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ANNUAL REPORT
ON
THE PROTECTION OF CIVIL RIGHTS ACT, 1955
FOR THE YEAR 2003
(TWENTY THIRD REPORT)



सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
NEW DELHI

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CHAPTER-1

INTRODUCTION

(1). The Protection of Civil Rights Act, 1955

The practice of untouchability was abolished by virtue of Article 17 of the Constitution. The Protection of Civil Rights Act was enacted by the Parliament in the year 1955. The Act provides for punishment for offences of untouchability. The provisions of the Act extend to all over the country and are implemented by the State Governments and Union Territory Administrations concerned which are provided central assistance for implementation of the Act.

(1.2) REPORT ON IMPLEMENTATION OF THE PROTECTION OF CIVIL RIGHTS ACT, 1955

Section 15A (4) of the Act requires the Central Government to, every year, place on the Table of each House of the Parliament, a report on the measure taken by itself and by the State Governments. Accordingly the Report for the calendar year 2003 is placed on the Table of both the Houses of Parliament.

CHAPTER-2

STATISTICAL PROFILE OF STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATION

During the year 2003, Six hundred and fifty one (651) cases were registered under the Act. The largest number of cases (495 cases) were reported in Andhra Pradesh and State wise details of the cases registered under the Act during the year 2003 in descending order are mentioned in the table below. In the remaining State Governments and Union Territory Administrations, no case was registered during the calendar year 2003.

TABLE NO.1

CASES REGISTERED DURING 2003

| S.No. | State/UTs | Number of Cases registered during the year 2003 | Percentage of total case registered under the PCR Act |
|--------------|------------------|--|--|
| 1. | Andhra Pradesh | 495 | 76.04 |
| 2. | Karnataka | 69 | 10.60 |
| 3. | Maharashtra | 39 | 05.99 |
| 4. | Madhya Pradesh | 17 | 02.61 |
| 5. | Pondicherry | 17 | 02.61 |
| 6. | Jharkhand | 4 | 00.62 |
| 7. | Tamil Nadu | 3 | 00.46 |
| 8. | Kerala | 2 | 00.31 |
| 9. | Orissa | 2 | 00.31 |

| | | | |
|-----|------------------|------------|------------|
| 10. | Chhatisgarh | 1 | 00.15 |
| 11. | Gujarat | 1 | 00.15 |
| 12. | Himachal Pradesh | 1 | 00.15 |
| | Total | 651 | 100 |

STATES REGISTERING 1 TO 20 CASES

The State / Union Territory wise details are given in the table below: -

TABLE NO.2

| S.No. | State/UTs | Number of cases reported during 2003 |
|--------------|------------------|---|
| 1. | Madhya Pradesh | 17 |
| 2. | Pondicherry | 17 |
| 3. | Jharkhand | 4 |
| 4. | Tamil Nadu | 3 |
| 5. | Kerala | 2 |
| 6. | Orissa | 2 |
| 7. | Chhatisgarh | 1 |
| 8. | Gujarat | 1 |
| 9. | Himachal Pradesh | 1 |
| | Total | 48 |

STATES REGISTERING 21 TO 100 CASES

The State / Union Territory wise details are given in the table below: -

TABLE NO.3

| S.No. | State/UTs | Number of cases reported during 2003 |
|--------------|------------------|---|
| 1. | Karnataka | 69 |
| 2. | Maharashtra | 39 |
| | Total | 108 |

CASES DEALT WITH BY POLICE

The details in regard to cases dealt with by Police during 2003 are given in the following table.

TABLE NO.4

| S. No. | Item | Number of Cases | |
|--------|---|-----------------|---------------------|
| | | Number | Percentage of total |
| 1 | 2 | 3 | 4 |
| 1. | Total number of cases (including brought forward) | 1809 | |
| 2. | No. of cases closed after investigation | 161 | 08.90% |
| 3. | No. of cases charge sheeted in courts | 229 | 12.66% |
| 4. | No. of cases pending with the police at the end of the year | 1419 | 78.44% |

The State/Union Territory wise details are given in **Annexure- I.**

DISPOSAL OF CASES BY COURTS

The details of disposal of cases by courts during the year 2003 are given in the Table below.

