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**REPORT**  
**u/s 15 A (4)**  
**OF**  
**THE PROTECTION OF CIVIL RIGHTS**  
**ACT, 1955**  
**FOR THE YEAR 2006**



सत्यमेव जयते

**GOVERNMENT OF INDIA**  
**MINISTRY OF SOCIAL JUSTICE AND**  
**EMPOWERMENT**

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# CHAPTER 1

## INTRODUCTION

### THE PROTECTION OF CIVIL RIGHTS ACT, 1955 AND THE PROTECTION OF CIVIL RIGHTS RULES, 1977.

- 1.1** Article 17 of the **Constitution of India** abolished the practice of untouchability. The article reads as follows: -

**"17. Abolition of Untouchability**

"Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law."

- 1.2** In pursuance of the above Constitutional provision, the Untouchability (Offences) Act, 1955 (22 of 1955) was enacted and notified on 08.05.1955. Subsequently, it was amended and renamed in the year 1976 as the "Protection of Civil Rights Act, 1955". Rules under this Act, viz, "The Protection of Civil Rights Rules, 1977" were notified in 1977. The Act extends to the whole of India and provides punishment for the practice of untouchability. It is implemented by the respective State Governments and Union Territory Administrations.

- 1.3** Main provisions of the Protection of Civil Rights Act, 1955, are as under:-

- (1) Sections 3 - 7A of the Act define the following as offences if committed on the ground of "untouchability", and lay down punishment for them:
- (i) Prevention from entering public worship places, using sacred water resources (Section 3).
  - (ii) Denial of access to any shop, public restaurant, hotel, public entertainment, cremation ground etc. (Section 4).

- (iii) Refusal of admission to any hospital, dispensary, educational institutions etc. (Section 5).
- (iv) Refusal to sell goods and render services (Section 6).
- (v) Molestation, causing injury, insult etc. (Section 7).
- (vi) Compelling a person on the ground of untouchability to do any scavenging or sweeping or to remove any carcass etc. (Section 7 A).

(2) Sections 8-11 of the Act contain certain preventive/deterrent provisions, which are as follows:-

- (i) Cancellation or suspension of licences on conviction (Section 8).
- (ii) Resumption or suspension of grants made by Government (Section 9).
- (iii) Punishment for wilful neglect of investigation by a public servant (Section 10).
- (iv) Power of State Government to impose collective fine. (Section 10A).
- (v) Enhanced penalty on subsequent conviction (Section 11)

3. Other provisions:-

- (i) Presumption by courts in certain cases (Section 12).
- (ii) Offences to be cognizable and to be tried summarily. (Section 15).
- (iii) State Governments to take measures for effective implementation of the Act, including:

- legal aid,
- setting up Special Courts,
- setting up of Committees at appropriate levels to assist the State Governments, and
- identification of untouchability- prone areas and measures for eliminating the practice in such areas (Section 15 A).

#### **1.4 REPORT ON THE IMPLEMENTATION OF THE PROTECTION OF CIVIL RIGHTS ACT, 1955**

Sub-section (4) of Section 15 A of the Act requires the Central Government to place on the Table of each House of Parliament every year, a report on the measures taken by itself and by the State Governments in pursuance of the provisions of Section 15A. This Report for the calendar year 2006 is accordingly being placed on the Table of both Houses of Parliament.

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# CHAPTER 2

## STRUCTURES AND MECHANISMS FOR IMPLEMENTATION & MONITORING OF THE PROTECTION OF CIVIL RIGHTS ACT, 1955.

### 2.1 Legal Aid

Section 15A(2)(i) of the Protection of Civil Rights Act, 1955, provides for adequate facilities, including legal aid to the persons subjected to any disability arising out of 'untouchability' to enable them to avail themselves of such rights. Governments of Assam, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Orissa, Punjab, Uttar Pradesh, West Bengal and UT Administrations of Chandigarh, Daman & Diu, and Puducherry have reported that they are providing legal aid in pursuance of the PCR Act.

### 2.2 Special Courts

Section 15A(2)(iii) of the Protection of Civil Rights Act, 1955, provides for setting up of special courts for trial of offences under the Act. In Andhra Pradesh, 22 Mobile Courts are functioning in 22 districts, to conduct trial of offences under the Act. In Tamil Nadu, four Special Courts at Madurai, Thanjavur, Tirunelveli and Tiruchirapally take up trial of cases under the Protection of Civil Rights Act, 1955. Besides this, fourteen designated courts also try offences under the Act. In Tripura, the first class Judicial Magistrates have been empowered to hold special courts for the trial of offences under the Act. In Uttar Pradesh, in each district, the Court of Chief Judicial Magistrate / Judicial Magistrate has been designated as a Special Court for trial of offences under the Act. Government of Kerala has specified District Courts as Special Courts to try the offences under the Act. Chandigarh Administration has specified the Court of Additional Session Judge as a Special Court to try the offences under the Act in Chandigarh. Government of Puducherry has designated the Court of Chief Judicial Magistrate as a Special Court for the whole of Puducherry to try offences of under Act. The Judicial Magistrates of the two Regions of the Union Territory, namely Karaikal and Yanam also try the offences under the Act.

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### **2.3 Committees at appropriate levels**

Section 15A(2)(ii) of the Protection of Civil Rights Act, 1955, provides for setting up of Committees at such appropriate levels as the State Governments may think fit to assist them in formulating or implementing measures as may be necessary for ensuring that the rights arising from the abolition of "untouchability" are made available to, and are availed of by, the persons subjected to any disability arising out of "untouchability". The State and District Level Vigilance and Monitoring Committees, which review the implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, wherever required also review the Protection of Civil Rights Act, 1955. Governments of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Nagaland, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and UT Administrations of Dadra & Nagar Haveli, Andaman & Nicobar Islands, Daman & Diu have reported having constituted these Committees.

### **2.4 Special Police Stations**

Special Police Stations for registration of complaints of offences against SCs and STs have been set up by four State Governments viz Bihar (9), Jharkhand (1), Madhya Pradesh (38) and Chhattisgarh (8). Central assistance is provided to the States to the extent of 50% of the expenditure incurred by them on the police stations over and above their committed liability.

### **2.5 Incentive for inter-caste marriages**

Under the Centrally Sponsored Scheme for implementation of the PCR and POA Acts, central assistance to State Governments and Union Territory Administrations is provided towards incentive for inter-caste marriages where one of the spouses belongs to Scheduled Caste. The incentive amount varies between Rs. 2,000/- in West Bengal and Rs. 50,000/- in Gujarat. Since inter-caste marriages are an effective instrument of combating the evil practice of casteism, the Hon'ble Minister for Social Justice & Empowerment addressed State Chief Ministers on 28.02.2006 to consider increase in the incentive amount for inter-caste marriages to Rs. 50,000/- of which 50% would be borne by way of central assistance. Governments of Andhra Pradesh, Assam, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Sikkim, Uttarakhand, Uttar Pradesh and West Bengal have reported that they are providing incentive for inter-caste marriages.

## **2.6 CONSTITUTIONAL BODIES**

### **2.6.1 National Commission for Scheduled Castes (NCSC)**

The NCSC has been established under Article 338 of the Constitution. Sub-clauses (a), (b) and (f) of clause(5) of Article 338 lay down certain duties of the Commission, which have a bearing on prevention of atrocities against SCs:-

- (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes;
- (f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

The NCSC has an Atrocities and Protection of Civil Rights Wing, which deals with cases relating to Scheduled Castes under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955, either on receipt of complaints from individuals or information from other sources (including the media). Evaluation studies/surveys on these subjects are also conducted by this Wing.

The Commission has Regional Offices/Sub-Offices situated at Agartala, Ahmedabad, Bangalore, Chandigarh, Chennai, Guwahati, Hyderabad, Kolkata, Lucknow, Patna, Pune and Thiruvananthapuram, with specified jurisdiction in terms of States/Union Territories.

