Muslim votes also need to be prevented along with the 'suspect' dalit votes. The sitting MLA of the area, Sudhakar Reddy belonging to the BJP did not allow the Muslims and the Dalits from village to vote presuming that they are supporters of Congress. There were two polling booths (184 and 185). In each booth there were about 600 voters of Dalits and Muslims. They could not even register a complaint since they feared dire consequences.

### **Certain Concerns that have emerged**

In the course of our efforts to contact the EC officials we came across serious lapses which proved to be serious obstacles to the process of forwarding complaints – be it telephonic or through fax. While in Bihar we found that during the forenoon the observers were available on their mobile phones and they could take up a number of complaints and act on them, by afternoon they had switched off their mobiles and were inaccessible; and this was the time that the violations were moving towards their peak. In UP most of the observers were not accessible on phones due to wrong numbers given in the EC website or due to the fact they were switched off. However, it has to be stated that a number of EC observers were extremely proactive and their interventions ensured that the dalits in the polling stations concerned were able to vote. (See table below):

Fax numbers of many of the DEOs were not working, and telephone numbers of the observers were inaccessible in most of the states. To our shock we also realized that the fax numbers of the CEC at Delhi also was inaccessible. In the CEOs' offices we found that no one was delegated the responsibility of taking complaints regarding various districts, and naturally the CEO would be completely engaged in various tasks and attending to the numerous complaints and communications from the districts. These flaws seriously limit the ability of the EC at all levels to deal with the complaints coming from all over the states and the country at large. Wherever the fax was not working we requested if they could check the email of the CEC or CEO, but we were told that it would be difficult to take cognizance of complaints over email, fax would be essential.

It is clear that the vulnerability mapping of the EC needs to be revamped completely; it is geared to controlling and observing visible violent incidents, and not to the invisible and silent threats and intimidation of Dalit voters. This vindicates our stand that the EC has to take up this question seriously, and it is unfortunate that the EC has not responded to the letters that we have sent to the CEC and the CEOs / CS of all states requesting them to gear up for these types of electoral violations undermining the right of franchise of the Dalits. The CEOs of at least 5 states have not responded to the RTI application that was filed over a month back, now forcing us to go on appeal. This has to be taken up on a priority basis and mechanisms developed to deal with the increasingly deteriorating situation vis-vis Dalit voters.

In this context we have written a letter to the CEOs and the CEC demanding that their complaint mechanism on crucial days before and during polling should be fine tuned if they have to achieve results especially pertaining to the intimidation of Dalits

**Over view of type of cases that have been reported by NDEW: (analysis available at present only for phase 1) is given in the table below:**

Sr. No.	Types of cases	State-wise distribution of cases				
		AP	UP	Bihar	Maharashtra	Ori ssa
1.	Exclusion from voters list	2	1	01	2	
2.	Prevented from voting due to non-acceptance of identity proof by PS officials / closing the polling early etc.	1		04	2	
3.	Threat / intimidation / violence by dominant caste elements	5	6	68	10	4
4.	Violence and threats by police on Dalit voters	3	2	01		
5.	Efforts to influence Dalit voters through money, liquor, transport etc.		1	03	17	2
6.	Rigging – Votes cast by others in the name of Dalit voters	1		70	1	
7.	Intimidation of Dalit activists / leaders by the police through detention without reasons, implication in false cases	1	1			

**We will be sending a further update following the next phase on the 30<sup>th</sup> of April. In the meanwhile we request all of you to see the NDEW website at [www.dalitvotes.in](http://www.dalitvotes.in). We would appreciate your feedback and suggestions.**