



The Challenges of Dalit and Minority Advocates in the Justice System

A study report of Bihar Courts



In Collaboration with
Bihar Legal Network

2025

Preface

It is with deep commitment and a strong sense of purpose that I present this research study, *The Challenges of Dalit and Minority Advocates in The Justice System*. This study sheds light on the systemic barriers, discrimination, and professional struggles faced by Dalit and minority advocates in Bihar's judicial system, particularly in lower courts where caste, religious, and gender biases continue to shape access to justice.

The legal profession is meant to be a pillar of justice, equality, and fairness. However, the reality for advocates from marginalized communities is starkly different. The deeply entrenched caste-based and religious discrimination within the judiciary, bar associations, and legal institutions often limits the opportunities available to these advocates. Women advocates from Dalit and minority backgrounds face even greater challenges, confronting not only caste and religious biases but also gender-based exclusion. This research seeks to document these realities and advocate for systemic reforms that ensure equitable access to justice for all.

I extend my deepest gratitude to **Navneet Chandra**, whose dedication and expertise have been the backbone of this research. From meticulously analyzing data to structuring findings and drafting the final report, his efforts ensured clarity, accuracy, and coherence at every stage. His commitment to refining and presenting this work in its best form has been truly invaluable.

I also sincerely appreciate **Adv. Mohd. Shahrukh Khan** for his thorough and efficient coordination of the field team, ensuring seamless execution of data collection.

This study is built on extensive fieldwork across multiple districts in Bihar, with firsthand accounts gathered through in-depth interviews and discussions. The tireless efforts of our field investigators—**Sanjay Mahi, Adv. Arman Ali, Riya Paswan, Nisha Gupta, and Adv. Ibrar Raza**—were instrumental in documenting the lived realities of Dalit and minority advocates. Their dedication to uncovering the truth, often in difficult circumstances, has made this research both comprehensive and impactful.

A special note of appreciation goes to all the advocates, legal professionals, and community members who participated in this study. Their willingness to share their experiences, challenges, and insights has been invaluable in shaping this research. Their voices form the backbone of this report, bringing to light the realities that often go unheard. Without their contributions, this study would not have been possible.

This study is not just an academic inquiry but a step towards justice—towards recognizing and addressing the barriers that prevent marginalized communities from accessing and practicing law on equal footing. I hope this research serves as a resource for legal professionals, activists, policymakers, and scholars who are dedicated to the cause of justice and equality.

Adv Savita Ali
Director, MKVS

Abstract

This research investigates the systemic barriers and discrimination faced by Dalit and minority advocates in Bihar's lower courts, with a focus on caste, religion, and gender-based challenges. Employing qualitative methods, including in-depth interviews and focus group discussions, the study identifies key issues such as professional exclusion, biased case allocation, financial hardships, and the underrepresentation of marginalized advocates in leadership roles. The compounded challenges faced by women advocates due to intersecting caste and gender discrimination are also highlighted. The findings reveal critical gaps in policy, including the absence of robust anti-discrimination measures, inadequate grievance mechanisms, and limited mentorship opportunities. The study concludes with actionable recommendations to promote inclusivity, improve representation, and strengthen the legal framework to ensure equitable access to justice for marginalized communities.

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Chapter 1

Introduction

The legal system is meant to uphold fairness and equality, yet Dalit and minority advocates in Bihar face systemic discrimination. Our study, *"The Challenges of Dalit and Minority Advocates in the Justice System,"* examines how biases persist in Bihar's judiciary, particularly in lower courts, affecting marginalized legal professionals. While the legal profession should foster justice, it often reflects and reinforces societal inequalities.

Despite constitutional guarantees of equality, caste, religion, and gender continue to dictate access to legal opportunities. Advocates from Dalit and minority communities encounter biased case allocation, exclusion from networks, lack of mentorship, financial instability, and even direct discrimination from colleagues, court staff, and judges. These barriers are particularly severe in atrocity cases, where caste-based violence is central to legal proceedings. Advocates from these communities must operate within a system that is often unsympathetic or even hostile to their cause, making their pursuit of justice even more challenging.

Women advocates face additional discrimination, as gender biases compound caste and religious prejudices. Despite their qualifications, they struggle for equal pay, leadership opportunities, and professional recognition. Many also experience harassment and systemic discouragement, limiting their ability to practice law freely. Their challenges highlight the urgent need for gender-sensitive reforms within the legal profession.

This research employs qualitative methods, including in-depth interviews and focus group discussions, to document these experiences. Beyond highlighting discrimination, the study proposes solutions such as institutional reforms, mentorship programs, financial support, and stronger anti-discrimination policies within bar associations and courts.

The struggle of Dalit and minority advocates is not just about professional inclusion—it is about justice itself. When those fighting for marginalized communities are systematically excluded, the foundation of democracy and human rights is weakened. This study seeks to bridge these gaps by advocating for a more equitable and representative legal system in Bihar.

Chapter 2

Review of Literature

A critical examination of existing literature highlights systemic barriers and structural inequalities that hinder access to justice for marginalized communities in India. Studies such as *Appearing in Court in India: Challenges in Representing the Marginalized* by S. Murlidhar (2022)¹ and *Access to Justice for Marginalized People in India* by Ayush Shukla (2020)² expose the failures of legal aid frameworks, procedural hurdles, and caste-based exclusions within the legal system. Mr. Murlidhar critiques the inefficacy of the Legal Services Authorities Act (1987), while Mr. Shukla assesses the National Legal Services Authority (NALSA), both arguing that these mechanisms fail to adequately support marginalized litigants.

Further, studies like *SDG-16 and Access to Justice for Marginalized Dalits* by Dr. Amarnath Paswan³ and *The Marginalized in India's Legal System* by S. Raghavan emphasize caste and socio-economic biases in judicial processes, police apathy, and the lack of Dalit representation in legal professions. These works reveal how systemic discrimination persists despite constitutional safeguards, underscoring the need for institutional reforms. Meanwhile, *Evaluating the Entry Barriers to the Litigation Profession in India* by Joshua Rennie⁴ sheds light on challenges faced by aspiring lawyers, highlighting how corruption, economic instability, and lack of mentorship discourage graduates from entering litigation.

Empirical studies such as *Atrocities on Scheduled Castes: A Time Series Analysis* by Deepak Kumar & Harblas Heera⁵ and *Atrocities on Dalits - A Human Rights Perspective* by Ajay⁶ analyze data on caste-based violence, demonstrating that legal frameworks like the Prevention of Atrocities (POA) Act (1989) often fail due to weak enforcement, underreporting, and judicial biases. These studies reinforce the intersectional vulnerabilities of Dalits, particularly Dalit women, who face compounded discrimination.

While existing research focuses on marginalized individuals seeking justice, the challenges faced by Dalit and minority advocates, particularly in Bihar, remain underexplored. This study shifts the focus to their experiences, examining institutional challenges, biases, and exclusionary practices that hinder their growth. It also highlights the intersectionality of caste, religion, and gender, especially for Dalit and minority women advocates, contributing to a deeper understanding of legal profession inclusivity and access to justice in Bihar.

¹ S. Muralidhar, *Appearing in Court in India: Challenges in Representing the Marginalized*, Caste: A Global J. on Soc. Exclusion 421 (2022), <https://doi.org/10.26812/caste.v3i2.452>.

² Shukla, A. (2020) 'Access to Justice for Marginalized People in India', *MyLawman Socio Legal Review*, 1(1). Available at: <https://mslr.pubpub.org/pub/ii7rd56v>.

³ Amarnath Paswan, *SDG-16 and Access to Justice for Marginalized Dalit: A Study of Patepur Village of Ghazipur District of Uttar Pradesh*, 8 Int'l J. Rsch. & Innovation Soc. Sci. 2261 (2024).

⁴ Rennie, Joshua. *Evaluating the Entry Barriers to the Litigation Profession in India*. Research Foundation for Governance in India, 2010.

⁵ Deepak Kumar & Harblas Heera, *Atrocities on Scheduled Castes: A Time Series Analysis*, 7 DAV Shodhdhara 64 (2018), <https://ssrn.com/abstract=3397051>.

⁶ Ajay, *Atrocities on Dalits—A Human Rights Perspective*, 1 ILI L. Rev. 54 (2010), available at <https://ssrn.com/abstract=1578221> (last visited Oct. 28, 2009).

Chapter 3

Research Methodology

This section provides findings from the investigation into obstacles Dalit and minority activists encounter while seeking justice in the Bihar state court system, particularly but not exclusively as they relate to cases originating in lower courts, and atrocity cases. This is the main reason this method is used since it makes sure that we analyze the challenge faced by these advocates (especially women) systematically and it meets the objective of the study, which is to make the input actionable.

Using qualitative research design, the study is well-positioned to investigate systemic discrimination in access to justice as a social complexity. Through qualitative research, the experiences, perceptions, and challenges faced by advocates from Dalit and minority backgrounds are revealed in detail, yielding rich and contextual data.

3.1. Data Sources

- **Primary Data:** This research uses around 90% of primary data. The primary data is collected through in-depth interviews with advocates and focused group discussions (FGDs) with advocates. Based on a set of questions crafted to extract sensitive information.
- **Secondary Data:** A literature review was conducted to gather data from existing research, reports, and publications on caste-based discrimination, minority rights, and access to justice-related studies in India which constituted around 10% of the study. The literature review situates the findings concerning other research and identifies gaps in the literature.

