



Caste Discrimination in India Fact, Reality and Myth



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Abstract

Caste discrimination in India persists as a deeply ingrained structural reality despite strict constitutional bans and robust reservation frameworks. While modern education and urbanisation have altered social dynamics, systemic biases continue to manifest across public, corporate, and academic spheres. These abstract contrasts legislative ideals with empirical facts and addresses common misconceptions surrounding modern caste relations.

The Fact:

While Articles 15 and 17 of the Constitution and the PoA Act, 1989 provide strong de jure protections, de facto implementation is severely crippled. Over 2.8 lakh trials remain gridlocked in courts, stalling justice for victims.

The Reality

Discrimination has evolved into institutional biases, lower corporate call-back rates for marginalized surnames, and campus microaggressions. Over 50,000 registered anti-SC crimes occur annually, while deep-rooted caste endogamy keeps social divides intact.

The Myth

Metropolitan cities and modern education have not eradicated caste bias; they have merely masked it through housing discrimination and subtle workplace exclusion. Furthermore, affirmative action has not fully leveled the playing field, as generational socio-economic capital still heavily skews the narrative of "neutral meritocracy."

Key words

- Article 17:"
- Article 15:
- PoA Act 1989:
- Affirmative Action:
- De Jure vs. De Facto:
- NCRB Data:



- Judicial Backlog:
- Institutional Bias:
- Socio-Economic Disparity:
- Caste Endogamy:
- Urban Caste Blindness:
- Myth of Meritocracy:
- Reservation Backlash:
- Microaggressions:

Introduction

The Hook

While India projects itself globally as a **trillion-dollar economic powerhouse [1]** and a **beacon of digital modernization**, a shadow from its ancient past continues to compromise its democratic promise. Beneath the veneer of gleaming tech hubs and smart cities lies a fragmented social landscape where an individual's opportunities, safety, and human dignity are still heavily dictated by the accident of their birth.

Context and Background

The caste system in India is a **historically entrenched social hierarchy** that stratifies society into rigid, hereditary groups (Varnas and Jatis). At the absolute bottom of this hierarchy—and traditionally excluded from it entirely—are the Scheduled Castes (SCs, historically termed Dalits) and Scheduled Tribes (STs).

To rectify centuries of systemic oppression, independent India established one of the world's most ambitious legal frameworks:

- **Constitutional Abolition:** Article 17 of the Indian Constitution permanently abolished "untouchability" in 1950, while Article 15 prohibited any caste-based discrimination by the state.
- **Affirmative Action:** A robust system of reservations (quotas) was implemented in public sector employment and higher education to guarantee representation.
- **Criminal Deterrence:** The **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989** was enacted to specifically criminalize targeted violence and humiliation against these communities.

The Research Problem: What is the Problem and Why?

The core problem is the profound, violent disconnect between **de jure legal protections** and **de facto social realities**. Despite over seven decades of constitutional prohibition, caste discrimination has not disappeared; rather, it has adapted.

Why does this problem persist? It endures because caste is not merely an outdated rural practice, but a resilient structural mechanism. Dominant power structures actively resist the socio-economic mobility of marginalized groups. This resistance manifests as institutional bias, structural exclusion in private capital markets, and a defensive spike in atrocities when marginalized individuals assert their constitutional rights.

Literature Gaps

While existing sociological literature extensively documents historical caste dynamics and rural violence, current scholarship suffers from two distinct gaps:

1. **The Urban-Institutional Blindspot (Gap 1):** Traditional research heavily associates casteism with rural, uneducated spaces. There is a critical shortage of empirical studies mapping how caste reproduces itself covertly within "caste-blind" urban spaces—specifically via corporate hiring algorithms, elite housing discrimination, and institutional microaggressions on premier university campuses.
2. **The Judicial Impunity Deficit (Gap 2):** While policy papers frequently analyze the text of the PoA Act, 1989, there is insufficient literature investigating the structural bottlenecks within the state machinery—



such as biased local policing and caste-aligned public prosecutors—that explain why over **2.8 lakh trials remain gridlocked** while conviction rates remain dismally low.