TABLE NO.5**Disposal of cases by Courts**

| S. No. | Item | <u>Number of Cases</u> | |
|---------------|--|-------------------------------|--|
| | | Number of cases | Percentage of total case disposed off by the courts |
| 1 | 2 | 3 | 4 |
| 1. | Total number of cases (including brought forward) | 8,137 | |
| 2. | Number of cases disposed of by Courts | 2348 | 28.86% |
| (a) | Number of cases ending in conviction | 13 | 00.55% |
| (b) | Number of cases ending in acquittal | 2335 | 99.45% |
| 3. | Number of cases pending with Courts at the end of year | 5,789 | 71.14% |

The State / Union Territory – wise details of cases with Courts and their disposal are given in **Annexure – II.**

CHAPTER-3

MEASURES TAKEN BY THE GOVERNMENT OF INDIA

3.1 Development of the Scheduled Castes is the collective responsibility of the Central as well as the State Governments and Union Territory Administrations. In the Central Government, various Ministries/Departments deal with sectoral issues relating to development of Scheduled Castes and are also required to formulate Special Component Plan for Scheduled Castes. The Ministry of Social Justice & Empowerment deals with overall policy and co-ordination of matters relating to development of Scheduled Castes. The Ministry of Social Justice & Empowerment supplements through special programmes to provide a fillip and augment the schemes implemented by other Central Ministries/Departments.

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

With a view of financially assist the States/ Union Territory in implementation of provisions of the Acts; a Centrally Sponsored Scheme was introduced initially for implementation of the Protection of Civil Rights Act, 1955 in 1974-75. The scheme was later extended to cover the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 as well in 1990-91. Under this scheme, 50% of the total expenditure over and above the committed liability is provided to the State Governments by way of central assistance and that the Union Territory Administrations get 100% central assistance. Central Assistance under the Scheme is mainly provided for strengthening of the administrative, enforcement and judicial machinery, awareness generation, and relief and rehabilitation of the affected persons. During the year 2003-2004,

central assistance of Rs. 36.38 crores was released to State Governments and Union Territories, the details of which are below: -

| S.No. | State / UTs | Central released (Rs. in crores) | Assistance (Rs. in crores) |
|-------|--------------------|----------------------------------|----------------------------|
| 1. | Andhra Pradesh | | 04.640 |
| 2. | Bihar | | 00.860 |
| 3. | Chhattisgarh | | 00.301 |
| 4. | Goa | | 00.007 |
| 5. | Gujarat | | 02.570 |
| 6. | Haryana | | 00.220 |
| 7. | Kerala | | 00.440 |
| 8. | Madhya Pradesh | | 12.810 |
| 9. | Maharashtra | | 01.500 |
| 10. | Orissa | | 00.050 |
| 11. | Punjab | | 00.400 |
| 12. | Rajasthan | | 00.340 |
| 13. | Sikkim | | 00.010 |
| 14. | Tamil Nadu | | 01.250 |
| 15. | Uttar Pradesh | | 10.300 |
| 16. | Dadra Nagar Haveli | | 00.330 |
| 17. | Pondicherry | | 00.350 |
| | TOTAL | | 36.378 |

The Ministry of Social Justice and Empowerment has been addressing the State Governments / Union Territory Administrations to implement the provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in letter and spirit with specific emphasis for taking necessary steps towards setting up of exclusive special courts, sensitization of investigation officers, ensuring registration of First Information Report (FIR), timely registration of cases and filling of charge sheets in the courts, giving due attention for maintenance of law and order the identified atrocity prone areas and use of electric printing and other media outfit to publicize provisions of the Acts for creating awareness among the target groups and ensuring participation of Panchayati Raj Institutions and the civil society at large.

The 'Atrocities and Protection of Civil Rights Wing' is functioning in the headquarters of the National Commission for Scheduled Castes. The Wing, inter alia, deals with matters pertaining to offences of atrocity and untouchability.

3.3 MINISTRY OF INFORMATION AND BROADCASTING

3.3.1 ALL INDIA RADIO (AIR)

All Stations of All India Radio(AIR) have been mounting programmes for the 'Eradication of Untouchability' in their Special Audience Programmes (SAP) like Rural, Women, Youth and Children's programmes apart from the general broadcasts. These programmes have been in the form of Talks, Plays, Features, Discussions, Interviews, Family Serials and Slogans etc. The 1036 programmes were broadcasted on publicity for the 'Eradication of Untouchability' in different dialects/regional languages from various All India Radio Stations during the calendar year 2003.