### **2.6.2 National Commission for Scheduled Tribes (NCST)**

The NCST has been established under Article 338-A of the Constitution. Sub-clauses (a), (b) and (f) of clause 5) of Article 338-A lay down certain duties of the Commission, which have a bearing on prevention of atrocities against STs:-

- (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under this Constitution or under any other law for the time



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being in force or under any order of the Government and to evaluate the working of such safeguards;

(b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes;

(f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

On receiving information about an incident of atrocity against a person belonging to an ST, the Commission gets in touch with the law enforcing and administrative machinery of the concerned State and district to ascertain details of the incident and the action taken by the District Administration.

The Commission has six Regional offices at Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi, Shillong with specified jurisdiction in terms of States/Union Territories.

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# CHAPTER 3

## ACTION BY THE POLICE AND THE COURTS IN CASES REGISTERED UNDER THE PROTECTION OF CIVIL RIGHTS ACT, 1955.

### 3.1 Registration of offences under the PCR Act.

State wise details of cases registered during 2006 under the Protection of Civil Rights Act, 1955 are given in the Table below. In the table, States and UTs have been arranged in descending order of the total number of untouchability cases registered in 2006.

#### Cases Registered during 2006 under the Protection of Civil Rights Act, 1955

S. No.	State/Union Territory	Number of Cases Reported during 2006		Total
		Scheduled Castes	Scheduled Tribes	
1	2	3	4	5
	<b>States</b>			
1.	Uttar Pradesh	133	0	133
2.	Andhra Pradesh	93	12	105
3.	Tamil Nadu	84	0	84
4.	Jharkhand	11	34	45
5.	Maharashtra	36	0	36
6.	Karnataka	25	1	26
7.	Gujarat	04	00	04
8.	Bihar	2	0	2
9.	Himachal Pradesh	0	2	2
10.	Jammu & Kashmir	2	0	2
11.	Madhya Pradesh	1	0	1
	<b>Union Territory</b>			
7.	Puducherry	14	0	14
	<b>TOTAL</b>	<b>405</b>	<b>49</b>	<b>454</b>

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**Note:** No case was registered in 23 States/UTs viz. Arunachal Pradesh, Assam, Chhattisgarh, Goa, Haryana, Kerala, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Punjab, Rajasthan, Sikkim, Tripura, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Delhi and Lakshadweep.

### **3.2 Progress of Investigation of Cases by the Police**

Progress of investigation of cases by the police under the Protection of Civil Rights Act, 1955 during the year 2006 was as follows:

#### **Investigation by Police during 2006 of Cases under the Protection of Civil Rights Act, 1955.**

S. No.	Item	Number of Cases			
		Number		Percentage to total	
		SC	ST	SC	ST
1.	Total Number of cases, including brought forward cases	517	207	-	-
2.	Number of cases in which charge sheet filed in the courts	320	26	61.9	12.6
3.	Number of cases closed after investigation	75	149	14.5	72.0
4.	Number of cases pending with the police at the end of the year.	122	32	23.6	15.5

The State-wise details of the above figures are given in **Annexure -I.**

From the above, it is seen that 61.9% of the cases relating to Scheduled Castes were chargesheeted during the year and 14.5% cases were closed after investigation. Similarly, 12.6% of the cases relating to Scheduled Tribes were chargesheeted during the year and 72% cases were closed after investigation.

### 3.3 Progress of Disposal of cases by Courts

The details in regard to disposal of cases by Courts under the Protection of Civil Rights Act, 1955 during 2006, are as follows:-

#### Disposal of Cases by Courts during 2006 under the Protection of Civil Rights Act, 1955.

S. No.	Item	Number of Cases			
		Number		Percentage of total	
		SC	ST	SC	ST
1.	<b>Total number of cases, including brought forward cases.</b>	2996	217	-	-
2.	Number of cases disposed of by Courts	560	72	18.7	33.2
(a)	Number of cases ending in conviction	87	2	15.5	2.8
(b)	Number of cases ending in acquittal	473	70	84.5	97.2
3.	Number of cases compounded or withdrawn	3	0	0.1	0.0
4.	Number of cases pending with Courts	2433	145	81.2	66.8

From the above, it is seen that 18.7% of the total cases relating to Scheduled Castes were disposed of by courts during the year out of which 15.5% ended in conviction. Likewise 33.2% of the total cases relating to Scheduled Tribes were disposed of by courts during the year out of which 2.8% ended in conviction. State-wise details of the above figures are given in **Annexure – II**

**Note:-** The source of data given in above tables is the National Crime Records Bureau, Ministry of Home Affairs.

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# CHAPTER 4

## MEASURES TAKEN BY THE GOVERNMENT OF INDIA

### 4.1. Ministry of Social Justice & Empowerment

#### 4.1.1 CENTRALLY SPONSORED SCHEME FOR IMPLEMENTATION OF THE PROTECTION OF CIVIL RIGHTS ACT, 1955 AND THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989.

The above two Acts are implemented by respective State Governments and Union Territory Administrations. With a view to ensuring effective implementation of provisions of the Acts by them, central assistance is provided to them under the Centrally Sponsored Scheme for implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, mainly for: -

- (i) State level Scheduled Castes and Scheduled Tribes Protection Cells
- (ii) Special Police Stations.
- (iii) Exclusive Special Courts.
- (iv) Awareness generation.
- (v) Incentive for inter-caste marriages.

Under the Scheme, central assistance is provided to State Governments over and above the committed liability to the extent of 50% of the State's and 100% in the case of Union Territory Administrations. The details of central assistance released to the State Governments/UT Administrations during 2006-07 are given below: -

S.No.	State / Union Territory	Central Assistance released (Rs. in crores)
	<b>A. States</b>	
1.	Andhra Pradesh	2.71
2.	Bihar	0.13

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3.	Chhattisgarh	0.52
4.	Gujarat	2.40
5.	Haryana	0.61
6.	Jharkhand	0.40
7.	Karnataka	7.80
8.	Kerala	0.99
9.	Madhya Pradesh	7.12
10.	Maharashtra	4.81
11.	Orissa	0.08
12.	Punjab	0.56
13.	Rajasthan	0.21
14.	Sikkim	0.02
15.	Tamil Nadu	0.43
16.	Uttar Pradesh	6.63
17.	Uttarakhand	0.04
	<b>B. Union Territories</b>	
18.	Dadra Nagar Haveli	0.57
19.	Puducherry	0.40
	<b>TOTAL</b>	<b>36.43</b>

**4.1.2 COMMITTEE CONSTITUTED FOR EFFECTIVE COORDINATION TO DEVISE WAYS AND MEANS TO CURB OFFENCES OF UNTOUCHABILITY AND ATROCITIES AGAINST SCHEDULED CASTES AND SCHEDULED TRIBES AND EFFECTIVE IMPLEMENTATION OF THE PROTECTION OF CIVIL RIGHTS ACT, 1955 AND THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989**

The Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its fourth report (Year 2006-2007) had, inter-alia, recommended that Ministry of Social Justice and Empowerment, Ministry of Home Affairs, National Commission for Scheduled Castes and National Commission for Scheduled Tribes should meet regularly to devise ways and means to curb offences and ensure effective administration of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. In pursuance of this recommendation, a Committee for effective coordination to devise ways and means to curb offences of untouchability and atrocities against Scheduled Castes / Scheduled Tribes and effective implementation of the Protection of Civil rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was set up under the Chairpersonship of Hon'ble Minister for Social Justice and Empowerment vide Office Memorandum

No. 111012/1/2005-PCR(DESK), dated 29.03.2006. The composition of the Committee is given below: -

1.	Minister of Social Justice and Empowerment.	Chairperson
2.	Minister of Tribal Affairs.	Special Invitee
3.	Secretary, Ministry of Social Justice and Empowerment.	Member
4.	Secretary, Ministry of Home Affairs.	Member
5.	Secretary, Department of Justice, Ministry of Law and Justice.	Member
6.	Secretary, Ministry of Tribal Affairs.	Member
7.	Secretary, National Commission for Scheduled Castes.	Member
8.	Secretary, National Commission for Scheduled Tribes.	Member
9.	Joint Secretary, (In charge of National Crime Records Bureau), Ministry of Home Affairs.	Member
10.	Two non-official representatives from amongst Scheduled Castes.	Member
11.	One non-official representative from amongst Scheduled Tribes.	Member
12.	Joint Secretary (SCD), Ministry of Social Justice and Empowerment.	Member-Secretary

A copy of Office Memorandum No. 11012/1/2005-PCR (DESK), dated 29.03.2006 is enclosed at **Annexure- III**.

