

## Gist of EPW September Week 2, 2020

The Economic and Political Weekly (EPW) is an important source of study material for [IAS](#), especially for the current affairs segment. In this section, we give you the gist of the EPW magazine every week. The important topics covered in the weekly are analysed and explained in a simple language, all from a [UPSC](#) perspective.

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### Action on Prison Data

#### Context:

- The National Crime Records Bureau (NCRB) 2019 report highlights the fact that the number of SCs, STs, and Muslims in prison is far higher than their proportion in the overall population of India.

#### Background:

- The [National Crime Records Bureau \(NCRB\)](#) releases prison statistics that contain information about the prisoners and the groups of society which they belong to. The data depicts that most of the prisoners belong to those groups of society which constitute a very small portion of the total population. These groups are the Scheduled Castes (SCs), Scheduled Tribes (STs), and the Muslims who are the largest religious minority group of India.
- Also, the share of Muslims among the undertrials is significantly higher as compared to others.

#### NCRB Report 2019

- The report of NCRB (2019) further adds to this assertion.
- According to the report, the share of Dalits among all the convicts is 21.7 percent across India, and among the undertrials, it is 21 percent. They constitute 16.6 percent of the total population.
- The STs stand at 13.6 percent in the category of convicts and 10.5 percent of the undertrials while they only account for 8.6 percent of the total population.
- The share of Muslims in the total population is 14.2 percent and among all convicts and undertrials, their shares are 16.6 percent and 18.7 percent respectively.
- Ironically, those who support the view that these people are the ones who show “criminal tendencies” also use this data to support their views.
- However, most people do not agree with the assertion that higher incarceration rates of SCs, STs, and Muslims are due to class and caste prejudices.
- Prejudices against them exist in the larger society and even in the police and criminal justice system.

#### Reasons for higher incarceration of SCs, STs, and Muslims:

- Due to the unequal access to education, health services, and employment, they have poor access to consideration in the criminal justice systems and fair legal aids as well.
- For instance, according to the data of the NCRB prison report, among the undertrials, 28.6 percent are illiterate and 40.7 percent do not have education beyond class 10.
- It is pointed out by the experts of legal aid that a system of providing free legal aid was started by the Legal Services Authorities Act, 1987 but this has not proved very helpful to the needy.

- Lack of efficiency along with corrupt practices act as a hindrance in the way of its implementation. There are various reports available on how the meagre resources of the poor families were deprived by the fraud in the name of providing legal justice.
- In order to pay for legal services, many poor families sell their houses and land. They are tricked because of their lack of literacy and ignorance of the system. It seems that their access to jail is easier than their access to justice.

### ***Custodial violence against SCs, STs, and Muslims:***

- A persistent bias against these marginalized sections of society is also reflected by custodial violence and killings.
- The reactions of the media and society more or less contribute to this. The cases of custodial violence and killings of those belonging to dominant castes or economically well off sections attract the campaigns seeking justice. These cases are also consistently followed by the media.
- Dalits, Adivasis, and Muslims who account for the largest numbers in imprisonment are not benefited from such pressure, except in a few cases.

### ***Prejudices against SCs, STs, and Muslims:***

- It is strongly believed that the middle and upper classes and castes are hardworking and become successful in life.
- This is accompanied by the belief that the poor are not willing to study and work hard. This leads them to pursue crimes.
- Furthermore, there is one more belief in this cycle that criminals are deserving of punitive violence, even custodial and institutional violence. The attitude of society towards public protests, agitations, and struggles by the poor, Dalits, and religious minorities is reflected by this view.
- Some examples of society's reactions are illustrated through the lathi charge by police against the poor for violating the lockdown rules and the protestors against the Citizenship (Amendment) Act.
- It is also pointed out by the human rights activists that when Dalits, Adivasis, and Muslims file any complaint regarding the crimes or violence occurred against them, the police show very little enthusiasm in filing those cases and if these are filed, they are not processed further satisfactorily.

### ***Prejudices against minorities in other parts of the world:***

- The belief that the poor and minorities have a tendency towards committing crimes is not only limited to one country but is also extended to other parts of the world.
- The Black Lives Matter movement of the United States highlighted the well-known issue.
  - In the United States, the majority of prisoners belong to the poor African and Latino communities while their share in the total population is relatively very low.

### ***Conclusion***

- A quick response to this situation is not the solution. These long-held prejudices will not vanish overnight.
- In the short term, policy measures such as enforcing accountability of the police and access to fair and immediate legal assistance can be adopted to resolve the issue to a certain extent.