



Mains Practice Question

Q. You are a Superintendent of Police in a district where caste-based discrimination is rampant. In a recent case, members from the Dalit community were prevented from cremating the body of an old woman from their community at the public crematorium. People belonging to the dominant upper caste community have destroyed the funeral pyre and have allegedly threatened the family of the deceased. After the police intervention, the Dalits staged a protest and the body was cremated on the ground in front of the residence of MLA of the region, who also belongs to the dominant community. In the process of investigation, you come to know that not only family members of the MLA but some of your relatives too have been involved in the destruction of the funeral pyre.

- What will be the possible ethical dilemmas that you might face?
- What will be your course of action? Justify. (250 words)

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- The case violates **Article 17** and **Article 15** of the Constitution of India which abolishes 'untouchability' and prohibits discrimination on grounds of religion, race, caste, sex or place of birth respectively.

Facts of the Case	Stakeholders Involved	Ethical Values
Access to 'public place' was denied	Police, Dalit community, and yourself (Superintendent of Police)	Social justice
Caste-based discrimination against Dalits	Dalits and upper caste community	Human dignity and Equality
Threat to Dalits by upper caste	MLA, Dalits and Upper caste community	Social Justice
Connivance of local MLA and relatives of the SP	Dominant upper castes, MLA, your own relatives and you	Professional Integrity
The dominance of the upper caste community	Society at large	Moral righteousness
Possibility of caste-based discrimination in future	MLA, dominant caste, Dalit community members	Leadership and Empathy

Moral Dilemmas Faced

- Duty v/s Personal life:** As the SP, duty to ensure that Dalits have right to perform cremation with dignity in public crematorium. However, perpetrators involved are own relatives and politicians also.
- Rights of Dalits v/s Societal Pressure:** Marginalised section of our society usually faces caste-based discrimination which is **one of the worst forms of human right violations**. That is why the Constitution provided special provisions for the protection of rights (like Article 17) of Dalits. However, dominant castes want to **preserve the traditional hierarchical structure** as it retains societal dominance.

Course of Action

- First of all, I would **deploy adequate police force** in the village to avert any kind of violence or disorder.
- I will get the case registered at the earliest under **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989** and **Protection of Civil Rights Act, 1955**, which deal exclusively with offences related to Dalits.
- I would ensure that there is timely completion of the investigation and filing of the charge-sheet as mandated by the act.
- Dalits would be given adequate protection to perform cremation in the public crematorium with dignity anytime in future and full access to all the public spaces without fear or prejudice.
- I would also intimate the higher authorities about the case. As there is an **MLA involved** so it would be **better to involve the higher authorities**.
- All are equal in the eyes of law. Therefore, everyone would be treated equally whether it involves my own relatives. The **strict action may act as a deterrent** which is needed as the district faces rampant caste-based discrimination.
- Efforts would be made in order to convince the upper caste community to refrain from engaging in these kinds of acts as apart of being illegal, they create disharmony in society.
- I would direct the **District level Vigilance and Monitoring Committees** to be vigilant about the caste-based atrocities in the District.
- Given the importance of the **role of the police force** in addressing in these kinds of cases, I would **recommend to the state government** to include field trips to districts and villages where caste tensions have been successfully tackled in **police training**.
- I would direct all police stations in my jurisdiction to learn more about Dalits — the pockets in which they live, their annual festivals, rituals, anniversaries of leaders and so on to develop a sense of participation and anticipate areas of social tensions.
- I would also direct all police station to treat Dalits with sensitivity when they come to a police station, giving them a patient hearing, and redressing their grievances at the earliest.
- A social problem needs **attitudinal change** for a holistic solution, for which I would take steps like awareness campaigns about rights of depressed classes, sensitisation exercises, role modelling etc. Administration officials, representatives of NGOs, and the locals would be sensitised about caste-based discrimination and related legal provisions.
- Along with district administration, sports meets and cultural activities can be conducted where the Dalit youth can mingle with others and making a constant effort to change the mindset of people — by persuasion, education and, when necessary, force to take Dalits along, can go a long way in ensuring that the atrocities against them come to an end.

It is the duty of every citizen to uphold the constitutional vision of securing socio-economic justice and fraternity assuring the dignity of the individual.