3.3.2 DIRECTORATE OF FIELD PUBLICITY (DFP)

268 Field Publicity Units of the Directorate disseminated information on the theme of 'Eradication of Untouchability' by having organising 5908 film shows, 7586 oral communication programmes, 136 song & drama programmes, 1362 photo exhibitions and 110 special interactive programmes in the form of essay competitions, debates, rural sports, rallies, mothers meets, seminars, symposia, drawing / painting competitions and cleanliness competitions.

3.3.3 DIRECTORATE OF ADVERTISING & VISUAL PUBLICITY (DAVP)

Directorate of Advertising & Visual Publicity (DAVP) released advertisements on the bane of Untouchability on the occasion of Mahatama Gandhi birthday on 02.10.2003, Sant Ravi Das Jayanti on 16.02.2003 and Social Empowerment Memorial Day on 20.03.2003. Directorate of Advertising & Visual Publicity (DAVP) produced a weekly radio programme 'Sanwanti Jayen Jeevan Ki Raahein' for broadcast through All India Radio (AIR). Directorate of Advertising & Visual Publicity (DAVP) also used Outdoor Publicity formats like bus back panels and hoarding to spread the messages on prevention of untouchability.

3.3.4 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 an intention of changing the mind set amongst people. The efforts were made to raise social awareness on evils of untouchability, targeting

rural and semi-urban populace. The Division on an average presented more than 40,000 programmes all over the country involving, over 10,000 artists from across the nation. The Division's programmes are composite in nature where in the theme " Eradication of untouchability " is suitably covered.

CHAPTER-4

MEASURES TAKEN BY STATE GOVERNMENTS/ UNION TERRITORY ADMINISTRATIONS

1. ANDHRA PRADESH

LEGAL AID

An amount of Rs. 143.92 lakhs was incurred to provide Monetary Relief and Legal Aid to 1313 victims during 2003-2004.

INTER-CASTE MARRIAGES

An expenditure of Rs. 97.65 lakhs was incurred during 2003-2004 towards incentives to 687 inter-caste-married couples.

SPECIAL COURTS

22 Special Mobile Courts have been set up in the State for trial of cases under the Protection of Civil Rights Act, 1955.

APPOINTMENT OF OFFICERS AND WORKING OF PCR CELL

12 DSPs have been appointed exclusively for investigation of the cases relating to Scheduled Castes and Scheduled Tribes. Besides this, the DSPs, CID in the remaining districts, also investigate the cases

PUBLICITY MEASURES

In order to curb the evil practice of untouchability and create awareness among the general public, circulars, pamphlets and other instructions have been issued to launch an awareness campaign mainly on eradication of untouchability. In accordance with the Orders of the State Government, 30th of every month (28th in case of February) is treated as " Civil Rights Day" in one village in each Mandal. Further, the Mandal level Officials and non-officials alongwith police officials are required to visit one village in a week in every Mandal. Publicity is also arranged through pamphlets, posters, booklets, pledges, paintings, Pillar boards, Hoardings, song and drama musical programmes plays, skits, playlets, slides, electronic media and playing cassettes in cinema theaters.

2. ASSAM

LEGAL AID

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

APPOINTMENT OF OFFICERS

Police vigilance continued throughout the State alongwith the District Administration. The Sub-Divisional Welfare Officers are Vigilance Officers in respect of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955 in the Sub-Divisions.

COMMITTEES

In Assam, Legal Aid Committees have been functioning in all the districts. State Level Advisory Council has also been functioning. These Committees have representation of members amongst Scheduled Castes, Scheduled Tribes and Other Backward Classes. The State Level Advisory Council for Scheduled Castes / Scheduled Tribes headed by Minister-in-charge, Scheduled Castes / Scheduled Tribes also looks after matters for Civil Rights. MLAs and MPs belonging to Scheduled Castes / Scheduled Tribes community are the members of this Council along with the representatives of the prominent voluntary organizations.

3. BIHAR

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.

SCHEDULED CASTES AND SCHEDULED TRIBES POLICE STATIONS

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

4. CHHATTISGARH

LEGAL AID

A provision of legal aid has been made in the State. No case, however, came up under the Protection of Civil Rights Act, 1955 during the reported year.

PUBLICITY

Toward publicity of the provisions of the Act, an amount of Rs. 2.81 lakhs was incurred during the year 2003-2004. 16 Sadhavana Shibirs were also held in the districts during the year.

INTER CASTE MARRIAGES

Towards incentive for inter - caste marriages, 34 couples were provided incentive for which an expenditure of Rs. 2.04 lakhs incurred during 2002-2003.

5. GOA

LEGAL AID

Legal Aid is being provided by the State Law Department.