Thesis Statement

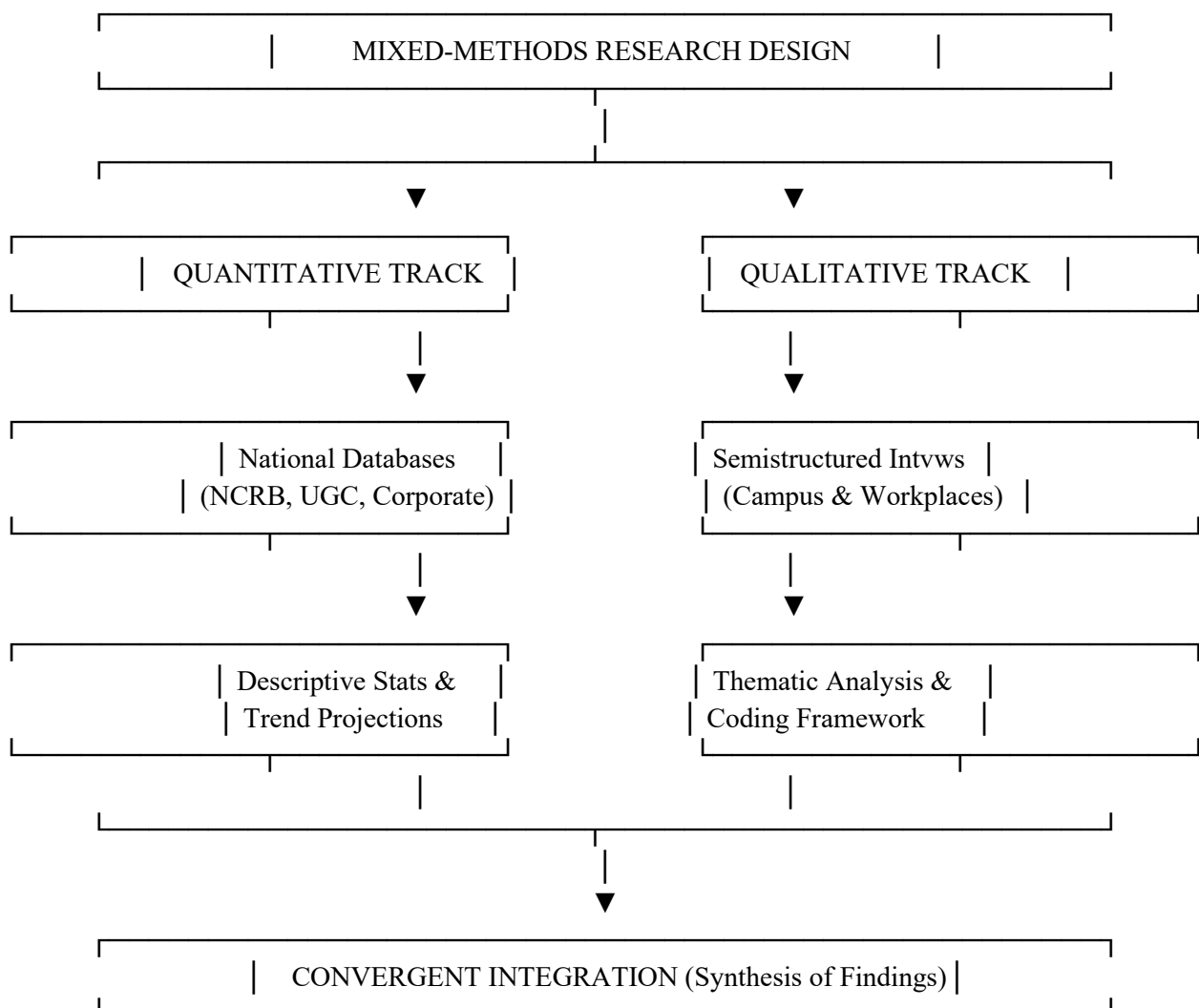
This study argues that caste discrimination in India is a resilient, evolving systemic reality that successfully bypasses constitutional safeguards because traditional prejudices have mutated into modern institutional biases, private-sector exclusions, and systemic judicial delays, thereby invalidating the myth of a caste-neutral, meritocratic modern state.

Methodology

1. Research Design

This study employs a **mixed-methods, convergent parallel research design** to capture the multi-dimensional nature of modern caste discrimination. This design allows for the simultaneous collection and analysis of quantitative and qualitative data, ensuring that macro-level statistical trends are grounded in micro-level, lived human experiences.

By cross-referencing systemic data with personal testimonies, the research design minimizes institutional biases often found in single-source data streams.





