



General Assembly

Distr.: General
1 October 2021

English only

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by Association pour l'Intégration et le Développement Durable au Burundi, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2021]

* Issued as received, in the language(s) of submission only.



Irrespective of caste

As per Article 124 of the Indian Constitution, any Indian citizen can become a judge and lawyer, irrespective of caste, religion and gender. Unfortunately, this right is not being respected and implemented in India due to biblical ideas. India's higher judiciary lacks diversity in many forms such as gender, caste and religion. It is now a monopoly of high caste lawyers and judges. Traditionally and conventionally, Brahmins have dominated judgeship at the highest level. Problems are created for scheduled castes lawyers and judges. The system has only deepened this professional homogeneity further. In India the issue of imbalanced representation in terms of gender, caste, religion, etc. for appointment of judges and lawyers remains controversial highlight the same. The Chief Justice of India N.V. Ramana recently remarked that appointments in the higher judiciary should reflect social diversity. High caste Judges and lawyers did not allow scheduled caste lawyers to work in the judicial system and have been either threatened or killed. In September 2020 a lawyer named Devji Maheswari from the Dalit community was allegedly killed in Gujarat in broad daylight. He was repeatedly threatened to close his chamber and practice. The district police registered an FIR eight hours after the murder took place and named eight suspects. One of the accused, identified as Bharat Raval, a Brahmin, was arrested by Crime Branch police but was later released on bail. The case proceedings are still pending as the deceased was a Dalit lawyer. Judiciary is an important pillar of the state, and all castes have equal rights to join and rise in this profession. I urge this Council to please direct the Indian government to ensure equal representation of all castes in the judicial system in India.