3.2. Data Collection Methods

In-Depth Interviews:

- Semi-structured interview guides provided a consistent format while allowing for deviation and other emerging topics that speak to the participant's unique experience.
- The questionnaire centers on systemic barriers, challenges in case handling, and barriers unique to women advocates.
- Each interview took around 20 to 30 minutes to carry out face-to-face.

Focused Group Discussions (FGDs)

- Focus group discussions (FGDs) are held with 8–10 advocates to discuss common experiences and joint struggles.
- Structured guides are used to moderate discussions and focus on systemic issues and solutions.
- Audio-recorded (w/ consent) and transcribed for analytic purposes after each session. FGDs last for around two hours collectively.

3.3. Data Analysis Techniques

The data analysis for this study was conducted through thematic analysis, which involved repeatedly reading and reviewing the data to ensure familiarity and accuracy. Themes were continually refined to maintain their relevance, and each was carefully named and defined to provide clear insights and recommendations. This process led to the identification of key themes, including systemic barriers to access to justice, caste and gender-based discrimination, resource and infrastructure challenges, the intersectionality of caste, gender, and class, and the need for policy and systemic reforms. These themes highlight the structural challenges faced by Dalit and minority advocates, emphasizing the need for a more inclusive and equitable legal system.

3.4. Ethical Considerations

- **Consent:** This includes having participants receive clear language explaining the purpose of the study, the procedures involved, and their rights. Participation is based on prior consent.
- **Confidentiality:** All personal data are anonymized and identifiers were removed to maintain participant confidentiality. The data is stored and can be only accessed by authorized researchers.
- **Voluntary:** Participation in the study is completely optional, and participants may discontinue their involvement at any time without penalty.

3.5. Limitation of the Study

This study offers valuable insights into the experiences of Dalit and minority advocates navigating Bihar's legal system. It stands as an important milestone in highlighting the challenges faced by these communities. While the sample of 237 advocates—spread across nine districts and representing about 5% of the target group—provides a significant contribution, it may not capture the full spectrum of experiences throughout the state. The use of qualitative methods, including interviews and focus groups, enriches the findings with detailed context, though there is a chance that factors like social desirability may have influenced some responses. Additionally, although the primary focus is on caste and gender discrimination, the study also touches on the roles of socio-economic status and educational background, which can further shape advocates' experiences. Despite these limitations, the study remains an essential resource that deepens our understanding of the systemic challenges in Bihar, underscoring its importance for both current analysis and future research efforts.

Chapter 4

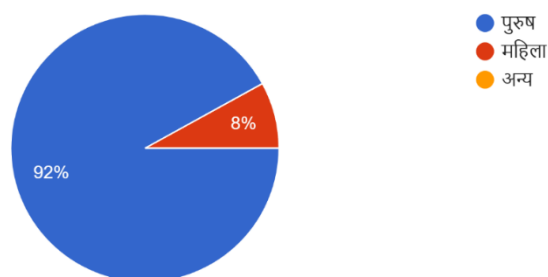
Key Findings

Dalit and minority advocates in Bihar face systemic challenges in their legal careers, including difficulty in securing significant cases, discrimination from judges and senior lawyers, and lack of support from bar associations. High-profile cases often go to upper-caste advocates, while many Dalit and minority lawyers struggle with low-income, bias in courtrooms, and limited mentorship opportunities. Women advocates experience additional gender-based discrimination, lower earnings, and difficulty balancing work and personal responsibilities. Many from marginalized communities hesitate to seek justice due to fear and legal delays, while public prosecutors often fail to advocate effectively for them. Despite legal protections, these advocates remain excluded from key legal opportunities, highlighting the urgent need for policy changes, institutional support, and a more equitable legal system.

Here's a glimpse at some of important and meaningful questions along with their responses:

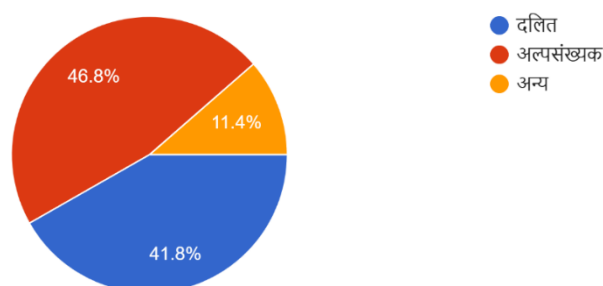
1. Participant's Gender

Understanding the gender composition of Dalit and minority advocates is crucial because women advocates may face double discrimination, both caste- and gender-based. This question helps in identifying whether challenges differ for male and female advocates in legal practice.



Out of **237 participants**. Only a few 19 were female, which shows that even though we have progressed as a nation, we still lack social growth, where women are suppressed and faces uncountable barriers in the legal field.

2. Caste Category



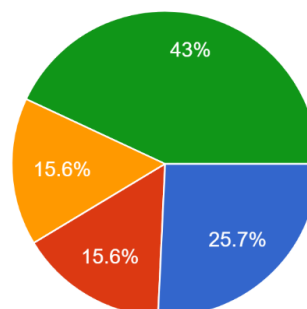
Here out of the given numbers of total participants, only **46.8% (111)** were from Muslim community, **41.8% (99)** from dalit and, **11.4 % (27)** were from Other backward classes were available.

One of the biggest barriers in this study was that there a very few advocates in Bihar who belong to the marginalized communities. Out of crores of population of these communities in Bihar, only a few actually become a practicing advocate. Even though the study only focuses on 9 districts, the number is very small.

3. Experience as an advocate

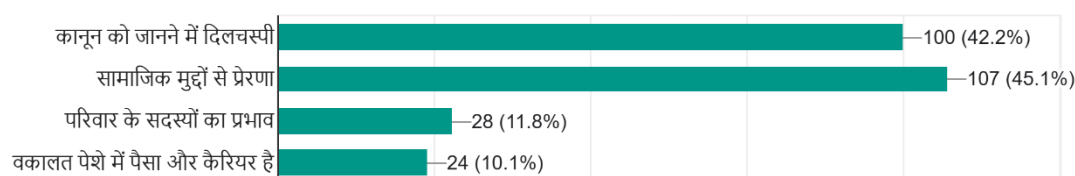
Experience levels can indicate whether early-career advocates face more difficulties in establishing themselves or if discrimination persists even after years of practice.

Here, around **43% (102)** of the advocates have been in practice for more than 16 years, which means either means they had more time to establish them, or more years of struggle, in the crooked social structure. At the same time, the beginners in this field also tend to suffer from it, since establishing oneself as an advocate is not easy in this age of competition.



4. Why the Law profession?

Understanding the motivations behind choosing law helps analyze whether Dalit and minority advocates enter the profession due to passion, necessity, or social justice goals. It also helps assess whether career choice is influenced by systemic barriers in other professions.



The fact that most people choose law because of social issues **45.1% (107)** or personal interest in legal knowledge **42.2% (100)** suggests that many see law as a way to fight for justice and bring change. This supports your idea that policy changes can help improve representation and working conditions for minority advocates since many enter the field with a strong sense of purpose.

At the same time, the low percentage **10.1% (24)** of people choosing law for financial and career reasons suggests that economic challenges might make it harder for marginalized groups to enter or stay in the profession. Also, only **11.8% (28)** said they were influenced by family, which may mean that many people from underrepresented communities do not have strong legal backgrounds or family networks to support them.

5. What Are the Main Challenges Dalit and Minority Advocates Face in Court?

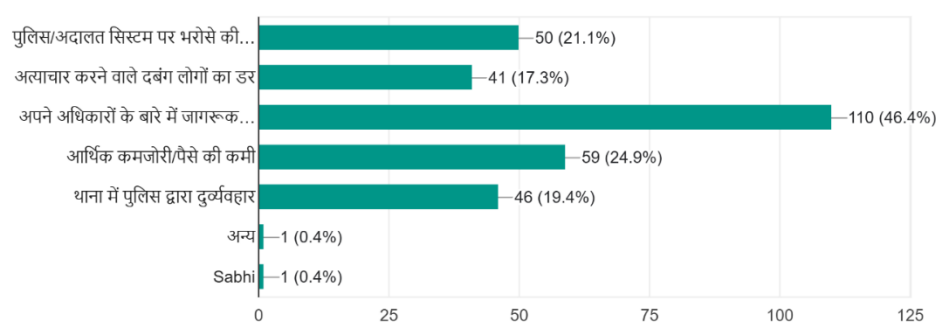


This question highlights the systemic barriers in the legal field, such as bias from judges, exclusion from senior partnerships, difficulties in getting high-profile cases, and lack of financial stability.

The data highlights several difficulties that Dalit and minority advocates face in their careers. The biggest challenge, reported by **35% (83)** of respondents, is the lack of support from experienced senior advocates. Without guidance and mentorship, it becomes difficult for new advocates to grow and succeed in the legal field.

Another major issue is the lack of courtroom debate and advocacy skills **24.6% (57)**, showing that many do not get proper training or opportunities to improve. Additionally, social discrimination in the judiciary **23.6% (56)** creates further obstacles, making it harder for Dalit and minority advocates to advance in their careers. A lack of clients and support from their own communities **24.5% (58)** is also a problem, as it makes it difficult for them to build a strong legal practice.