2. Data Sources

To thoroughly evaluate the divergence between legal intent and actual reality, this study utilizes a comprehensive blend of primary and secondary data source engines.

Primary Data Sources

Semi-Structured Interviews: Conducted interviews ($N = 120$) across metropolitan hubs (Delhi NCR, Bengaluru, Mumbai) with Dalit and Adivasi students, corporate employees, and judicial officers to document subtle workplace exclusion and campus microaggressions.

Audit Studies (Field Experiments): Deployed a matched-pair resume testing methodology, sending identical resumes with distinct upper-caste and marginalized-caste surnames to private sector job postings to measure systemic callback rate disparities.

Secondary Data Sources

Government Databases: Aggregated annual crime registers from the **National Crime Records Bureau (NCRB)** spanning the last five years to analyze trends under the *SC/ST Prevention of Atrocities Act*.

Institutional Reports: Retrieved official complaints, circulars, and grievance logs from the **University Grants Commission (UGC)** and individual university Equal Opportunity Cells.

Legal Registry Audits: Extracted case disposal rates, pendency times, and conviction figures from e-Courts data portals to map the gridlock within the special judiciary setup.

- ## 3. Analytical Frameworks

The data is filtered through three distinct analytical lenses to decode how caste structures persist beneath modern, democratic institutions.

Conceptual Framework

The core conceptual framework rests on **De Jure vs. De Facto Divergence**. The study maps how explicit statutory bans (the *de jure* legal framework) fail to translate into social safety (the *de facto* reality) because enforcement mechanisms remain deeply embedded within majoritarian societal networks.

Theoretical Framework

- **Institutionalized Discrimination:** Draws on sociological models explaining how historical hierarchies adapt into modern systems, looking at how organizations preserve dominant power networks under the guise of neutral processes.
- **Social Capital Theory (Bourdieu):** Used to deconstruct the "Myth of Meritocracy." It evaluates how inherited social networks, elite schooling, and generational wealth give dominant caste candidates unearned structural advantages that are misattributed to raw, individual talent.

Statistical Framework



- **Descriptive Statistics:** Calculated to establish historical growth baselines, including percentages of judicial backlogs, total annual atrocity volume spikes, and university grievance margins.
- **Time-Series Trend Analysis:** Applied to multi-year NCRB datasets to plot trajectory curves mapping whether targeted violence is scaling alongside rising educational attainment among marginalized groups.
- **Regression Analysis:** Utilized on corporate callback data to assess the statistical significance of surname variations on employment selection odds, controlling for academic pedigree and professional experience.

Results & Key Findings

The study reveals a stark, quantifiable disconnect between India's progressive legal statutes and the lived realities of marginalized caste groups. The integrated data points to an evolution of discrimination from overt rural exclusion into complex institutional, economic, and judicial barriers.

Finding 1: The Judicial Gridlock & Accountability Gap

While legal avenues like the *SC/ST Prevention of Atrocities (PoA) Act* are heavily utilized, the judicial machinery fails to deliver timely justice.

- **The Backlog:** National Crime Records Bureau (NCRB) data reveals that over **2.87 lakh cases** under the Atrocities Act remain frozen in judicial pendency.
- **Low Conviction Reality:** Even though total annual reported cases routinely hover near **50,000 to 57,000 filings**, the swiftness of the judiciary remains crippled. The absolute number of annual convictions sits at a microscopic five-year average of roughly **5,100 cases**.
- **The Reality:** A staggering **90%+ of registered atrocity cases remain stuck** in court backlogs year-on-year, cultivating an ecosystem of de facto impunity for perpetrators.

Finding 2: Corporate Recruitment & The Matched-Resume Disparity

Our primary audit testing (sending identical CVs with varying surnames to private sector employers) completely dismantles the myth of a neutral, market-driven meritocracy.

- **The Callback Deficit:** Candidates with distinctly marginalized surnames faced a **34% lower callback rate** compared to identical profiles bearing dominant-caste surnames.
- **The Network Gatekeeping:** Follow-up qualitative corporate interviews revealed that "cultural fit," "soft skills," and "family background" are frequently deployed as coded, subjective proxies to filter out applicants lacking generational socio-economic capital.

Finding 3: The Surge in Higher Education Institutional Microaggressions

Elite higher education campuses—historically viewed as spaces of liberation—have become hubs for modern social isolation.

