

The practicality of implication of justice and identity of marginalised people in India: A critical analysis of *uchalya* (The *Branded*) by Laxman Gaikwad

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Abstract: The word 'justice' has been very prevalent in the Indian judicial system since Indian independence but the implementation of it is still a question. Throughout these years from the post-independence, there has been a great change and representation for the Dalits but there are still some who are struggling for an identity and justice. Laxman Gaikwad's autobiographical novel 'uchalya' talks about the Marathi untouchable community who are branded as thieves. Gaikwad gives insights into his community's struggles, poverty injustice, and oppression they endure. The present paper aims to attempt to show how the injustice of the untouchable is still prevalent in India after 75 years of independence. through the pursuit of justice for their community they are looking forward to an identity and recognition.

Key Words: Dalits, oppression, identity, Uchalya community, criminals, justice etc.

1. INTRODUCTION:

Laxman Gaikwad's Uchalya talks about oppression and marginalization faced by the Uchalya community often referred to as "Pilferers," a label bestowed upon them by the British, irrespective of their actual involvement in criminal activities. Gaikwad showcases how their community denied work opportunities and led a decent life. The Uchalya were branded as thieves a label bestowed by the British during their colonial rule in India under the provisions of the Criminal Tribes Act in 1871. According to the act they are denied employment, identity, and opportunities, and are forced to thievery as tradition from their ancestors to meet their basic needs and food. They had no choice other than thievery. Gaikwad says "Nobody would offer work to my father, Martand, as we were known to belong to a branded tribe of criminals. They would not employ my mother, Dhondabai, even as a farmhand". Even though there are representation and provisions for the scheduled tribes in India, it doesn't meet the requirements and needs of these people.

In the Dalit literature, the writers give insights into the struggles and oppression faced by the marginalized people. They often question social injustice, caste-based discrimination, and the quest for an identity and self in society. Every individual irrespective of caste, gender, and religion desires to be a part of society.

In Sanskrit, the term 'Dalit' means oppressed and marginalized. they face hurdles in getting opportunities in the work field and education. Even after 75 years of independence, Dalits face challenges and injustice at the hands of privileged people. Through Dalit literature and activism, the writers want to advocate equal recognition and dignity in society.

"A Dalit does not need a certificate from others to prove his worth. He is a human and his existence is justified in himself." -- by Kanshi Ram

Gaikwad writes that they are equated with cattle "This is because, much like "permits" are required for the movement or sale of cattle in the market, the Uchalyas carry "passes" as they migrate from one place to another (Gaikwad 63). The people of the Uchalya community were not allowed to go anywhere without getting permission from the police or the upper caste people. Whenever there is a thievery in their neighbourhood the police would arrest the Uchalya people

even if they are innocent. Their identity has been reduced to just an animal and they have to carry the shame of a thief. They can't get rid of the scar as a thief. Generation after generation they have to carry the branded identity. Even after the equal rights and representation for Dalits in the country, they can't wash away their branded identity in society. At last, it is the people that determine the identity and dignity in society. They would always have a prejudice and indignity towards the Dalits. The only identity Dalits have is representation in political parties and elections. During the time of elections, political parties would show respect and sympathy towards them to represent in the elections. The parties would manipulate by saying that they would raise the funds and raises for the election which they would never do. These poor people have to raise funds from their own pockets. Gaikwad was the victim of this political game.

2. CRITICAL ANALYSIS:

Laxman Gaikwad gives a vivid description of how the *Uchalya* community is mistreated by society due to their social stigma. It is because of the poverty and lack of employment opportunities that they are forced to take thievery. The community elders used to teach the art and skills of thievery to children, They had to endure physical abuse and verbal reprimands to tolerate the pain caused during the capture. sometimes they have to bear the pain of chili powder which results in them urinating. whenever there is thievery in the neighbourhood the police would arrest the *Uchalya* people and beat them tremendously. Because of their branded identity, they have to face the oppression and torment of the top authorities. They have no voice of their own, Gaikwad through his autobiography wants to represent the voice of his community and all scheduled tribes of India. these people are struggling to have a voice of their own because they have no dignity and identity in society, they are reduced to mere animals.