6. Why Do Dalit and Minority Communities Hesitate to Approach the Police or Courts in Atrocity Cases?



The data shows the main reasons why many people from marginalized communities struggle to

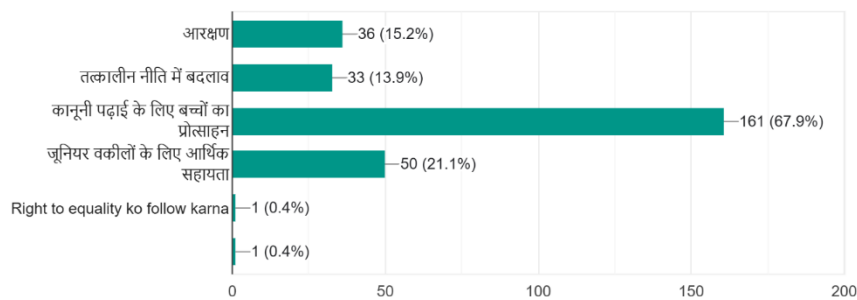
get justice. The biggest problem, reported by **46.4% (110)** of respondents, is not knowing their rights. This means many people do not understand how to get legal help or protect themselves under the law.

Another major issue is lack of money **24.9% (59)**, which makes it hard to hire advocates or fight legal cases. Many people also do not trust the police or courts **21.1% (50)**, so they hesitate to seek justice. Fear of powerful criminals **17.3% (41)** is another reason, as some victims are too scared to take legal action. Additionally, bad treatment by the police **19.4% (46)** makes things worse, making people feel unsafe when approaching law enforcement.

7. What Needs to Be Done to Increase Dalit and Minority Participation in Law?

The data highlights key steps that can help increase representation of marginalized communities in the legal field. The most popular suggestion, supported by **67.9% (161)** of respondents, is encouraging children to pursue legal education. This indicates that many believe early motivation and support can help bring more diversity into the profession.

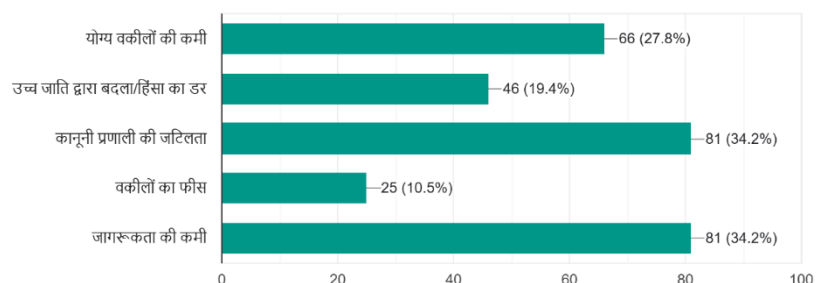
Another important measure is providing financial assistance to junior advocates **21.1% (50)**, which can help them establish their careers.



Reservations (affirmative action) in the legal field **15.2% (36)** was also mentioned as a way to ensure better opportunities for marginalized groups. Additionally, changes in existing policies **13.9% (33)** were suggested, indicating the need for reforms to address systemic barriers.

8. What Are the Obstacles to Justice in Atrocity Cases Against Dalit and Minority Communities?

The data highlights major difficulties that marginalized communities face when seeking legal help. The most common issues, reported by **81 respondents (34.2%)**, are the complexity of the legal system and lack of awareness. This shows that many people struggle to understand legal procedures and do not know their rights or how to get legal assistance.

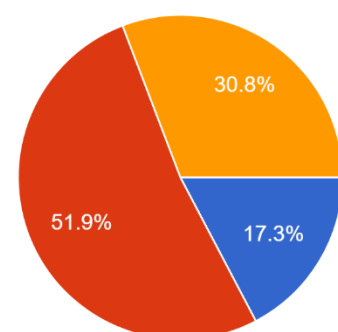


Another big challenge is the shortage of skilled advocates, mentioned by **66 respondents (27.8%)**. This means that people may not have access to experienced advocates who can effectively represent them. Fear of retaliation or violence from upper-caste individuals was noted by **46 respondents (19.4%)**, preventing many from taking legal action due to concerns about possible consequences. Additionally, high lawyer fees were cited as a problem by **25 respondents (10.5%)**, making legal services unaffordable for some.

9. Practice type of Participating advocates

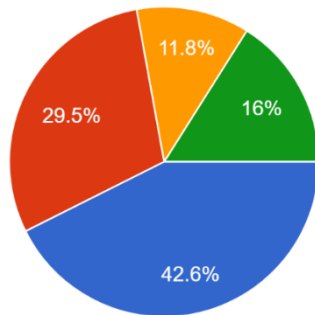
Determining whether advocates work independently, under senior advocates, or in legal firms helps analyze their professional growth opportunities and financial stability.

Out of 232 respondents, the majority, **123 advocates (51.9%)**, practice independently, meaning they work on their own cases without senior guidance. This indicates a significant number of advocates prefer managing their practice autonomously. This also indicates that junior advocates hesitate to reach their seniors because of fear of inequality.



Another **73** advocates (**30.8%**) reported that they work both independently and with senior advocates, balancing their own cases while also learning under experienced advocates. Meanwhile, **41** advocates (**17.3%**) practice exclusively under senior advocates, suggesting that some prefer to gain experience before establishing their independent practice.

10. How Many Cases Do You Receive Monthly?

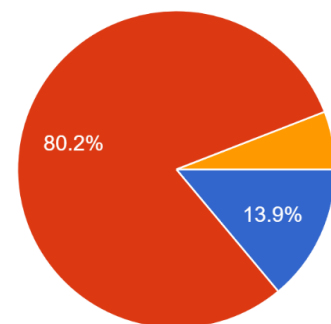


The chart shows how many new cases advocates receive each month. A significant **42.6%** of advocates get only 0-5 cases per month, while **29.5%** receive 6-10 cases. Only **11.8%** handle 11-20 cases, and **16%** get more than 20 cases monthly.

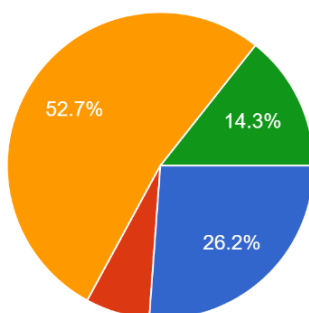
This data highlights a major challenge—many advocates, especially those from marginalized backgrounds, struggle to sustain themselves financially due to a low inflow of cases. With only a few cases per month, survival in the profession becomes difficult, leading to financial instability and dependence on alternative sources of income. The disparity in case distribution also indicates systemic barriers that affect equal opportunities in legal practice.

11. Do District Bar Associations Provide Any Special Benefits for Dalit/Minority Advocates?

The chart shows that **190 (80.2%)** respondents stated that the District Bar Association does not provide any special benefits for advocates from marginalized communities, while only **33 (13.9%)** acknowledged receiving some support. Additionally, **14 (5.9%)** were unaware of any such benefits. This indicates that the majority of advocates from these communities lack institutional backing, making it difficult for them to sustain their practice and compete in the profession. The absence of dedicated support further deepens existing inequalities and challenges their professional growth.



12. How Accessible Is Legal Aid for Marginalized Communities?



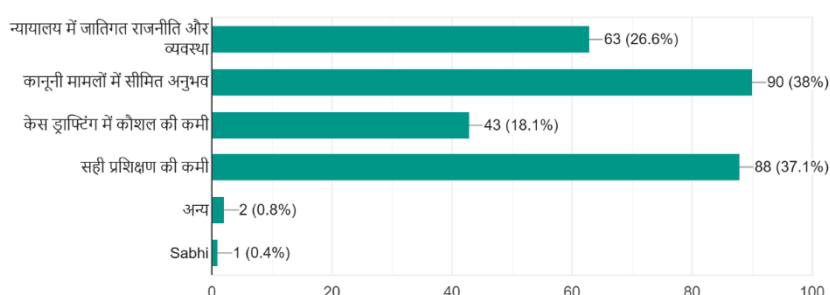
The pie chart represents advocates' perspectives on whether the structure or system for accessing justice is easy to navigate. A significant **52.7%** believe that the system is not easy to access, while **14.3%** feel it is completely inaccessible. This indicates that **67%** of respondents find the justice system difficult to navigate. In contrast, **26.2%** think it is somewhat accessible, and only **6.8%** find it very easy to access. These insights highlight systemic challenges within the legal framework, even for trained advocates,

underscoring the need for structural reforms to ensure that justice is more easily accessible, particularly for marginalized communities.

13. What Are the Major Challenges Advocates Face While Representing Atrocity Cases?

Advocates from marginalized communities face several serious challenges when handling cases of injustice. The biggest hurdle, according to **90** advocates (**38%**), is their limited experience in legal matters. Many struggle to get enough exposure to complex cases, which puts them at a disadvantage compared to their upper-caste counterparts.

Another major issue, highlighted by **88** advocates (**37.1%**), is the lack of proper training. Many from these communities don't have access to quality legal education or mentorship, making it tough to sharpen their courtroom skills. Without this, even the most passionate advocates find themselves unable to argue cases effectively.