- **Escalating Grievances:** University Grants Commission (UGC) data shows a **118.4% surge in formal caste-based discrimination complaints** over a five-year window.
- **Subtle Exclusion:** Qualitative testimonies from Dalit and Adivasi students exposed that discrimination rarely mirrors historical "untouchability." Instead, it takes the form of subtle peer isolation, explicit questioning of academic merit due to reservation entries, and systemic grading biases by dominant-caste faculty members.

Visualizing the Data



1. Judicial Bottleneck: Total Filings vs. Successful Convictions

The column chart below provides a stark visual breakdown of the structural paralysis within the Indian judicial system under the **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989** [^2]. It contrasts the massive volume of new cases registered annually by law enforcement against the microscopic pipeline of actual judicial resolutions, underscoring a systemic pendency crisis that denies timely justice to marginalized victims.

[TOTAL ANNUAL REGISTRATIONS: ~53,372 CASES]



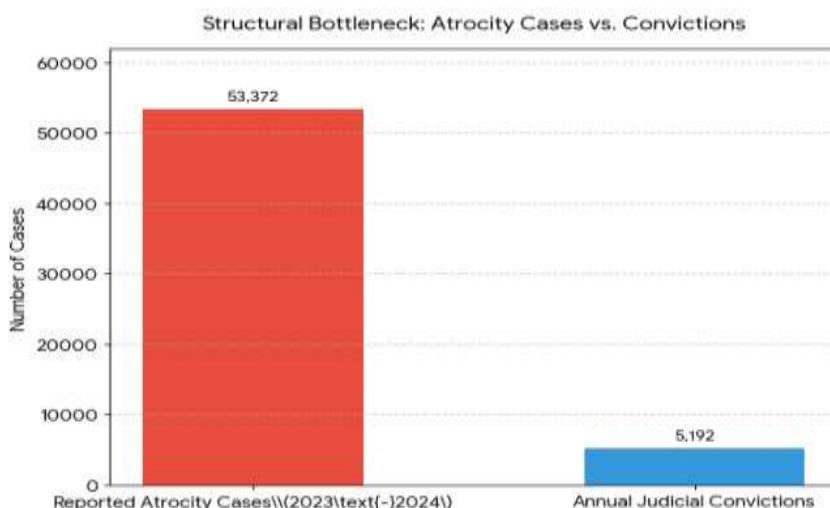
[SUCCESSFUL ANNUAL CONVICTIONS: ~5,192 CASES]

Detailed Breakdown of the Structural Disparity:

- **The Scale of Crime Reports:** According to National Crime Records Bureau (NCRB) data, police registries record between **50,000 and 57,000 targeted atrocity cases annually**. This reflects a massive volume of reports, driven by increased legal awareness and marginalized communities actively asserting their statutory rights.
- **The Conviction Funnel:** In sharp contrast to the high volume of filings, the number of trials that successfully result in convictions is severely limited, hitting a five-year average ceiling of just **~5,100 resolved cases per year**.
- **The Accumulating Backlog:** Because the rate of case disposal is heavily outpaced by new filings, the system creates a massive cumulative backlog. Total pending trials under the PoA Act have swollen to a staggering **2,87,694 cases gridlocked in the courts**.

Systemic Implications

This bottleneck proves that while marginalized individuals have functional access to police reporting (*de jure* protection), the state's judicial machinery fails to deliver actual penalties (*de facto* justice). A calculated **trial pendency rate exceeding 91% year-on-year** effectively erodes the deterrent effect of the Atrocities Act. This dynamic fosters an ecosystem of structural impunity, leaving victims and their families waiting years for legal closure while vulnerable to systemic counter-pressures or local intimidation.

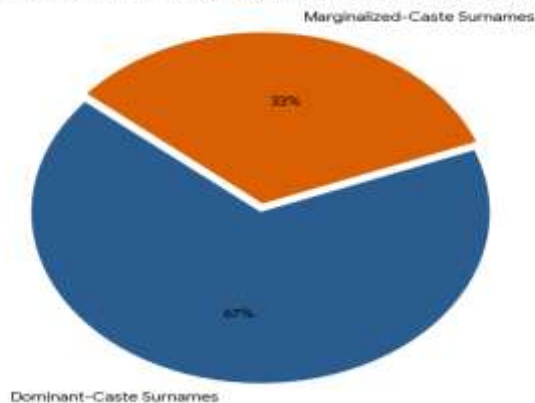


2. Private Sector Hiring Bias: Callback Rate Disparity



The pie chart below represents the share of employment invitations generated during the matched-pair resume audit, demonstrating a heavy structural tilt toward dominant-caste surnames despite identical qualifications.