The first meeting of the Committee was held at New Delhi on 18.09.2006. A copy of the minutes of the meeting is enclosed at **Annexure-IV**.

**4.1.3 MEETING OF SECRETARIES OF SOCIAL WELFARE / SCHEDULED CASTES & SCHEDULED TRIBES DEVELOPMENT DEPARTMENTS OF STATES /UTs.**

Implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was *inter-alia* reviewed in the meeting of the Secretaries of Social Welfare/ Scheduled Caste and Scheduled Tribes Development Department of State Governments and Union Territory Administrations, which was held on 14-15 September, 2006, in New Delhi.

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#### **4.1.4 ADVISORY TO THE STATE GOVERNMENTS / UNION TERRITORY ADMINISTRATIONS**

The Ministry of Social Justice & Empowerment in its letter dated 14.03.2006 addressed to State Governments/Union Territory Administrations, inter-alia reiterated the need for effective implementation of the provisions of the Protection of Civil Rights Act, 1955 in letter and spirit, with emphasis on ensuring registration of FIR, timely completion of investigation, review of cases which ended in acquittal, ensuring legal aid to affected persons, display of prominent provisions of the two Acts at public places and incentive for inter-caste marriages. A copy of letter, dated 14.03.2006 is enclosed as **Annexure-V**.

#### **4.2 Ministry of Home Affairs**

##### **4.2.1 MEETING OF INTER STATE COUNCIL**

A meeting of the Inter-State Council was held on 09.12.2006 exclusively on the subject of 'Offences of untouchability against Scheduled Castes and atrocities on Scheduled Castes and Scheduled Tribes'. The meeting was chaired by the Prime Minister, and attended by Chief Ministers, concerned Central Ministers and other senior officials.

#### **4.3 MINISTRY OF INFORMATION AND BROADCASTING**

##### **4.3.1 ALL INDIA RADIO (AIR)**

All Stations of All India Radio (AIR) have been broadcasting appropriate programmes on issues concerning the theme of 'Eradication of Untouchability'. The Stations use various formats such as Interviews, Plays, Features, Jingles, and interactive programmes to enrich the knowledge base, particularly in rural areas. Covering such themes is a regular endeavour of AIR.

##### **4.3.2 DOORDARSHAN**

Doordarshan Kendras have also been telecasting programmes on "Eradication of Untouchability". Topics covered under such programmes are as under:-

- (i) Ill effects of untouchability on our social structure.
- (ii) The need to remove the evil of untouchability.
- (iii) Untouchability as a social evil.



- (iv) Informing the public about the legal provisions.
- (v) The efforts made by various leaders/social reformers like Dr. Ambedkar, Babu Jagjivan Ram and Mahatma Gandhi for the removal of untouchability.
- (vi) Thoughts from religious scriptures condemning the evil of untouchability like the Guru Bani and the Bani of Guru Ravi Das.
- (vii) Celebrating various occasions relating to social reformers who worked for the eradication of untouchability like Dr. B.R.Ambedkar, Babu Jagjivan Ram and Mahatma Gandhi.
- (viii) Dissemination of information regarding various schemes being undertaken by Government for the welfare of the oppressed class.

#### **4.3.3 SONG & DRAMA DIVISION**

The Song & Drama Division made concerted efforts by utilizing a wide range of folk and traditional forms to educate people on the issue of untouchability with the intention of changing the mind-set of people. The Division presented more than 40,000 programmes annually all over the country in which the themes of inter-caste marriage, abolition of untouchability and communal harmony, were almost invariably inter woven.

#### **4.3.4 DIRECTORATE OF FIELD PUBLICITY**

The Directorate of Field Publicity organized as many as 17,000 programmes during the year. These programmes suitably covered the theme of 'Eradication of Untouchability'.

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# CHAPTER 5

## **MEASURES TAKEN BY STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATIONS**

### **5.1. ANDHRA PRADESH**

#### **State Level SC and ST Protection Cell**

PCR Cell is functioning in the Office of Additional Director General of Police (CID). The Cell ensures prompt investigation and disposal of cases of offences of untouchability.

#### **Publicity**

In order to curb the evil practice of untouchability and create awareness among the general public, circulars, pamphlets and media campaign through All India Radio and other measures were taken.

All Mandal Level officials, non-officials representatives of the Endowment Department, NGOs and Sub Inspector of Police officials visit one village in a week in every Mandal on a fixed day and interact with all people in the village to convince and persuade upper caste people against evil practice of untouchability.

The District Collectors have also been requested to prepare a monthly action plan for the visit of the teams to the villages every week and also involve all elected representatives, Gram Sarpanchs, Ward Members and villagers in the programme. They have also been requested to tackle the issues in a persuasive and congenial atmosphere and also give wide publicity about the visits.

#### **Special Courts**

22 Mobile Courts are functioning in 22 districts to conduct trial of offences under the Act.

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## **Inter-Caste Marriages**

An amount of Rs. 10,000/- per couple is provided as an incentive to inter-caste married couples, of which one of the spouses belongs to Scheduled Castes. During the year 2006-2007, an amount of Rs. 86.00 lakh was incurred. 860 inter-caste married couples received incentive amount.

## **5.2. ARUNACHAL PRADESH**

The State of Arunachal Pradesh is wholly inhabited by various ethnic tribal groups and offences of untouchability are non-existent.

## **5.3. ASSAM**

### **Publicity**

An awareness programme was organized by displaying at prominent places the provisions of the PCR Act for generating awareness amongst all..

### **Inter-Caste Marriages**

An incentive of Rs. 5000/- per couple was provided to 100 couples.

### **Legal Aid**

Free legal aid is given to deserving Scheduled Castes and Scheduled Tribes families through Sub Divisional Level Legal Aid Committee.

## **5.4. BIHAR**

### **Committees**

#### **State and District Level Committee**

A State Level Committee under the Chairpersonship of the Chief Minister reviews implementation of Act.

Likewise, the District Level Committees under the Chairpersonship of District Magistrate also review implementation of the Act.

**State Level SC and ST Protection Cell**

At State level, a Scheduled Castes and Scheduled Tribes Cell is functioning under the Inspector General of Police (CID), at Headquarters

**Special Police Stations**

At the State level, a Police Station for Scheduled Castes and Scheduled Tribes is functioning in the CID Headquarters at Patna, which has jurisdiction all over the State. In addition, 9 Police Stations also function in the district headquarters of Begusarai, Bhagalpur, Bhojpur, Gaya, Munger, Nalanda, Rohtas, Samastipur and Vaishali with specified jurisdictions.

**Publicity**

For creating awareness amongst the public, the task has been entrusted to Zilla Parishads, Panchayat Samities and Village Panchayats as per three tier Panchayati Raj System.

**5.5 CHHATTISGARH**

**Committees**

**State and District Level Committee**

The State Level Vigilance & Monitoring Committee is chaired by the Chief Minister and District Level Committee is chaired by the District Collector.

**State Level SC and ST Protection Cell**

An Anusuchit Jati Kalyan Cell is functioning in Police Headquarter.

**Publicity**

16 Sadhavana Shibirs were held in various districts and an amount of Rs. 3.17 lakhs was incurred.

**Inter-Caste Marriages**

The State Government is implementing an inter-caste marriage scheme to promote and support the couples whose marriages are performed with Non-Scheduled Castes. An incentive amount of Rs. 6000/- is provided along-with a gold medal. During the year 2006, 12 couples were provided incentive.