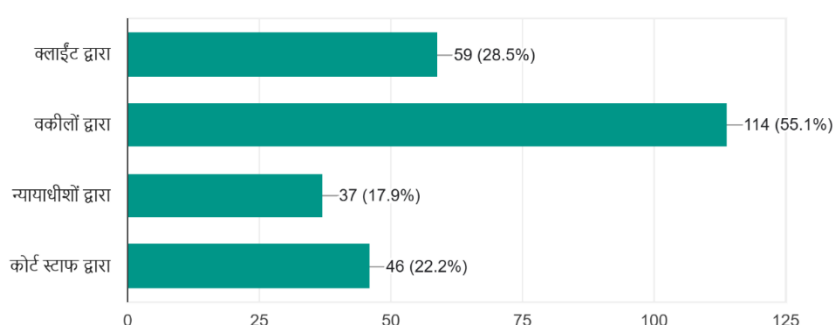


The presence of caste-based politics and biases in the judiciary, reported by **63** advocates (**26.6%**), only makes things worse. Many feel that their caste identity affects how seriously they are taken in court, making it difficult to gain respect and recognition in the profession.

Additionally, **43** advocates (**18.1%**) struggle with case drafting, a crucial skill in building strong legal arguments. Without proper guidance and practice, they often face setbacks in case preparation. And A small number, **2** advocates (**0.8%**), mentioned other challenges, and **1** advocate (**0.4%**) believed that all of these problems combined make survival in the legal field extremely difficult.

14. Caste-Based Discrimination in Legal Practice

Dalit and minority advocates face discrimination from many people in the legal system. The biggest source of this bias is other advocates, as reported by **114** advocates (**55.1%**). Many feel that fellow advocates do not treat them as equals, exclude them from important cases, and do not support their professional growth.



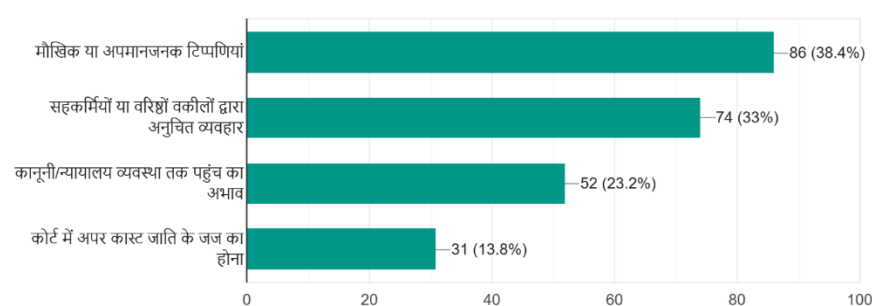
Clients also discriminate, with **59** advocates (**28.5%**) saying that people hesitate to hire them or do not trust them with big cases. This comes from deep-rooted social biases, where people wrongly believe that advocates from marginalized communities are less skilled.

Court staff also create problems, according to **46** advocates (**22.6%**). Many advocates report facing delays, rude behavior, and extra difficulties while handling paperwork and procedures, which makes their work harder.

Even judges are not always fair, as **37** advocates (**17.9%**) say they feel ignored or not taken seriously in the courtroom. This affects their ability to fight cases properly.

Mode of Discrimination

Discrimination remains a major challenge for Dalit and minority advocates in their legal practice. The most common form of bias is verbal or insulting comments, reported by **86** advocates (**38.4%**), making their work environment hostile. Many also experience unfair treatment by colleagues or senior advocates, affecting **74** advocates (**33%**), where they are denied important cases, mentorship, or equal opportunities.



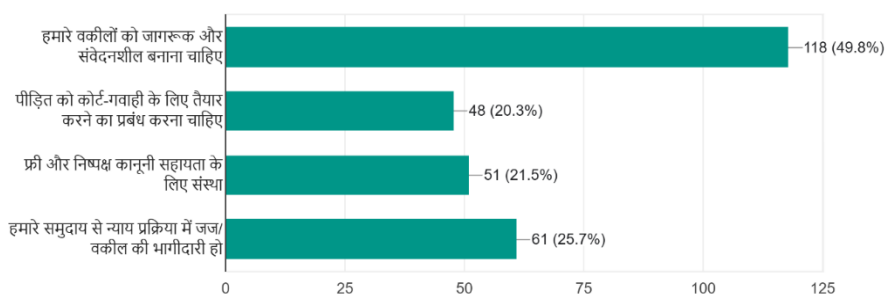
Additionally, **52** advocates (**23.2%**) struggle with limited access to the legal or judicial system, which restricts their professional growth. **31** advocates (**13.8%**)

believe that the dominance of upper-caste judges in courts creates further barriers, making it harder for them to receive fair treatment in hearings.

How to improve the system against accused in atrocity cases

To ensure justice for victims of atrocities against marginalized communities, advocates from these communities believe that multiple steps must be taken. The most significant action is raising awareness and sensitizing advocates, supported by **118** advocates (**49.8%**), emphasizing the need for legal professionals to be more proactive in such cases.

Another crucial step is preparing victims for court testimonies, which **48** advocates (**20.3%**) see as essential to ensuring strong



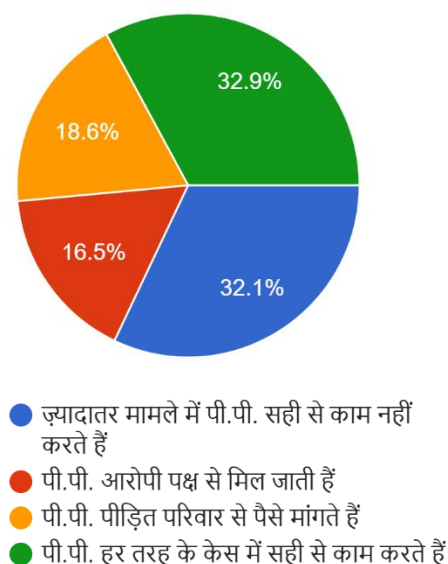
legal cases against offenders. Additionally, **51** advocates (**21.5%**) stress the importance of free and unbiased legal aid, ensuring that victims receive proper representation regardless of their financial status.

And around **61** advocates (**25.7%**) highlight the necessity of greater participation of Dalit and minority advocates and judges in the justice system. This would ensure that courts are more inclusive and sensitive to the challenges faced by these communities, leading to fairer outcomes. These findings reinforce that systemic change is needed to secure justice effectively.

Role and the performance of Public Prosecutors

The data highlights serious concerns about the role of public prosecutors (PPs) in cases of atrocities against Dalits and minorities. A troubling **32.1% (76)** of respondents believe that PPs do not work properly in most cases, while **16.5% (39)** claim that PPs side with the accused, and **18.6% (44)** report that PPs demand money from victims' families. This paints a grim picture of the justice system, where those meant to ensure accountability often fail the most vulnerable communities.

Only **32.9% (78)** believe that PPs work correctly in all types of cases, suggesting that a majority of respondents see significant flaws in the way these legal representatives handle atrocities against marginalized groups. This lack of trust in public prosecutors severely undermines access to justice and emboldens perpetrators of caste and communal violence.

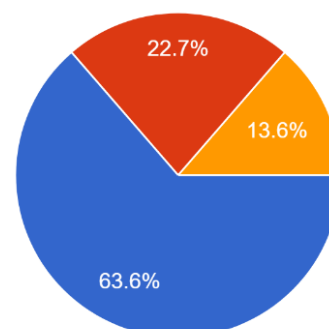


15. Gender cum Caste/Religion based discrimination

Through a few questions focused solely on female advocates, the intersectionality of discrimination and equality came to light. The numbers of participants in this category dropped drastically since it is very rare to find someone from the said communities in legal profession because of the twisted fabric of the society and their mentality.

How often do you face gender-based discrimination?

Gender-based discrimination is a persistent challenge for women advocates from marginalized communities, compounding the systemic barriers they already face due to caste and social status. Among the **22** respondents, a staggering **63.6%** reported experiencing gender discrimination frequently, highlighting how deep-rooted biases continue to suppress their professional growth. This means that for a majority of these women, discrimination is not an occasional inconvenience but a recurring obstacle in their legal careers.

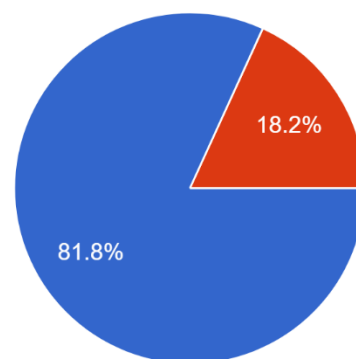


Even more concerning, an additional **22.7%** admitted to facing such bias occasionally, meaning that over **85%** of women advocates surveyed have experienced gender-based discrimination in some form. These numbers expose the harsh reality of legal practice, where

women from marginalized backgrounds are not only undervalued but also actively excluded from opportunities. Only a small fraction **13.6%** claimed to have never faced gender discrimination, emphasizing how rare it is for a woman from these communities to practice law without encountering prejudice.

Gender-based discrimination affects career progression more than caste-based discrimination

The data reveals a harsh reality for women advocates from marginalized communities—gender-based discrimination is perceived as an even bigger obstacle to career growth than caste-based bias. A striking **81.8%** of respondents confirmed that gender discrimination affects their professional progress more than caste discrimination. This finding underscores how the legal profession, already difficult for Dalit and minority advocates, becomes even more exclusionary for women within these communities.