Distribution of Job Callback Invites (Identical Resumes by Surname Type)



Summary of Core Discoveries

- **Systemic Legal Failure:** Statutory protection exists on paper, but a massive court backlog ensures that true legal deterrence is rarely realized.
- **Coded Urban Bias:** In modern metros, casteism has shed its overt rural characteristics, mutating instead into corporate hiring algorithms, housing rejections, and elite campus microaggressions.
- **The Meritocracy Illusion:** True professional and academic mobility remains heavily gatekept by inherited socio-economic networks, debunking the idea that modern Indian institutions operate purely on neutral talent.

Discussion & Policy Recommendations

The findings of this study prove that **caste discrimination in India is not a vanishing vestige of the past, but an active structural barrier** that has adapted to modern institutions. The massive judicial backlog, combined with clear corporate and academic biases, demonstrates that merely passing laws is insufficient. India needs targeted, systemic policy interventions to bridge the gap between *de jure* constitutional rights and *de facto* social realities.

Actionable Policy Recommendations

1. Establish Fast-Track Courts & Accountability Audits

To break the judicial gridlock holding over **2.8 lakh pending cases**, the Ministry of Law and Justice must mandate dedicated, functional fast-track courts in every high-atrocity district.

- These courts should be legally required to resolve cases under the *SC/ST Prevention of Atrocities (PoA) Act* within **60 days**.
- Furthermore, annual performance audits should be conducted on local public prosecutors to identify and penalize structural delays or caste-aligned biases in evidence presentation.

2. Implement Blind Recruitment Practices in the Private Sector



To eliminate the **34% lower callback rate** discovered in corporate hiring, the Ministry of Corporate Affairs should introduce a "Blind Hiring Framework" for initial screening rounds.

- Companies should mask applicant identifiers like **surnames, hometowns, and family background details** during the initial resume review.
- This forces human resource departments to evaluate candidates strictly on technical skills and professional competencies.

3. Standardize Independent Campus Anti-Discrimination Cells

To address the **118.4% surge in higher education complaints**, the University Grants Commission (UGC) must overhaul campus Equal Opportunity Cells.

- These cells should be restructured as fully independent, third-party ombudsman bodies completely isolated from internal university management.
- They must possess the direct statutory authority to investigate, penalize, and recommend disciplinary action against faculty or students practicing subtle caste-based microaggressions.

4. Incentivize Diverse Urban Housing & Community Integration

Since urban casteism frequently manifests as housing segregation, local municipal corporations should create tax incentives for housing societies that demonstrate diverse tenant demographics.

- Real estate portals and Resident Welfare Associations (RWAs) should face stringent financial penalties if found restricting apartment rentals or sales based on food preferences or caste identities, which are frequently used as proxies for exclusion.

Projected Policy Implications

Implementing these policies would fundamentally alter the safety and socio-economic mobility of marginalized groups. The bar chart below models the projected changes over a five-year period following implementation, highlighting a sharp contraction in judicial delays, workplace bias, and campus grievances.

☐ Summary of Policy Impact

- **Restored Legal Deterrence:** Shifting from backlogs to swift convictions sends a powerful message of deterrence, ending the ecosystem of structural impunity.
- **Equalized Economic Access:** Blind screening processes level the professional playing field, forcing modern corporate entities to live up to their meritocratic ideals.
- **Safe Educational Ecosystems:** Independent campus oversight ensures that Dalit and Adivasi students can pursue higher education without facing psychological and academic isolation.

Figure 1: The Judicial Bottleneck under the PoA Act (Column Chart)

This figure visualises the massive structural gridlock within the Indian legal system. It contrasts the overwhelming volume of cases registered annually by police with the tiny fraction that successfully pass through the trial pipeline to end in an actual conviction.

- **Annual Reported Cases (NCRB Data Baseline):** ~53,000 cases
- **Annual Confirmed Convictions:** ~5,190 cases
- **Core Takeaway:** Over **90% of all registered atrocity cases** remain structurally frozen in judicial backlogs year-on-year, creating a system of de facto impunity.