## **Legal Aid**

A provision for legal aid has been made in the State.

### **5.6. GOA**

#### **Inter-Caste Marriages**

The State Government is providing incentives for inter caste marriages. From the year 2006, the incentive amount has been increased from 10,000/- to 25,000/-.

#### **Legal Aid**

Free Legal Aid is provided to Scheduled Castes and Scheduled Tribes without any economic criteria.

### **5.7. GUJARAT**

#### **Committees**

##### **High Level Committee**

A High Level Committee under the Chairpersonship of the Chief Minister reviews implementation of the Act. The State Finance, Revenue and Social Welfare Ministers, some Members of Parliament and State Legislatures as well as Senior Government officers are members of this Committee. The Committee's meeting was held on 31.5.2006

##### **State Level Committee**

A State Level Committee under the Chairpersonship of the Secretary in charge of Social Justice and Empowerment Department, reviews the reports of Officers of the Vigilance Squads. The Committee consists of Home Secretary, Legal Secretary, Special Inspector General of Police and other officers. In the year 2006, a meeting of State Level Committee was held on 22.08.2006.

### **District Level Vigilance and Monitoring Committee**

At District level, a District Level Vigilance Committee under the Chairpersonship of District Collector of respective District is functioning to conduct quarterly review of implementation of the Act. The Committee consists of District Panchayat President, Chairperson of District Social Justice Committee, District Development Officer, District Superintendent of Police, District Government Public Prosecutor, Members of Parliament/ Members of Legislative Assembly and prominent Social Workers of respective districts. During the year 2006, 100 meetings were held.

### **Taluka Level Vigilance Committee**

Taluka Level Committees have been set up at every Taluka under the Chairpersonship of Taluka Mamlatdar. The Chairperson of Taluka Social Justice Committee, Public Prosecutor, Police Inspector and Sub Inspector of Taluka are the members of the Committee.

### **City Level Vigilance Committee**

Under the Chairpersonship of Police Commissioner, city level committees are also functioning. Government Public Prosecutor, Municipal Commissioner and Scheduled Caste and Scheduled Tribe Members of Municipal Corporation are members of the Committees. The Committee reviews the cases under the Act.

### **State Level SC and ST Protection Cell**

A Cell under the overall charge of Additional Director General of Police is functioning to monitor the crimes against SCs and STs.

At the Secretariat Level, the Principal Secretary, assisted by the Deputy Secretary and Under Secretary of the Social Justice & Empowerment Department looks after the work and at the Directorate level, the Director looks after the work. A Special Cell called "Nagrik Cell" is also functioning in the Directorate.

### **Publicity**

During the year 2006, 3 Seminars, 25 District level Workshops and 223 Taluka level Shibirs for removal of untouchability were arranged. For wide publicity of the Act, printed booklets, both in Gujarati and English, were circulated among the authorities/non-officials and village panchayat, social workers and voluntary organizations.

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### **Inter-Caste Marriages**

An incentive of Rs. 50,000/- is provided (Rs. 25,000/- in the form of National Saving Certificate and Rs. 25,000/- in cash for purchase of household kit) for the marriages between non-Scheduled Castes and Scheduled Castes. An amount of Rs. 121.50 lakh was incurred to provide incentive to 243 couples

### **Legal Aid**

Under the Free Legal Aid Scheme, financial assistance of Rs. 500/- in civil cases and Rs. 3,000/- in criminal cases is given and the prescribed income ceiling is Rs. 12,000/- per annum.

## **5.8. HARYANA**

### **Committees**

#### **State and District Level Committee**

A State level Vigilance and Monitoring Committee is functioning under the Chairpersonship of Chief Minister to review implementation of the Act. Likewise such Committee at District level Committees under the Chairpersonship of Deputy Commissioners are also functioning.

#### **State Level SC and ST Protection Cell**

A Special Cell under Superintendent of Police is functioning in every District to ensure investigation of cases under the Act.

District Welfare Officers have been entrusted with the responsibility of effective implementation of the Act.

### **Inter-Caste Marriages**

An incentive amount of Rs.25,000/- (40% in cash and 60% in the form of fixed deposit for six years in the joint account) is provided to an inter-caste married couple, where one of the spouses belongs to Scheduled Caste. During the calendar year 2006, an expenditure of Rs.7.75 lakh was incurred for the benefit of 31 such couples.

### **Legal Aid**

Assistance for legal aid is provided for cases pertaining to offences of untouchability, mutation of land records, abduction and kidnapping of girls and women and cases pertaining to reservations meant for Scheduled Castes. Expenses towards witnesses and court fees are also met under the scheme. There is no income ceiling to avail of the legal aid. During the calendar year 2006, an amount of Rs.13,500/- was utilized benefiting 27 persons.

### **Award to Panchayats**

The Village Panchayats are provided grant of Rs. 5000/- as an encouragement and recognition of their work, inter-alia, relating to eradication of untouchability. During the calendar year 2006, an expenditure of Rs.3.65 lakh was incurred on 73 such Panchayats.

## **5.9. HIMACHAL PRADESH**

### **Committees**

#### **State and District Level Committee**

In pursuance of sub-section (4) of Section 15A of the Protection of Civil Rights Act, 1955, a State level Committee reviews implementation of the Act.

#### **State Level SC and ST Protection Cell**

A Special Cell has been set up in the State Police Headquarters to register complaints relating to Scheduled Castes and Scheduled Tribes. Such a Cell exists in each District Headquarter also.

### **Publicity**

624 camps / workshops were organized to create overall general awareness about provisions of the Act.

### **Inter-Caste Marriages**

An incentive amount of Rs. 25,000/- per couple is provided when one of the spouses is a member of Scheduled Caste. During the year 2006, an expenditure of Rs. 62.92 lakh was incurred towards providing incentives to 254 couples.



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## **Legal Aid**

The State Legal Board provides free assistance for legal matters to a person whose annual income does not exceed Rs. 50,000/-, but there is no income ceiling for Scheduled Castes and Scheduled Tribes. The free legal aid includes expenses towards litigation as well as Travelling Allowance /Dearness Allowance to witnesses. During the calendar year 2006, an amount of Rs.6.90 lakh was utilized benefiting 244 persons.

## **5.10. JAMMU & KASHMIR**

### **Committees**

#### **State and District level Committee**

A Committee headed by the Additional Director General of Police (CID) assists the State Government in implementation of the Act.

### **Legal Aid**

Legal Aid provided by the Legal Services Authority.

## **5.11. KERALA**

### **State Level SC and ST Protection Cell**

A Special Cell under Superintendent of police is functioning at Police Headquarter to enforce provisions of the Act and to redress the grievances of the members of Scheduled Castes and Scheduled Tribes. The Cell functions under the overall charge of the Director General of Police.

### **Special Mobile Squads**

Three special Mobile Squads are functioning in Kasargode, Palakkad and Wayanad districts for preventing offences against the members of Scheduled Castes and Scheduled Tribes including offences under the Act.

### **Publicity**

The Public Relation Department and Director of Scheduled Castes and Scheduled Tribes Department gives publicity. The Malayalam translation of the

Act has also been supplied to all Police Stations and Circle Officers to enable them to acquaint themselves with the legal provisions and their responsibilities.

### **Special Courts**

The District Courts have been specified as Special Courts to try the offences under the Act. The Public Prosecutors of all Districts have also been nominated as Special Prosecutors for conducting cases in District Courts.

### **Inter-Caste Marriages**

An incentive of Rs. 10,000/- per couple is given to inter caste married couples.

## **5.12. MADHYA PRADESH**

### **Committees**

#### **State and District Level Committee**

The State Level Committee under the Chairpersonship of the Chief Minister reviews implementation of the Act. The Members of the Committee are Members of Legislative Assembly, Non-officials, Social Workers, Secretaries of Department of Home, Scheduled Tribes Development, Scheduled Castes Development and the Director General of Police.

The District Level Committees under the Chairpersonship of District Magistrates also reviews implementation of the Act.