The fact that only **18.2%** of respondents did not see gender bias as a bigger challenge suggests that most women face compounded discrimination—both as members of marginalized groups and as women in a male-dominated profession. The barriers they encounter are not just about access to legal education or opportunities but extend into systemic biases that limit their career advancements, networking opportunities, and credibility in courtrooms.

Field Observations

Besides In-Depth Interviews (IDI) and Focus Group Discussion (FGD), each team also has an observational tool designed to collect data from the study districts. It explicitly aims at estimating the rough number of advocates from marginal communities and understanding their role and engagement in the courts. The study examines the presence of Dalit and minority advocates in nine Bihar districts and the challenges facing them. It examines the complete picture of registered advocates including the number of judges from Dalit and minority communities. Moreover, it covers Public Prosecutors (PPs), Assistant Public Prosecutors (APPs), the number of chambers of advocates, and the functionality of Special SC/ST Courts. In addition to this, it covers court facilities like toilets, women's common rooms, and cleanliness overall. The findings indicate barriers faced by Dalit and minority legal professionals, such as inequity in judicial appointments, limited access to advocate chambers, and poor court conditions. The absence of basic facilities makes it more challenging to work effectively and compounds existing inequalities in the legal system.

Note: All the Data mentioned below is based on the ground observation through the field visits. The actual number may vary.

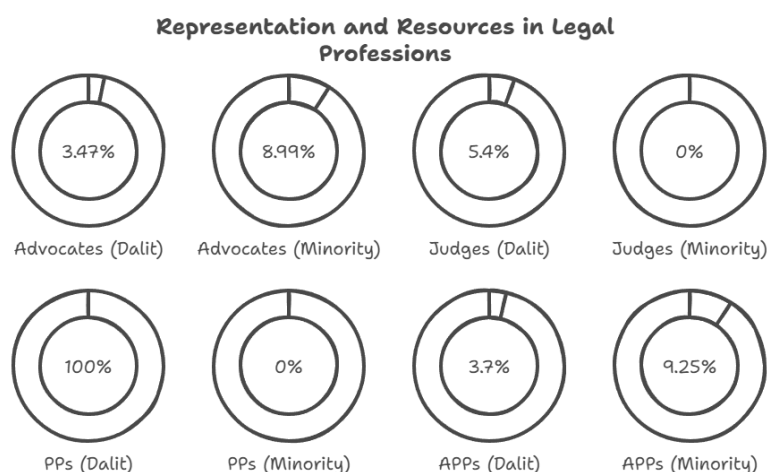
District-Wise Analysis

1. Bhagalpur

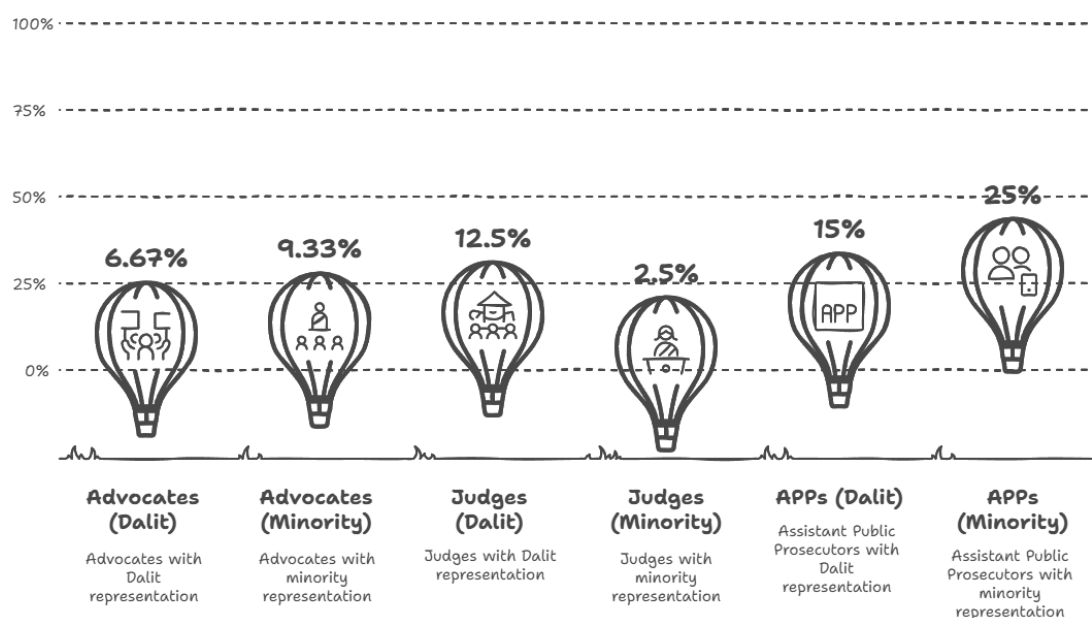
Bhagalpur has one of the lowest Dalit and minority representations in the legal system. Despite 3,889 registered advocates, only **3.47%** (135) are Dalits and **8.99%** (350) are minorities.

There are no minority judges, and Dalits make up only 2 of judges. There is only one advocate chamber for Dalit/Minority lawyers, limiting their professional opportunities.

The court infrastructure is inadequate, with only 2 toilets and no women's common room, making it difficult for women advocates.

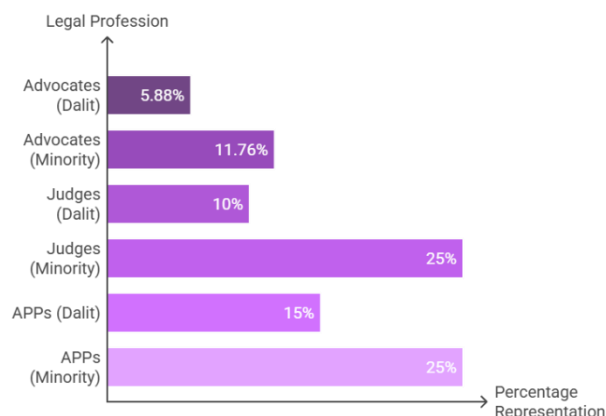


2. Motihari



Among 1,500+ advocates, 100 (**6.67%**) are Dalit and over 140 (**9.33%**) belong to minority communities. Out of 40+ judges, more than 5 (**12.5%**) are Dalit, while only 1 (**2.5%**) is from a minority group. Among 20 Assistant Public Prosecutors (APPs), 3 (**15%**) are Dalit and 5 (**25%**) are from minority communities. There is no dedicated advocate chamber for Dalit or minority lawyers, though 7 chambers exist in total. A special SC/ST court is present. Infrastructure facilities include six toilets with average maintenance, but there is no designated women's common room.

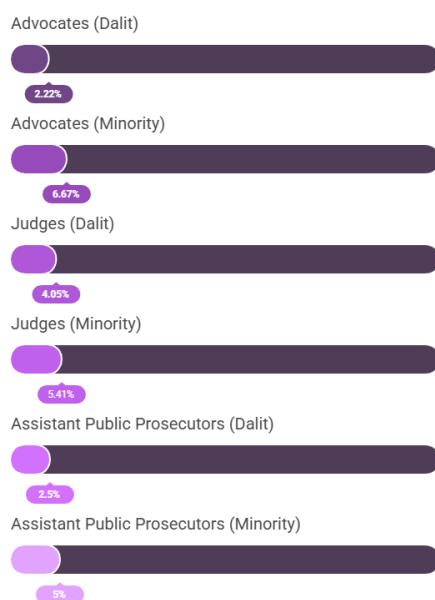
3. Siwan



In Siwan Out of **1,700** advocates, **100 (5.88%)** are Dalit and **200 (11.76%)** belong to minority communities. Among **40** judges, **4 (10%)** are Dalit and **10 (25%)** are from minority groups. Among **20** Assistant Public Prosecutors (APPs), **3 (15%)** are Dalit and **5 (25%)** are from minority communities. Out of **50** advocate chambers, **5** are designated for Dalit and minority lawyers. A special **SC/ST court** is present. Infrastructure includes **8** toilets with

average maintenance and **2** women's common rooms.

4. Muzaffarpur

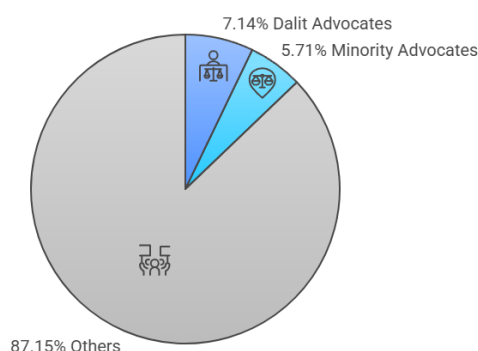


Muzaffarpur has one of the lowest Dalit representation rates. Out of 4,500 advocates, only **100 (2.22%)** are Dalit and **300+ (6.67%)** belong to minority communities. Among 74 judges, **3 (4.05%)** are Dalit and **4 (5.41%)** are from minority groups. The only mentioned Public Prosecutor (PP) is Dalit. Among 40+ Assistant Public Prosecutors (APPs), **1 (2.5%)** is Dalit and **2 (5%)** are from minority communities. Out of 150 advocate chambers, 5-10 are designated for Dalit and minority lawyers. A special SC/ST court is present. Infrastructure includes 10 toilets with average maintenance, but there is no designated women's common room.