Even though they are neglected and contemptible in society, they have no shame in taking pride in their identity as thieves. Gaikwad writes that his grandfather and his grandmother are versatile thieves named Lingappa and Narasabhai. grandfather was killed by his community people because he couldn't bear the beating of police and feared that he might disclose the names of the community. his father Martand stopped thievery after sustaining severe pain in his backbone. Gaikwad writes that his grandmother had stopped thievery because she could not stand the beatings of the police. She says "When the police catch me, they hang me upside down by the legs and lash the soles of my feet with a whip, thrust burning cigarette butts into my anus. If I don't confess to the theft, they bring shit near my mouth and force me to eat it and keep on beating me".

Gaikwad understood that it was through education that he could be free from the constraints of society. It infused him with a new habit of cleanliness, he began to dress up neatly and desired a good appearance and looks. unlike other children in the community, he had got secondary education which made him contemplate his thoughts and ideas more deeply. he was the only child from the nomadic tribe to be admitted to the school because of this he was constantly alienated from the members of other communities. The government has issued many programs, policies, and laws to ensure education for every member of the community but they have overlooked the challenges and problems faced by the oppressed people. They are neglected and alienated even in the education sector. It shows the impracticality of the Indian system, for Dalit's education paved a dignity, empowerment, hope, and upliftment.

While the Dalits are facing poverty and marginalization in society, the mainstream people loot the wealth and money of the public sector. Isn't it an injustice? Why does society always find faults in Dalits while the main antagonists are the mainstream people and the society? There is no one to question the malpractice of these people. Gaikwad writes;

" But I feel sad to see that people from the Nomadic and Denotified Tribes are still looked upon as thieves by the police and the society. Their houses are regularly searched. Even their broken and hole-ridden utensils are confiscated. Not even a simple inquiry is held in respect of officers who amass enormous wealth and properties well beyond their legitimate means and income. This is my experience from very close quarters "

Even now in 2024, it is reported that the Dalits are discriminated against and marginalised in prisons. The government has intervened in the matter and asked the authorities to stop discriminating against the prisoners based on their caste and religion and assigning them to work accordingly. Even after these years of post-independence many states are discriminating against the people, because they have committed the crime. The upper authority or the police are taking matters into their hand by punishing them. modern age and education didn't change the social stigma of the people. The article reads;

“The Union government has taken a serious view of some States discriminating against prisoners based on their caste and religion and assigning them to work accordingly. Saying that it was unconstitutional, the Union Home Ministry wrote to the Chief Secretaries of all States and Union Territories urging them to ensure that their Jail Manuals did not contain any discriminatory provisions. The Constitution of India prohibits any kind of discrimination on the grounds of religion, race, caste, and place of birth. The Model Prison Manual, 2016, prepared by the Ministry and circulated to all States and Union Territories in May 2016, explicitly prohibited caste- and religion-based discrimination of prisoners in the management of the kitchen or cooking of food on a caste or religious basis.....”[DON’T SEGREGATE PRISONERS ON BASIS OF CASTE, RELIGION: GOVT by S. VIJAY KUMAR. The Hindu newspaper 1 march 2024]

Madhu, a tribal man was beaten to death by the people alleging he had committed theft. To satisfy his hunger and poverty he had to steal a packet of rice and chili powder but in the eye of society, it’s a crime bigger than murder. The people had taken matters into their own hands believing that they were the authority and justice. Just because he is a scheduled tribe he has to pay the cost in the form of life.

“27-year-old Madhu, a resident of a tribal settlement in Attapadi, Palakkad was roughed up by the mob on Thursday after they allegedly found 'stolen food items' with him. A polythene bag in his possession had some rice, a packet of chili powder, coriander powder, a couple of cigarettes, a broken mobile charger, and a torchlight! This was enough for the frenzied mob of around 40 people to conclude that Madhu was a thief and had to be taught a lesson.[**India times** feb 23 , 2018; bobins abraham]

3. CONCLUSION:

The injustice faced by the tribal communities is severe, Even though there is a justice system in India, it couldn't implement justice for all. Due to the status quo and caste stigma, they are tangled in the web of oppression. The quest for identity is still a question mark for these people. Poverty and lack of opportunities push them into thievery. Uchalya gives an account of the broader issues of social resilience and identity. Through his work, Gaikwad condemns all the social and religious systems of India. he joined many Dalit movements through which he wanted justice, equality, and security for all the members of the community. Uchalya is an eye-opener that addresses the adversities and struggles of the pilfer community. He believes that soon the Dalit movement would get its success and scheduled tribes would have identity and dignity like that of the other people.

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