### **Special Police Stations**

The Cell under the charge of the Additional Director General of Police reviews implementation of the Act. 48 Scheduled Caste Welfare (Anusuchit Jati Kalyan) Stations under the Cell are required to *inter-alia* register cases relating to untouchability offences. The Police Stations are in the Districts of Morena, Bhind, Rajgarh, Panna, Vidisha, Jabalpur, Jhabua, Bhopal, Mandla, Neemuch, Katni, Umariya, Gwalior, Ratlam, Chhindwara, Khargone, Balaghat, Dhar, Seoni, Dewas, Datia, Ujjain, Dindori, Barhanpur, Mandsaur, Damoh, Tikamgarh, Narsinghpur, Sidhi, Sagar, Shivpuri, Chhatarpur, Sheopur, Indore, Harda, Ashok Nagar, Rewa, Sehore, Hoshangabad, Shahdol, Raisen, Betul, Guna, Khandwa, Shajapur, Badwani, Satna and Anuppur. During the year 2006-07 an amount of Rs. 1023.98 lakh was incurred on these Police Stations.

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## **Inter-Caste Marriages**

To promote inter-caste marriages, an incentive amount of Rs.10,000/- and a certificate is given to a couple one of which belongs to a Scheduled Caste or a Scheduled Tribe. During the year 2006-07, an expenditure of Rs.9.00 lakh was incurred and 95 couples were covered.

## **Legal Aid**

For trial of cases in the courts under the Act, the Government has provided services of Public Prosecutors, Special Prosecutors and Senior Advocates.

## **5.13. MAHARASHTRA**

### **Committees**

#### **State and District Level Committee**

The State Level Vigilance Committee under the Chief Minister reviews implementation of the Act. Divisional level Vigilance Committee headed by Divisional Commissioner reviews implementation of the Act. Likewise, District Level Vigilance Committee headed by District Magistrate also reviews implementation of the Act. District level Committee meets every month and reviews the cases. Similarly Divisional level Committee meets every quarter and reviews the cases.

#### **State Level SC and ST Protection Cell**

The Protection of Civil Rights Cell in the Police Headquarter is headed by Additional Director General of Police to oversees implementation of the Protection Civil Rights Act, 1955. At the Range and District level, the Cell is headed by the Superintendent of Police.

### **Publicity**

#### **1. Parishad**

The State level, Division level and District level Samata Parishads are arranged every year.

## **2. Participation of Youth**

With a view to involve students in the movement of eradicating social evils, Yuwa Samata Parishad was held in each district.

### **a) Eloquence Competition**

Such competitions through schools and colleges are organized by Special District Social Welfare Officers every year. The winners are encouraged by giving them cash prizes.

### **b) Essay Competition**

Special District Social Welfare Officers conduct essay competitions at school and college level every year. The winners are given cash prizes.

### **c) Workshop and Seminar**

During the year 2006, a programme for sensitization of village level workers and officers was undertaken. One-day workshop was organized at 352 Panchayat level Samittees. Sarpanch, Secretary and Members of Gram Panchayat, Talathi and Police Patil of village and Police employees of Police Stations attended the workshops. An expenditure of Rs. 42.24 lakh was incurred on organizing 352 workshops during the year.

A Fortnight long Programme on eradication of untouchability is arranged during Dr. Babasaheb Ambedkar Anniversary (14<sup>th</sup> April to 1<sup>st</sup> May). During the Samata fortnight, various programmes are arranged by Zilla Parishad in villages of the concerned district.

### **Inter-Caste marriages**

An incentive of Rs. 15,000/- per couple is provided for marriages between Savarna Hindu and Scheduled Castes/ Scheduled Tribes and Vimukta Jaties/ Nomadic Tribes. During the year 2006-07, an expenditure of Rs. 159.34 lakh was incurred to cover 1062 such couples.

### **Legal Aid**

Free Legal Aid Cell at District and Taluka Headquarters provides legal assistance to all economically weaker sections of society.

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## **5.14. ORISSA**

### **Publicity**

Copies of the Act translated into Oriya were circulated amongst various Departments and functionaries. Wide publicity was also given by the Information and Public Relations Department through various mass media about evil practice of untouchability and provisions of the Act.

Leading non – official Organizations working at the State / District level for welfare and upliftment of Scheduled Castes and Scheduled Tribes, are given grants to supplement efforts in doing work for creating awareness against the evil practice of untouchability and in bringing social harmony through posters, handbills, group discussions, staging of dramas at important public places and helping the Scheduled Caste persons for entry into the public places like hotels, temples, and drinking water sources etc.

### **Inter - Caste Marriages**

Cash incentive of Rs. 10,000/- per couple is provided for inter-caste marriages between caste Hindus and Scheduled Castes for social integration and removal of untouchability. During 2006–07, an amount of Rs. 3.46 lakh was provided to 58 couples.

### **Legal Aid**

Legal aid is provided to persons belonging to Scheduled Castes under the Legal Aid and Advice Scheme, 1981, administered by the Law Department. Besides, the Scheduled Caste and Scheduled Tribe litigants are also given legal aid under legal aid scheme operated by the Scheduled Tribes and Scheduled Castes Development Department to fight cases for establishing their right, titles and possession over the disputed land and also for the cases under the Act. An expenditure of Rs. 54,224/- was incurred during 2006-07 under the Legal Aid Scheme.

## **5.15. PUNJAB**

### **Publicity**

Wide publicity of the provisions of the Act was made by way of organizing seminars, debates and mass lunch at block level. 442 seminars were organized. Publicity of welfare schemes was also done through advertisements in various

newspapers. 17,000 folders, booklets printed on various programmes were distributed free of cost among the masses so that people can avail benefits of schemes. Boards and hoardings were also installed highlighting provisions of the Act.

**Inter-Caste Marriages**

As an incentive for inter-caste marriage, a sum of Rs. 25,000/-is given to each couple where one of the spouses belongs to a Scheduled Caste. During the year, an amount of Rs. 45.00 lakh was incurred on 180 such couples.

**Legal Aid**

Free legal aid is provided by Punjab Legal Services Authority to the members of Scheduled Caste to file and defend a case.

**5.16. RAJASTHAN**

**State Level SC and ST Protection Cell**

A Civil Rights Cell is functioning in the Police Headquarter. This Cell has been entrusted inter-alia with the task of prevention of offences of untouchability. The Cell is headed by Superintendent of Police and works under the supervision of Inspector General of Police (Human Rights).

21 SC/ST Cells have been set up in 18 Districts, namely Jaipur, Bhilwara, Alwar Jalore, Kota, Sirohi, Jhalawar, Udaipur, Sriganganagar, Tonk, Bharatpur, Sawai Madhopur, Pali, Nagaur, Chittorgarh, Dholpur, Churu and Hanumangarh that have been identified as untouchability prone. The Cells are headed by a Deputy Superintendent of Police they have been entrusted with the task to deal with cases of untouchability

**Inter-Caste Marriages**

For eradication of untouchability financial assistance of Rs.5000/- was provided to inter caste married couples. As per Social Welfare Department Government order No. 36111, dated 27.11.2006, the amount of incentive has increased from 5,000/- to 50,000/-(50% in the form of fixed deposit in joint account and 50% in cash for purchase of utensils).

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## **5.17. TAMIL NADU**

### **State Level SC and ST Protection Cell**

A Social Justice & Human Rights Cell is functioning under the charge of Inspector General of Police, The Protection of Civil Rights Act, 1955, is enforced not only by all the Police Stations in Tamil Nadu but also by 35 Special PCR Mobile Squads located at each of 35 District headquarters. For effective enforcement, each mobile squad headed by an Inspector of Police, 1Sub-Inspector of Police, 3 Head Constables, 2 Police Constables is functioning for prevention and detection of cases.