5. Sitamarhi

In Sitamarhi, Out of **1,400** advocates, **100 (7.14%)** are Dalit and **80 (5.71%)** belong to minority communities. Among **14** judges, **4 (28.57%)** are Dalit and **2 (14.29%)** are from minority groups. There is **1** Public Prosecutor (PP), but caste or community details are not mentioned. Among **16** Assistant Public Prosecutors (APPs), **2 (12.5%)** are Dalit and **5 (31.25%)** are from minority communities. Out of **70-80**

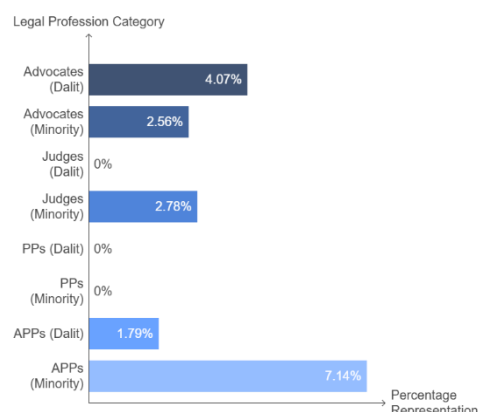
Representation of Dalit and Minority Advocates



advocate chambers, **9** are designated for Dalits and **5** for minority lawyers. A special **SC/ST court** is present. Infrastructure includes **7** toilets with average maintenance and **2** women's common rooms.

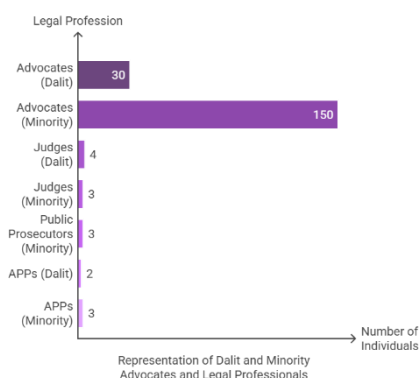
6. Aurangabad (Bihar)

Out of **860** advocates, **35 (4.07%)** are Dalit and **22 (2.56%)** belong to minority communities. Among **36** judges, there is **0 (0%)** Dalit representation and **1 (2.78%)** from a minority group. Among **6** Public Prosecutors (PPs), none are Dalit or from minority communities. Among **56** Assistant Public Prosecutors (APPs), **1 (1.79%)** is Dalit and **4 (7.14%)** are from minority communities. There are no dedicated advocate chambers for Dalit or minority lawyers. Infrastructure includes **7** toilets with good maintenance, but there is no designated women's common room.

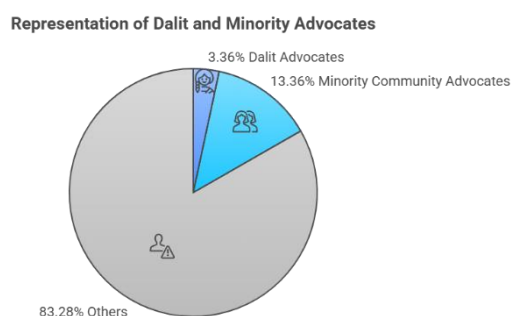


7. Kishanganj

In Kishanganj, Out of **450** advocates, **25-30 (~6%)** are Dalit and **150 (33%)** belong to minority communities. Among approximately **20** judges, **4 (20%)** are Dalit and **3 (15%)** are from minority groups. The number of Public Prosecutors (PPs) is not mentioned, but **3** are from minority communities. Among **10-15** Assistant Public Prosecutors (APPs), **2 (13%)** are Dalit and **3 (20%)** are from minority communities. There are no dedicated advocate chambers for Dalit or minority lawyers. Infrastructure includes **5** toilets with average maintenance, but there is no designated women's common room.



8. Darbhanga



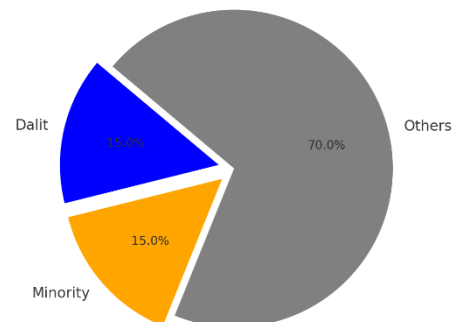
In Darbhanga, Out of **5,500** advocates, **185 (3.36%)** are Dalit and **735 (13.36%)** belong to minority communities. Among **30** judges, **4 (13.33%)** are Dalit and **1 (3.33%)** is from a minority group. Among **10** Public Prosecutors (PPs), **2 (20%)** are Dalit and **1 (10%)** is from a minority community. The number of Assistant Public Prosecutors (APPs) is not mentioned. Out of **55** advocate chambers, only **2** are designated for Dalit and minority lawyers.

Infrastructure includes **10** toilets with poor maintenance, and there is no designated women's common room.

9. Patna (Sadar Court)

Patna, being the capital, has the highest number of registered advocates (10,000). Out of **10,000** advocates, **1,500 (15%)** are Dalit and **1,500 (15%)** belong to minority communities. Among **35** judges, **3 (8.57%)** are Dalit and **5 (14.29%)** are from minority groups. Among **25** Public Prosecutors (PPs), **2 (8%)** are Dalit and **1 (4%)** is from a minority community. The number of Assistant Public Prosecutors (APPs) is not mentioned. Out of **4** advocate chambers, none are dedicated to Dalit or minority lawyers. Infrastructure includes **5** toilets with poor maintenance, and there is no designated women's common room.

Representation of Dalit and Minority Among Advocates



Summary of the Observation Tool

1. Dalit and Minority Underrepresentation

- Dalit advocates range between 2.22% and 15%, while minorities range between 2.56% and 33%.
- Judicial appointments are highly skewed, with some districts having zero Dalit or minority judges.
- Public Prosecutors (PPs) and Assistant Public Prosecutors (APPs) lack diversity, with some districts having no Dalit representation at all.

2. Lack of Basic Infrastructure

- Advocate chambers for Dalit and minority lawyers are either non-existent or very few across districts.
- Most districts lack proper sanitation facilities, with toilets either in poor condition or too few to serve the number of advocates.
- Women's common rooms are absent in nearly all districts, creating an unfriendly work environment for female legal professionals.

Dalit and minority advocates in Bihar face systemic discrimination, financial struggles, and lack of support, limiting their legal careers. Upper-caste advocates are favored for key cases, while bias from judges, senior lawyers, and clients excludes Dalit and minority lawyers. Without mentorship, career growth remains difficult, and women advocates face added gender-based discrimination, affecting recognition and financial stability.

Fear, delays, and distrust in the system discourage marginalized communities from seeking justice, making it harder for these advocates to serve them. Lawyer associations offer little support, and government lawyers often ignore cases from these communities, worsening access to justice. Widespread caste and gender discrimination forces many to work in isolation with limited success. The study stresses the urgent need for policy reforms, financial aid, mentorship, and stronger legal support to ensure equal opportunities and a fair legal system.

Chapter 5

Policy Gaps and Recommendations

Based on the data collected through the survey, it is evident to say that Advocates from Dalit and minority communities face many challenges due to caste, religion, and gender discrimination. These challenges not only affect their professional growth but also create unfair and unequal treatment in the legal profession. To ensure they can work with dignity and equality, policies must address these issues and provide strong support. Below are the key gaps in the current system and recommendations to bridge them.

Policy Gaps

1. Low Representation in Leadership Roles:

Advocates from Dalit and minority communities rarely hold leadership positions in bar associations or legal committees. They are also underrepresented in judicial appointments, which limits their voice in decision-making.

2. No Clear Rules Against Discrimination:

There are no specific policies in legal institutions to prevent caste, religion, or gender-based discrimination. This leaves advocates vulnerable to harassment and unfair treatment.

3. Lack of Financial Support:

Many Dalit and minority advocates come from poor backgrounds and struggle to sustain their practice, especially when taking up cases for low-income clients.

4. Weak Grievance Mechanisms:

Systems to address complaints, such as caste-based harassment or threats, are either ineffective or missing altogether. Advocates often fear retaliation if they speak up.

5. Bias in Case Allocation:

High-profile or profitable cases are often given to upper-caste advocates, leaving marginalized advocates with fewer opportunities.

6. Limited Mentorship Opportunities:

Dalit and minority advocates rarely have access to senior mentors or professional networks, which limits their learning and career growth.

7. Extra Challenges for Women Advocates:

Women advocates from Dalit and minority communities face additional problems like harassment, lack of safety, and unequal treatment, making their profession even more challenging.