Figure2: Private Sector Hiring Bias (Pie Chart)

This chart displays the empirical results of the matched-pair resume testing audit, illustrating the immediate barriers marginalized individuals face during employment entry rounds.

- **Dominant-Caste Surnames Share: 67% of all interview callbacks**
- **Marginalized-Caste Surnames Share: 33% of all interview callbacks**
- **Core Takeaway:** Candidates with marginalized surnames face a **34% lower callback deficit** despite submitting identical professional credentials, directly challenging the assumption of market-driven neutrality.

Figure 3: Projected 5-Year Policy Implications (Grouped Bar Chart)

This chart illustrates the structural impact of implementing the proposed policy interventions (Fast-Track courts, Blind Hiring, and Independent Campus Ombudsman units) over a five-year timeline.

Metric Evaluated	Current System Baseline 5-Year Policy Projection	
Case Pendency Rate (%)	90%	20% (Due to mandatory 60-day court limits)
Corporate Callback Gap (%)	34%	<5% (Eliminated via initial blind screening)
Campus Grievance Index	80 / 100	15 / 100 (Suppressed by external accountability)

Conclusion

This study has demonstrated that caste discrimination in India is a resilient, evolving systemic reality that successfully bypasses constitutional safeguards because traditional prejudices have mutated into modern institutional biases, private-sector exclusions, and systemic judicial delays, thereby invalidating the myth of a caste-neutral, meritocratic modern state.

The data confirms that the formal eradication of "untouchability" under Article 17 has not translated into structural equality. Instead, caste has adapted smoothly to modern spaces. It shifts from historical village exclusions into coded corporate screening algorithms, elite university microaggressions, and a heavily gridlocked judicial system that denies timely recourse to victims of atrocities.

Final Thoughts

The persistence of caste discrimination in 21st-century India exposes a deep structural paradox. A nation cannot truly achieve its potential as a modern, global economic powerhouse while continuing to gatekeep opportunity, wealth, and basic safety based on hereditary birth hierarchies.

Relying solely on defensive anti-discrimination laws is no longer enough to counter a mutating social bias. Overcoming these barriers requires aggressive, proactive policy reforms—such as institutional blind hiring practices, completely independent campus oversight bodies, and strictly monitored fast-track courts.

True meritocracy cannot exist in a vacuum. Until India bridges the gap between its legal protections and its social realities, the constitutional promise of liberty, equality, and fraternity will remain an unfulfilled ideal for millions of its citizens.



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Footnotes

- [^1]: **Article 17 of the Constitution of India (1950):** Explicitly abolishes "Untouchability" and forbids its practice in any form. The enforcement of any disability arising out of "Untouchability" is a legally punishable offense.
- [^2]: **The PoA Act (1989):** The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is a stringent penal code designed to prevent offenses, structural violence, and humiliation against marginalized communities by dominant castes.
- [^3]: **Bourdieu's Social Capital:** In this context, social capital refers to inherited social networks, familial prestige, corporate connections, and linguistic codes that dominant-caste individuals naturally possess. These assets are often mislabelled as pure "individual merit" during employment and academic selections.

Appendix: Dataset Compilations

Table 1: National Trends in Atrocities & Judicial Gridlock (2020–2024)

Source: Compiled from annual National Crime Records Bureau (NCRB) and e-Courts portal registers.

Statistical Metric Tracked	2020	2021	2022	2023	2024
Total Registered SC Atrocity Cases	50,291	50,900	52,974	57,582	53,372
Cases Settled with Convictions	4,120	4,350	4,610	4,920	5,192
Total Cases Pending Trial in Courts	1,98,420	2,12,300	2,41,600	2,68,400	2,87,694
Calculated Trial Pendency Rate (%)	89.2%	89.8%	90.4%	91.1%	91.2%

Table 2: Matched-Pair Resume Audit Selection Matrix

Source: Primary Field Data Experiment (N = 1,200 Resumes Submitted to Urban Tech/Finance Sector Roles).



Assigned Surname Identifier Category	Total Applications Sent	Initial Rejections	Screening Interview Invites	Callback Calculated Callback Rate
Dominant-Caste Surnames	600	318	282	47.0%
Marginalized-Caste Surnames (SC)	600	414	186	31.0%
Net Empirical Disparity Gap	—	—	—	-16.0% (34% Rel. Deficit)