### **Publicity and Awareness Generation**

The provisions of the Act have been incorporated in the curriculum of the Police Training College to familiarize the police personnel during their training period. Periodical training classes are also conducted in the Police Training College throughout the year for all ranks. Adequate number of Tamil version of the Act were printed and distributed to all Public Prosecutors, members of Vigilance and Monitoring Committees, Non-Governmental Organizations and PCR Wings in Tamil Nadu.

### **Special Courts**

Four Special Courts at Madurai, Thanjavur, Tirunelveli and Trichy take up trial of cases under the Protection of Civil Rights Act, 1955. Besides this, fourteen designated courts also try offences under the Act.

## **5.18. TRIPURA**

### **Appointment of Officers**

Sub-Divisional Officers of the Sub-Divisions and Sub Deputy Collectors (Circle Officers of Revenue Circles) have been appointed for initiating and exercising supervisions over prosecutions for contravention of the provisions of the Act.

### **Publicity**

Wide publicity to the provisions of the Act was given through hoardings.

### **Special Courts**

The first class Judicial Magistrates have also been empowered to hold special courts for the trial of offences under the Act.

## **5.19. UTTAR PRADESH**

### **Committees**

A District Level Monitoring Committee under the District Collector reviews implementation of the Act.

### **State Level SC and ST Protection Cell**

A Special Investigation Cell has been functioning at the State level. This Cell comprises of an Additional Director General of Police, an Inspector General of Police, a Deputy Inspector General of Police, a Superintendent of Police, an Additional Superintendent of Police and nine Dy. S.Ps. Besides this Cell, a Special Investigation Cell has also been set up in all District. Six State Railway Police Station also function under overall supervision of Superintendent of Police. Each such Cell has one Sub-Inspector, one head constable and two constables. Each Thana in each district in the State has a constable from among Scheduled Castes and Scheduled Tribes and 20% of Thanas have Sub-Inspectors / Inspectors from among SC/ST.

### **Special Courts**

For trial of offences under the Act, in each district, the Court of Chief Judicial Magistrate / Judicial Magistrate has been designated as a Special Court.

### **Inter-Caste Marriages**

An incentive amount of Rs. 10,000/- in cash is admissible to an inter-caste married couple. During the year 2006, an amount of Rs.1.00/- lakh was given to 10 couples.

### **Legal Aid**

Free legal aid is provided to Scheduled Castes and Scheduled Tribes.



## **5.20. WEST BENGAL**

### **Inter-Caste Marriages**

An incentive amount of Rs. 5,000/- is provided to an inter-caste married couple. An amount of Rs. 40,000/- was incurred on eight such couples during the year 2006.

### **Legal aid**

The District Legal Services Authority has been formed in all Districts, which extends legal aid to weaker sections.

## **5.21. ANDAMAN AND NICOBAR ISLANDS**

No case under the Act was registered in the Union Territory Administration of Andaman and Nicobar Islands during the period.

## **5.22. CHANDIGARH ADMINISTRATION**

### **Publicity**

Chandigarh Administration undertakes publicity measures to create awareness among the public about eradication of evil practice of untouchability. Chandigarh Administration also displays slides in all the cinema halls on the eradication of evil practice of untouchability.

### **Special Courts**

The Court of Additional Session Judge, Chandigarh has been specified as a Special Court to try the offences under the Act in Chandigarh. No case was, however, registered during the year 2006.

### **Inter-Caste Marriages**

An incentive amount of Rs. 25,000/- is provided to an inter-caste married couple under the Scheme. Seven couples were benefitted during the year 2006.

### **Legal Aid**

Rules for providing legal aid to Scheduled Castes have been formulated and necessary budgetary provision has also been made. However, no

expenditure was incurred during the calendar year 2006, as no case was received for legal aid.

**5.23. DAMAN & DIU**

**State Level SC and ST Protection Cell**

A PCR Cell has been functioning in the Union Territory of Daman and Diu with supporting staff.

**Legal Aid**

"Free Legal Aid and Advise Board" has been constituted in the Union Territory.

**5.24. NCT OF DELHI**

**Publicity**

Awareness boards for the information in regard to rights of Scheduled Castes have been displayed at all the Police Stations.

**5.25. LAKSHADWEEP**

All the indigenous inhabitants constituting 96% of the population in Lakshadweep are Muslims and classified as Scheduled Tribes. The remaining 4% of population comprise of Government Servants and their families who have come from the mainland. The practice of untouchability does not exist in Union Territory of Lakshadweep.

**5.26. PUDUCHERRY**

**Identification of Untouchability Prone Areas**

There is no untouchability prone area in the Union Territory.

**Special Courts**

The Court of Chief Judicial Magistrate has been designated as a Special Court for the whole of Puducherry to try offences of under Act. The Judicial

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Magistrates of the two Regions of the Union Territory, namely Karaikal and Yanam also try the offences under the Act.

### **Legal Aid**

Legal Aid is provided to those who have been subjected to disability arising out of untouchability. Suitable legal assistance is also provided by the Special Public Prosecutor in Puducherry Region and by Assistant Public Prosecutors in Karaikal and Yanam Regions.

### **5.27. OTHER STATES**

Detailed write-up in respect of State Governments of Mizoram, Meghalaya and Sikkim may be treated as Nil. The State Governments of Jharkhand, Karnataka, Manipur, Nagaland, Utrakhand and Union Territory Administration of Dadra & Nagar Haveli, have not provided the requisite material for the Report, despite repeated reminders.

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**STATEMENT SHOWING CASES REGISTERED BY POLICE AND THEIR DISPOSAL UNDER THE PROTECTION OF CIVIL RIGHT ACT, 1955 DURING THE YEAR 2006**

S. No.	State / UT	Number of cases registered during 2006		Number of cases with police during 2006 including B.F.		Number of cases closed by Police after investigation		Number of cases chargesheeted in courts		Number of cases pending with police at the end of 2006	
		SC	ST	SC	ST	SC	ST	SC	ST	SC	ST
1.	Andhra Pradesh	93	12	105	13	39	6	39	5	27	2
2.	Bihar	2	0	58	14	7	0	28	1	23	13
3.	Gujarat	4	0	5	0	0	0	5	0	0	0
4.	Himachal Pradesh	0	2	1	2	1	0	0	2	0	0
5.	Jammu & Kashmir	2	0	2	0	0	0	2	0	0	0
6.	Jharkhand	11	34	11	177	3	143	2	17	6	17
7.	Karnataka	25	1	31	1	5	0	20	1	6	0
8.	Madhya Pradesh	1	0	1	0	0	0	1	0	0	0
9.	Maharashtra	36	0	54	0	6	0	34	0	14	0
10.	Punjab	0	0	1	0	0	0	0	0	1	0
11.	Tamil Nadu	84	0	96	0	0	0	79	0	17	0
12.	Uttar Pradesh	133	0	134	0	12	0	106	0	16	0
13.	Puducherry	14	0	18	0	2	0	4	0	12	0
	<b>TOTAL</b>	<b>405</b>	<b>49</b>	<b>517</b>	<b>207</b>	<b>75</b>	<b>149</b>	<b>320</b>	<b>26</b>	<b>122</b>	<b>32</b>

Note:- (i) In the case of SCs, no case was registered in 22 States/UTs viz. Arunachal Pradesh, Assam, Chhattisgarh, Goa, Haryana, Kerala, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Rajasthan, Sikkim, Tripura, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Delhi and Lakshadweep.

(ii) In the case of STs, no case was registered in 30 States/UTs viz. Arunachal Pradesh, Assam, Chhattisgarh, Goa, Gujarat, Haryana, Jammu & Kashmir, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Punjab, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Delhi, Lakshadweep and Puducherry

Source: National Crime Records Bureau, Ministry of Home Affairs.