Recommendations

1. **Representation in Leadership Roles:**
Reserve seats for Dalit and minority advocates in bar associations, legal committees, and judiciary positions. This will ensure their voices are heard and included in decision-making processes.
2. **Strong Anti-Discrimination Policies:**
Legal institutions must adopt clear rules to prevent caste, religion, and gender-based discrimination. These policies should include strict penalties for violations and provide support for those who face harassment.
3. **Financial Assistance:**
Create scholarships, stipends, and financial aid programs for Dalit and minority advocates. This will help them sustain their practice, especially when they take up cases for underprivileged clients.
4. **Fair Case Allocation:**
Introduce a transparent system for assigning cases based on merit, not social background. This will give all advocates an equal chance to work on important and profitable cases.
5. **Mentorship Programs:**
Launch mentorship initiatives where senior advocates can guide and support Dalit and minority advocates. Regular training, workshops, and networking events should also be organized to build their skills and confidence.
6. **Support for Women Advocates:**
Introduce policies to ensure safety and equal opportunities for women advocates. This includes protection against harassment, travel allowances for court visits, and maternity benefits.
7. **Promoting Diversity in Legal Firms:**
Encourage law firms and organizations to hire advocates from Dalit and minority communities. Recognize and reward firms that actively promote diversity.
8. **Awareness Campaigns:**
Organize awareness programs to educate the legal fraternity about the importance of equality and inclusion. Judges, senior advocates, and bar members should be trained to identify and prevent discrimination.
9. **State-Supported Legal Platforms:**
Create government-backed platforms to support Dalit and minority advocates. These platforms can provide resources, training, and a space to discuss and resolve challenges collectively.

Empowering these advocates is not just about improving their lives—it strengthens the justice system and ensures that marginalized communities have better access to legal support. We can build a legal fraternity that values equality, respects diversity, and upholds the dignity of every individual.

Chapter 6

Detailed Discussion

This chapter looks closely at the challenges faced by Dalit and minority people especially the advocates in Bihar's local courts when handling cases of atrocities. It examines how the basic rights promised in India's constitution often fail to match what actually happens in daily life, the ongoing problem of violence based on caste and religion, and how sometimes when individuals from these communities become successful, it can create new power differences that end up hurting others in their own community. The issues are grouped by main topics. Each part begins with a story that sets the scene, followed by detailed examples and evidence in bullet points to support the key ideas.

This Chapter is as important as the findings of this study, because through this one can understand the crooked formation of the society and at every stage of this structure, the stronger/upper tend to oppress those who are weaker.

Constitutional Framework and Fundamental Rights

The Constitution of India stands today as a symbol of the dream of a non-discriminatory society. Equality, dignity, and justice are the founding principles of it. However, despite its powerful framework for the guarantee of equality, the strong realities of caste and religious prejudice continue to reflect in atrocities against Dalits and minorities. The Right to Equality, as provided in Articles 14 to 18, has been the core of addressing such challenges, especially regarding caste-based violence and religious intolerance

- **Article 14 (Equal Treatment):** The law says everyone should be treated the same way. But in Bihar, when Dalits and minorities deal with police or go to court, they often face unfair treatment.
- **Article 15 (No Discrimination):** The law says you can't treat people differently because of who they are. But people in government offices still make unfair decisions based on their personal prejudices against certain groups.
- **Article 17 (No Untouchability):** The law says treating people as "untouchable" is wrong and illegal. But in real life, Dalits still face daily harassment, violence, and disrespect from others. What the law promises and what actually happens in society are very different.

Caste-Based Atrocities

The caste system in India has historically marginalized Dalits, subjecting them to discrimination and violence despite legal protections. Article 17 of the Constitution abolished untouchability, and the SC/ST (Prevention of Atrocities) Act, 1989, criminalizes caste-based violence. However, systemic oppression persists due to deep-rooted social beliefs, weak law enforcement, and economic exclusion.

Bihar ranks second in crimes against Scheduled Castes (SC), with inadequate government action to address these issues. Many reserved posts for SCs remain vacant, and the education

system sees high dropout rates among SC children. The limited number of hostels for SC girls further restricts access to education. A recent case involving the release of a convict responsible for the murder of an SC community member has raised concerns about justice and accountability.

In September 2024, an armed group attacked a Dalit-majority settlement in Bihar's Nawada district over a land dispute, destroying homes and livelihoods. While arrests were made, the attack exposed persistent caste tensions. Victims, primarily from the Manjhi and Ravidas communities, lost property and belongings, highlighting systemic issues in land ownership and protection for marginalized groups.

Despite these challenges, awareness and reporting of caste atrocities have increased. In 2022, over 67,000 cases were filed under the SC/ST Act, the highest since 2013. Government initiatives such as helplines, educational programs, and special police training have contributed to this rise. However, ensuring timely investigations, higher conviction rates, and stronger protections remain critical to securing justice for Dalits.⁷

Atrocities Against Religious Minorities

The discrimination and violence faced by minorities, especially Muslims, undermine the constitutional promise of equality. Hate crimes, communal riots, and religious intolerance disproportionately target these communities. Mob lynching, particularly in the name of cow protection, has been a significant issue, affecting Muslims and Dalits. Christians also face attacks over alleged forced conversions, creating an environment of fear and insecurity.

Despite constitutional protections under Articles 25–28 and Article 15, religious minorities continue to face discrimination in housing, education, and employment. Reports highlight a rise in anti-Muslim hate speech, particularly during elections. Hindutva Watch documented 255 hate speech incidents in 2023, mostly in BJP-ruled states. Digital platforms have further fueled misinformation, leading to real-world violence.

Human Rights Watch has reported abusive punishments against Muslims, including home demolitions and public floggings without legal authorization. In Gujarat and Madhya Pradesh, authorities demolished Muslim properties as alleged punitive measures. Officials have justified these actions under claims of illegal construction, yet statements from government figures indicate retaliatory intent. These practices violate international human rights laws, highlighting systemic discrimination that demands urgent action.⁸

⁷ Bihar 2nd In Crimes Against Scheduled Caste People: Caste Panel Head, [www.ndtv.com, https://www.ndtv.com/india-news/bihar-2nd-in-crimes-against-scheduled-caste-people-caste-panel-head-4049898](https://www.ndtv.com/india-news/bihar-2nd-in-crimes-against-scheduled-caste-people-caste-panel-head-4049898) (last visited Feb. 10, 2025).

⁸ India: Surge in Summary Punishments of Muslims, Human Rights Watch, <https://www.hrw.org/news/2022/10/07/india-surge-summary-punishments-muslims> (last visited Jan. 23, 2025).

Gender Based Atrocities (Atrocities against women)

Crimes against women in Bihar remain a serious concern, with rising cases and ongoing challenges. In 2021, 17,950 cases were reported, a 16.8% increase from 2020. The crime rate per lakh women population also rose from 64.5 in 2021 to 66.4 in 2022. NCRB data shows India recorded 445,256 cases of crimes against women in 2022, up from 371,503 in 2020.

Major crimes include 'Cruelty by Husband or His Relatives' (31.4%), 'Kidnapping and Abduction' (19.2%), 'Assault on Women' (18.7%), and 'Rape' (7.1%). Bihar also reported 1,000 dowry deaths in 2021, the second highest in the country. Rural areas remain particularly vulnerable, with cases like the Supaul incident, where a woman was branded a witch, highlighting deep-rooted gender violence.⁹

To address this, the Bihar government introduced initiatives like 'Surakshit Safar Suvidha' (dial 112 for help), 35 women helplines, and 21 short-stay homes under the Mukhya Mantri Nari Shakti Yojana.¹⁰ The police have also pledged zero tolerance for crimes against women.

However, challenges persist due to a lack of awareness, increasing cybercrimes, and caste-based violence. Dalit and marginalized women face compounded discrimination, making justice inaccessible. Despite government measures, stronger legal enforcement and awareness are needed to ensure women's safety and empowerment in Bihar.

Intersectionality of Discrimination

People who belong to more than one disadvantaged group in India face unique and deep-rooted unfair treatment. Dalit women and Dalit Muslims experience discrimination not just for their caste but also for their gender or religion, making it harder for them to access basic rights and services. This overlapping discrimination worsens their struggles in education, jobs, and legal matters, leaving them feeling excluded from society.

Dalit women often struggle to get quality education and decent jobs due to both caste and gender bias, leading to financial hardship and social isolation. Similarly, Dalit Muslims face dual discrimination, limiting their opportunities and keeping them from fully participating in society. Studies by groups like the National Campaign for Dalit Human Rights confirm that these intersecting inequalities create a cycle of disadvantage, making it difficult for them to fight against oppression.

At its core, this discrimination is rooted in longstanding social structures. The way caste, gender, and religious biases combine perpetuates exclusion, reinforcing old patterns of inequality. The lived experiences of Dalit women and Dalit Muslims highlight how this persistent unfairness continues to hinder efforts toward a more just and equal society.

⁹ Id

¹⁰ *13% rise in crimes against women in Bihar: ES report* / Patna News - Times of India, The Times of India, <https://timesofindia.indiatimes.com/city/patna/13-rise-in-crimes-against-women-in-bihar-es-report/articleshow/98463177.cms> (last visited Feb. 10, 2025).

Exploitation Within Marginalized Communities

When individuals from marginalized communities succeed, it is seen as a sign of progress and empowerment. However, their success can sometimes create new challenges within the community. As they achieve higher social or economic status, they may unintentionally create new hierarchies, leading to divisions among those who share similar struggles.

In some cases, successful individuals may gain additional advantages, leaving others behind. While personal progress is important, it should not lead to new forms of inequality. True empowerment uplifts the entire community, ensuring that progress benefits everyone, not just a few.

- **Formation of Internal Hierarchies** In our society, the success of Dalit and minority professionals or leaders is a strong symbol of progress. With their achievements, they often gain access to key resources like legal aid, networking, and financial support. While their leadership can uplift marginalized groups, it can also lead to favoritism, where opportunities are given mostly to close associates, unintentionally excluding others.
- **Control of Resources and Gatekeeping:** In Bihar, there are cases where successful individuals have used their power to limit access to opportunities for others. This control can include charging fees or restricting membership in influential networks.
- **Caste-Neutral Networks as New Divides:** The use of "caste neutral" names to reduce discrimination has sometimes resulted in the formation of exclusive networks that unintentionally create new layers of inequality.
- **Effects on Community Unity:** This internal exploitation weakens efforts for social change. When a few individuals control most resources and opportunities, it divides the community and weakens the overall fight against systemic oppression.

Role of Education in Caste, Religion, and Gender based atrocities

Education is a powerful tool to reduce violence and discrimination based on caste, religion, and gender. It helps people understand their rights and the laws that protect them. For marginalized groups like Dalits, minorities, and women, education provides the knowledge and confidence to fight injustice. Learning about laws such as the SC/ST (Prevention of Atrocities) Act empowers them to report crimes and seek justice. It also connects them to legal aid and support services, strengthening their ability to protect themselves and their communities.

Education also challenges harmful beliefs and stereotypes. When people from different backgrounds study together, they begin to see each other as equals, breaking down old prejudices. Educating girls is especially important, as it helps them resist harmful practices like child marriage and dowry. Educated women are more independent and raise their children with values of equality, helping to create a fairer society.

In communities, education creates leaders who advocate for justice and fairness. These leaders raise awareness about rights, push for better laws, and promote equal treatment for all.

Education also encourages peace by fostering respect between different groups, reducing social conflicts.

Simply put, education empowers individuals, promotes equality, and builds a just society. By ensuring quality education for all, especially marginalized groups, we can create a future where respect and fairness replace discrimination and violence.

Impact of this crooked social structure on the Legal Professionals

Advocates from Dalit, minority, and marginalized communities operate in a legal system that mirrors the biases of the larger society. Their journey is riddled with challenges stemming from caste, religion, and gender-based discrimination. These advocates, while fighting for justice for their clients, often face systemic prejudices that hinder their professional growth and personal well-being. The social inequalities they seek to challenge in courtrooms continue to manifest within the legal profession itself, creating a deeply uneven playing field.

Key challenges include:

- **Professional Discrimination:** Marginalized advocates face bias from peers, limited access to influential networks, and stereotyping about their competence.
- **Threats and Intimidation:** Advocates handling atrocity cases are often targeted by dominant caste groups, facing threats or violence.
- **Gender-Based Challenges:** Women advocates from these communities face dual discrimination, harassment, and cultural restrictions.
- **Financial Struggles:** Serving low-income clients limits financial stability, hindering their growth and ability to sustain legal practice.
- **Underrepresentation:** Marginalized advocates are excluded from leadership roles, high-profile cases, and judiciary positions, which perpetuates systemic inequities.

Despite these challenges, these advocates play a critical role in bridging the gap between marginalized communities and the legal system. They empower victims, raise awareness of legal rights, and challenge entrenched injustices. Initiatives like the Bihar Legal Network (BLN) provide essential support by fostering mentorship, creating professional networks, and amplifying their voices.

Addressing these systemic barriers is crucial for a more inclusive legal system. Increasing the representation of marginalized advocates in leadership roles and the judiciary, improving financial support, and fostering respect for diversity in the legal profession will create a more equitable system. These advocates are not just legal professionals but also catalysts for justice and social change.

Chapter 7

7. Conclusion

The study uncovers how Dalit and minority advocates in Bihar's courts face constant struggles due to deep-rooted unfair treatment based on caste, religion, and gender. Like their predecessors, these advocates continue to battle an age-old system that favors certain groups over others, making their journey in the legal profession particularly challenging. Even though the constitution promises equality and justice, advocates from these communities find it hard to succeed in the legal field. They face problems like not getting cases fairly, being kept out of important positions in lawyer groups, having no one to guide them, and struggling with money. Women advocates have it even harder, as they face unfair treatment for both their caste and gender, which limits their growth and recognition in their careers. These unfair practices don't just hurt the advocates - they also mean that people who face caste-based violence often can't get proper legal help, creating a cycle of injustice that affects entire communities.

This research found that Dalit and minority advocates often face unfair treatment from court officials, senior advocates, and clients, leaving them isolated and struggling to make ends meet. Many don't get chances to handle important or well-paying cases, and the system makes it hard for them to build lasting careers. Some senior advocates openly refuse to mentor them, while others create subtle barriers that prevent their professional growth. The courts haven't fixed these problems, so the legal system shows the same unfair treatment that exists in society instead of being fair and just. Also, people from these communities are often scared to go to court because they don't trust the system, can't afford it, or are afraid, which makes it even harder to get justice, especially in cases of violence against them. This fear and distrust run so deep that many victims choose to remain silent rather than seek legal help.

To fix these problems, we need specific changes in policy, like making sure cases and important positions are given fairly, including appointments of judges. Providing money through scholarships and support, along with guidance programs and legal aid, can help create better opportunities for Dalit and minority advocates. Bar associations need to take active steps to include these advocates in decision-making roles and ensure they get equal opportunities to handle significant cases. We need stronger rules against discrimination, fair representation in lawyer councils, and judges who understand caste and gender issues better. Court administrations must also be held accountable for ensuring fair treatment and equal access to resources. Real justice can only happen when the legal profession itself becomes fair and inclusive, giving advocates from these communities the power to make real change. Only by breaking down these unfair systems and actively working to support marginalized advocates can the courts truly provide justice for everyone, as promised in the constitution. This transformation requires not just policy changes but a fundamental shift in how the legal system views and treats its professionals from marginalized backgrounds.

References

Articles and Journal Publications

1. S. Muralidhar, *Appearing in Court in India: Challenges in Representing the Marginalized*, 3(2) *Caste: A Global J. on Soc. Exclusion* 421 (2022), <https://doi.org/10.26812/caste.v3i2.452>.
2. A. Shukla, *Access to Justice for Marginalized People in India*, 1(1) *MyLawman Socio Legal Rev.* (2020), <https://mslr.pubpub.org/pub/ii7rd56v>.
3. Amarnath Paswan, *SDG-16 and Access to Justice for Marginalized Dalit: A Study of Patepur Village of Ghazipur District of Uttar Pradesh*, 8 *Int'l J. Rsch. & Innovation Soc. Sci.* 2261 (2024).
4. Deepak Kumar & Harblas Heera, *Atrocities on Scheduled Castes: A Time Series Analysis*, 7 *DAV Shodhdhara* 64 (2018), <https://ssrn.com/abstract=3397051>.
5. Ajay, *Atrocities on Dalits—A Human Rights Perspective*, 1 *ILI L. Rev.* 54 (2010), <https://ssrn.com/abstract=1578221>.
6. *NCRB's Crime in India 2022 Report*, Drishti IAS, <https://www.drishtiias.com/daily-updates/daily-news-analysis/ncrb-crime-in-india-2022-report>.
7. *Women in Bihar Face Floods and Increasing Violence*, UN Women, <https://wrd.unwomen.org/explore/insights/bihar-women-face-floods-and-increasing-violence>.
8. *Exploring Low Rates of Reporting Domestic Violence in Bihar, India*, Univ. of Chicago Crown School, <https://crownschool.uchicago.edu/student-life/advocates-forum/exploring-low-rates-reporting-domestic-violence-bihar-india>.
9. *Crime Against Women in India: District-Level Risk Estimation Using the Small Area Estimation Approach*, ResearchGate, https://www.researchgate.net/publication/382312593_Crime_against_women_in_India_a_district-level_risk_estimation_using_the_small_area_estimation_approach.

Books & Reports

1. Joshua Rennie, *Evaluating the Entry Barriers to the Litigation Profession in India* (Research Found. for Governance in India, 2010).
2. NCRB, *Crime in India 2022* (2023), <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1701607577CrimeinIndia2022Book1.pdf>.
3. Ministry of Home Affairs, *Parliamentary Response on Crime Data* (2024), <https://www.mha.gov.in/MHA1/Par2017/pdfs/par2024-pdfs/LS06082024/2412.pdf>.
4. Bihar State Crime Records Bureau, *Crime in Bihar 2020*, https://scrb.bihar.gov.in/images/cib_20.pdf.

News Articles

1. Avinash Kumar, *44 Houses Torched in Dalit Hamlet in Bihar*, *Hindustan Times* (Sept. 20, 2024), <https://www.hindustantimes.com/india-news/44-houses-torched-in-dalit-hamlet-in-bihar-101726771705404.html>.
2. *More Cases Filed Under SC/ST Act Due to Awareness, Says Social Justice Minister*, *The Hindu* (Dec. 4, 2024), <https://www.thehindu.com/news/national/more-atrocity-cases-registered-as-awareness-publicity-and-capacity-building-of-police-grows-social-justice-minister/article68942436.ece>.
3. *Bihar 2nd in Crimes Against Scheduled Caste People: Caste Panel Head*, *NDTV*, <https://www.ndtv.com/india-news/bihar-2nd-in-crimes-against-scheduled-caste-people-caste-panel-head-4049898> (last visited Feb. 10, 2025).



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