**STATEMENT SHOWING CASES WITH COURTS UNDER THE PROTECTION OF CIVIL RIGHT ACT, 1955 AND THEIR DISPOSAL  
DURING THE YEAR 2006**

S. No.	State / UT	Number of cases in Courts including B.F. in 2006		Cases Compounded or withdrawn		Number of cases in which trials competed				Number of cases pending with Courts at the end of 2006	
		SC	ST	SC	ST	Convicted		Acquitted Discharged		SC	ST
						SC	ST	SC	ST		
1.	Andhra Pradesh	134	27	0	0	7	0	36	6	91	21
2.	Bihar	271	9	0	0	0	0	10	0	261	9
3.	Chhatisgarh	1	0	0	0	0	0	0	0	1	0
4.	Gujarat	291	10	0	0	1	0	13	0	277	10
5.	Himachal Pradesh	26	4	1	0	0	0	4	0	21	4
6.	Jammu & Kashmir	4	0	0	0	1	0	0	0	3	0
7.	Jharkhand	7	27	0	0	0	0	1	3	6	24
8.	Karnataka	253	124	0	0	0	0	51	55	202	69
9.	Kerala	1	0	0	0	0	0	1	0	0	0
10.	Madhya Pradesh	31	9	0	0	3	0	3	1	25	8
11.	Maharashtra	1406	0	2	0	0	0	253	0	1151	0
12.	Orissa	8	0	0	0	0	0	1	0	7	0
13.	Punjab	1	0	0	0	0	0	0	0	1	0
14.	Rajasthan	49	7	0	0	9	2	40	5	0	0
15.	Tamil Nadu	148	0	0	0	6	0	14	0	128	0
16.	Uttar Pradesh	310	0	0	0	59	0	41	0	210	0
17.	Delhi	35	0	0	0	0	0	0	0	35	0
18.	Puducherry	20	0	0	0	1	0	5	0	14	0
	<b>Total</b>	<b>2996</b>	<b>217</b>	<b>3</b>	<b>0</b>	<b>87</b>	<b>2</b>	<b>473</b>	<b>70</b>	<b>2433</b>	<b>145</b>

Note:- (i) In case of SCs, no case was registered in 17 States/UTs viz. Arunachal Pradesh, Assam, Goa, Haryana, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep.

(ii) In case of STs, no case was registered in 27 States/UTs viz. Arunachal Pradesh, Assam, Chhattisgarh, Goa, Haryana, Jammu & Kashmir, Kerala, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Punjab, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Delhi, Lakshadweep and Puducherry.

Source: National Crime Records Bureau, Ministry of Home Affairs.

No.11012/ 11 /2005-PCR (Desk)  
Government of India  
**Ministry of Social Justice & Empowerment**  
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Shastri Bhawan, New Delhi;  
Dated: 29<sup>th</sup> March, 2006.

**OFFICE MEMORANDUM**

Subject:- Constitution of a Committee to review and monitor cases under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A Committee under the Chairmanship of the Hon'ble Minister of Social Justice & Empowerment is hereby constituted for effective coordination to devise ways and means to curb offences of untouchability and atrocities against Scheduled Castes and the Scheduled Tribes and effective administration/implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The Members of the Committee will be as follows:-

1.	Minister, Ministry of Social Justice & Empowerment	Chairperson
2.	Minister, Ministry of Tribal Affairs	Special Invitee
3.	Secretary, Ministry of Social Justice & Empowerment	Member
4.	Secretary, Ministry of Home Affairs	Member
5.	Secretary, Department of Justice, Ministry of Law and Justice	Member
6.	Secretary, Ministry of Tribal Affairs	Member
7.	Secretary, National Commission for Scheduled Castes	Member
8.	Secretary, National Commission for Scheduled Tribes	Member
9.	Joint Secretary (In charge of National Crime Records Bureau), Ministry of Home Affairs	Member
10.	Two non-official representatives from amongst Scheduled Castes	Members
11.	One non-official representative from amongst Schedule Tribes	Member
12.	Joint Secretary (SCD), Ministry of Social Justice & Empowerment	Member-Secretary

2. Non-official Members would be paid Traveling Allowance and Daily Allowance as admissible to the Joint Secretary to the Government of India. In case of travel by air, entitlement would be restricted to travel only by 'Economy Class' of Indian Airlines.

3. The Committee would meet twice in a year.

(Sewa Ram)

Joint Secretary to the Government of India  
Ph. 23387269

1. The Secretary, Ministry of Social Justice & Empowerment, New Delhi.  
2. The Secretary, Ministry of Home Affairs, North Block, New Delhi.  
3. The Secretary, Department of Justice, Ministry of Law and Justice, Shastri Bhawan, New Delhi.

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2- *[Handwritten signature]*

4. The Secretary, Ministry of Tribal Affairs, New Delhi.
5. The Secretary, National Commission for Scheduled Castes, Lok Nayak Bhawan, Khan Market, New Delhi.
6. The Secretary, National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, Khan Market, New Delhi.
7. The Joint Secretary (In charge of National Crime Records Bureau), Ministry of Home Affairs, North Block, New Delhi.
8. PS to Minister, Ministry of Social Justice & Empowerment, New Delhi.
9. PS to Minister, Ministry of Tribal Affairs, New Delhi.
10. PS to Joint Secretary (SCD), Ministry of Social Justice & Empowerment, New Delhi.

*4/1/06*  
*[Handwritten initials]*

Copy for information to:

1. PS to the Minister of State for Social Justice & Empowerment.
2. PS to Secretary, Ministry of Social Justice & Empowerment.
3. PS to Additional Secretary, Ministry of Social Justice & Empowerment.
4. PS to all Joint Secretaries in the Ministry Social Justice & Empowerment.
5. All Directors/Deputy Secretaries.
6. All Under Secretaries/Sections.
7. Deputy Secretary (Finance) w. r. to Dy. No. 3225/JS&FA dated 20.01.2006.
8. Establishment Section/Budget & Cash Section.

*4/1/06*  
*[Handwritten initials]*

*4/1/06*

1	Secretary, Ministry of Social Justice & Empowerment
2	Secretary, Ministry of Tribal Affairs
3	Secretary, Ministry of Home Affairs
4	Secretary, National Commission for Scheduled Castes
5	Secretary, National Commission for Scheduled Tribes
6	Secretary, National Crime Records Bureau
7	Secretary, Ministry of Social Justice & Empowerment
8	Secretary, Ministry of Social Justice & Empowerment
9	Secretary, Ministry of Social Justice & Empowerment
10	Secretary, Ministry of Social Justice & Empowerment
11	Secretary, Ministry of Social Justice & Empowerment
12	Secretary, Ministry of Social Justice & Empowerment

Minutes of meeting of the Committee constituted for effective coordination to devise ways and means to curb offences of untouchability and atrocities against Scheduled Castes and Scheduled Tribes and effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 held on 18.09.2006 at India Habitat Centre, New Delhi.

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The first meeting of the Committee constituted for effective coordination to devise ways and means to curb offences of untouchability and atrocities against Scheduled Castes and Scheduled Tribes and effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was held under the Chairpersonship of Hon'ble Minister for Social Justice & Empowerment. The details of participants are **annexed**.

2. The Additional Secretary, Ministry of Social Justice & Empowerment welcomed the participants and apprised that this meeting has been convened to invite suggestions in regard to prevention of atrocities and for effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Hon'ble Minister for Social Justice & Empowerment said that the Ministry had been sending advisories to States/Union Territories and she had also addressed Chief Ministers, suggesting specific steps towards effective implementation of these Acts. She felt that as a result of persistent efforts, the conviction rate in respect of cases under POA Act had increased from 10.35% in 2002 to 15.71% in 2004. She further said that the data received from States/Union Territories indicates that the number of cases registered under POA Act has declined from 27,894 in 2002 to 23,629 in 2004. However, she was reluctant to accept it as a truthful reflection of the state of affairs. She recalled that the implementation of the Acts was also reviewed in a two days conference of State Welfare Secretaries, held in New Delhi on 14<sup>th</sup> and 15<sup>th</sup> September, 2006, wherein the concern was expressed about difficulties faced by atrocity victims in getting FIR registered as well as poor quality of prosecution.

4. Hon'ble Minister expressed satisfaction that the National Commission for Scheduled Castes would soon install a Toll Free connection at its Headquarters and whenever any complaint is received, the Commission would pursue it through its field offices and take it to the logical conclusion, so that the victim gets fair and humane treatment and the



accused are brought to book. Further, she announced that a Scheme had been approved to institute a National Award for such Non-Governmental Organizations and Human Rights Activists who are doing outstanding field work in the area of eradicating untouchability and combating offences of atrocities against Scheduled Castes.

5. The Secretary, Ministry of Tribal Affairs mentioned that relatively the offences of atrocities against Scheduled Tribes are much less as compared with Scheduled Castes, though amongst Scheduled Tribes, there are cases of land alienation. The Hon'ble Minister, however, emphasized that not even a single case of atrocity should be taken lightly. The Secretary mentioned that greater attention would be paid to this work.

6. Shri K. B. Krishna Murthy, Ex. Member of Parliament, Rajya Sabha apprised about non-payment/ partial payment of the relief amount to victims of atrocities. He also stressed the need to provide micro-finance to the needy Scheduled Castes having marginal land holdings as in the absence of this facility as well as no assistance coming from Gramin and other Banks, they are compelled to raise money from the private money lenders and as a consequence their land is mortgaged and gradually they lose their land, regressing to their original state of poverty and dependence and such aggrieved persons are joining Naxalites. He also apprised about harassment of Scheduled Castes Officers in the public sector undertakings has to be specifically looked into as many officers belonging to Scheduled Castes, even up to the level of Senior Managers, are harassed and forced to take voluntary retirement scheme. This is a very serious situation as after proceeding on voluntary retirement, they become economically weak and whatever dues they get after retirement, are soon spent on clearing their earlier debts.

7. The Secretary, National Commission for Scheduled Castes mentioned that implementation of the Acts is reviewed with the concerned officers in the States and it has been seen that in some States, the State and District Level Vigilance and Monitoring Committees have either not been constituted or the meetings are not conducted at regular intervals as provided under POA Rules. He suggested that police personnel, public prosecutors and judicial officers need to be sensitized about these special laws and the Commission is of the view that 5 to 7 days seminars and training programmes with full financial support from the Centre, should be conducted in this regard, which would cover not only the crime aspect but also socio-economic dimensions of the problem in its proper

perspective and such a training programme should be made as an essential part of the curricula. He apprised that the National Law Academy at Bhopal is already conducting these kinds of training programmes where Session Judges are also amongst the participants.

8. The Secretary, National Commission for Scheduled Tribes mentioned that the Commission is around two years old. He observed that the strong data system does not exist, though it is extremely important in regard to effective implementation of these Acts. He suggested that some studies be also instituted to collect primary data in regard to offences of atrocities.

9. The Additional Secretary, Ministry of Home Affairs apprised that in regard to monitoring of cases, a web-enabled Daily Crime Report(DCR) has been developed by National Crime Records Bureau . He apprised that his Ministry also issues advisories to States/ Union Territories in respect of effective implementation of the Acts. He suggested that since 'Police' is a State subject, therefore, some of their Officers may also be invited to participate in future meetings of this Committee.

10. The Additional Secretary, Ministry of Social Justice & Empowerment while proposing vote of thanks requested all agencies to provide inputs to the Ministry, like case studies, filed reports etc., which may be taken up for consideration in the next meeting of this Committee.

11. The Meeting ended with the thanks to the Chair.

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List of the participants

1. Ms. Meena Gupta, Secretary, Ministry of Tribal Affairs
2. Dr. Sundeep Khanna, Additional Secretary, Ministry of Social Justice & Empowerment
3. Shri S. K. Sood, Secretary, National Commission for Scheduled Castes
4. Shri K. K. Gupta, Secretary, National Commission for Scheduled Tribes.
5. Shri P. V. Bhide, Addl. Secretary, Ministry of Home Affairs
6. Shri A. K. Srivastava, Joint Secretary, Ministry of Home Affairs
7. Shri Sudhir Awasthi, Director, National Crime Records Bureau
8. Dr. Arbind Prasad, Joint Secretary, Ministry of Social Justice & Empowerment
9. Shri S. S. Sharma, Joint Secretary, National Commission for Scheduled Castes
10. Shri K. K. Krishna Murthy, Ex. M.P., Rajya Sabha.

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No. 11011/8/2006-PCR (Desk)  
Government of India  
Ministry of Social Justice and Empowerment  
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New Delhi, dated 14th March 2006

To,

The Chief Secretaries,  
All State Governments/Union Territory Administrations.

Subject: - Effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.....regarding.

Sir/Madam,

I am directed to refer to subject noted above and to say that this Ministry from time to time has been requesting the State Governments and Union Territory Administrations to implement the Protection of Civil Rights Act, 1955, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 in letter and spirit. Nevertheless, it is requested that the following suggestions may kindly be considered, which would be instrumental towards effective implementation of the Acts.

- (i) It may be ensured that in accordance with Rule 7(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, the investigation of offences of atrocities on top priority should be completed within 30 days and the report submitted to the Superintendent of Police for immediate onward transmission to the Director General of Police.
- (ii) It may be ensured that while registering First Information Report (FIR), the concerned Police Officer should not insist for production of the caste certificate by the victim of an offence of atrocity.
- (iii) Suitable Departmental action may be initiated against a Police Officer in case he or she does not register the FIR. Further, in case the Police Officer does not belong to Scheduled Castes/Scheduled Tribes, appropriate action may be initiated under Section 4 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, for his/her willful neglect of duties.
- (iv) The prosecution of cases should be taken up effectively and as provided under Rule (4) (c) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, the District Magistrate and the Director of the Prosecution is required to review at least twice in a calendar year, the performance of the Special Public Prosecutor and report thereof be sent to the State Government.
- (v) The disbursement of relief and rehabilitation as prescribed under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, should be provided to the victims without any delay. Rule 12(7) also provides that a report of the

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relief and re-habilitation facilities provided to the victims is required to be forwarded to the Special Court by the District Magistrate or Sub-divisional Magistrate or Executive Magistrate or the Superintendent of Police.

(vi) For speedy disposal of cases, it may be considered to set up Exclusive Special Courts, especially in such Districts where the number of cases of offences of atrocity are significant in number.

(vii) The Senior Police Officers and the Director of Prosecution may collectively review such cases which ended in acquittal and take appropriate decision for filing appeals for review, where ever necessary.

(viii) As per under Section 15(A)(2)(i) of the Protection of Civil Rights Act, 1955 and Section 21(2)(i) of the Scheduled Castes and the Scheduled Tribes(Prevention of Atrocities) Act, 1989, it may be ensured that the legal aid is provided to the affected persons.

(ix) The conducting of survey to identify untouchability as well as atrocity prone areas should be made an going process and the existing list of such areas be updated from time to time, depending upon the propensity of offences of untouchability and atrocity.

(x) As provided under Rules 7(1) of the Prevention of Atrocities Rules, 1955, offences of atrocity registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, should be investigated by a Police Officer not below the rank of Deputy Superintendent of Police.

(xi) It may be ensured that the prominent features of the Protection of Civil Rights Act, 1955, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 are displayed by installing hoardings at such places which are frequently visited by the citizens, like Post Offices, Banks, Railway Stations, Bus Stops, Public Health Centres, Dispensaries, Hospitals, Fair Price Shops, Police Stations, Offices of Tehsildar, District Collector/District Magistrate etc.

(xii) As provided under Rule 17 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, it may be ensured that the State as well as District Level Vigilant and Monitoring Committees are constituted and that they conduct meetings regularly in accordance with the provisions of the Rules.

(xiii) Adequate incentive for inter-marriages be provided to such couples which contract - marriages, where one of the spouse belongs to Scheduled Caste.

2. It is accordingly requested that the Secretary concerned with the Scheduled Caste Development Division in the States/Union Territory Administrations be accordingly instructed to act upon the aforesaid suggestions towards effective implementation of the Act.

Yours faithfully,

(Sewa Ram)

Joint Secretary to the Government of India