INTER CASTE MARRIAGES

The State Government incurred an expenditure of Rs. 1.00 lakh during the year 2003 towards incentive for inter-caste marriages.

6. GUJARAT

APPOINTMENT OF OFFICERS

At the Secretariat level, the Principal Secretary, assisted by the Deputy Secretary and the Under Secretary of the Social Justice and Empowerment Department look after the work while at Directorate level, the Director is looking after the work. A special Cell viz "Nagrik Cell" has been created in the Directorate and a Deputy Director has been appointed to look after the Cell. Three Regional Vigilance Officers are also working at Vadodara, Ahmedabad and Rajkot.

The Secretary, Social Justice & Empowerment Department has been nominated as the Nodal Officer under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and the Protection of Civil Rights Act, 1955. Three Regional Vigilance officers have also been nominated as Special Officer under Rule 9 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and the Protection of Civil Rights Act, 1955.

INTER –CASTE MARRIAGES

During the year 2003-04, an expenditure of Rs. 116.05 lakhs was incurred and 233 inter- caste married couples were provided the incentive.

COMMITTEES

HIGH LEVEL COMMITTEE

A High Level Committee has been set up under the Chairpersonship of the Chief Minister for effective implementation of the Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955. The Finance Minister, the Revenue Minister, the Social Welfare Minister, some of Members of Parliament, State Legislatures and Senior Government officers are members of the Committee.

District Level Committee:

At District level, the District Vigilance Committees have been constituted under the Chairpersonship of District Collector. The Committee consists of District Panchayat President, Chairperson of District Social Justice Committee, District Development Officer, District Superintendents of Police, District Government Public Prosecutor, Members of Parliament/Members of Legislative Assembly and prominent Social Workers of respective Districts. This Committee looks after the effective implementation of the Act. The District Committees meet regularly every quarter and in the year 2003, 75 meetings of such Committees were held.

Taluka Level Committee :

Taluka level Committees have been set up in every Taluka under the Chairpersonship of Taluka Mamlatdar for the same purpose. The Chairperson of the Taluka Social Justice Committee, Public Prosecutor, Police Inspector and Sub-Inspector of Taluka are the Members of the Committee.

City level Committees:

Under the Chairpersonship of the Police Commissioner, City level Committees have also been set up. Public Prosecutor, Munciple Commissioner and Scheduled Caste and Scheduled Tribes Members of Municipal Corporation are members of these Committees. These Committees review the cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955.

IDENTIFICATION OF UNTOUCHABILITY / ATROCITY PRONE AREAS

The following 11 districts have been identified as sensitive from point of occurrence of offences of untouchability / atrocity.

1. Mahesana
2. Ahmedabad

3. Junagadh
4. Sabar Kantha
5. Kheda
6. Rajkot (Rural)
7. Amreli
8. Kachchh
9. Surendranagar
10. Vadodara (Rural)
11. Bharuch

PUBLICITY

For wide publicity of the Act, printed booklets both in Gujarati and English were circulated among Authorities / Non officials, Villages Panchayats, Social Workers and Voluntary Organizations.

Efforts for Involving Non-Government Organization

Non-Government Organizations, Voluntary Agencies and prominent leaders in the field are invited for active participation in shibirs, seminars and workshops. The State Government has also set up an awareness center with help of Non Government Organization.

7. HARYANA

LEGAL AID

Assistance for legal aid is provided in cases of offences of untouchability like non-entry into temples, denial of drinking water from wells and other public places and mutation of land records. During the calendar year 2003, an expenditure of Rs.12. 500/- was incurred benefiting twenty five persons.

INTER CASTE MARRIAGES

During the calendar year 2003, an expenditure of Rs.5.75 lakhs was incurred for providing incentive to 23 such couples.

COMMITTEES

District Consultative Committees have been set up under the Chairpersonship of Deputy Commissioners for review and monitoring of the cases under the Act. Members of the Committee are District Superintendent of Police, MLAs belonging to Scheduled Castes and two other nominated persons.

AWARD TO PANCHAYATS

The Village Panchayats are encouraged by providing grant of Rs. 5000/- in recognition of their work pertaining to eradication of untouchability / construction of lanes and promoting enrolment of girls in schools.

ADMINISTRATIVE MACHINERY

A Special Cell has been set up in Police Headquarters at Panchkula to deal with crimes against weaker sections of the society. The Cell is functioning under the supervision of the Inspector General of Police, Law and Order, Haryana.

8. HIMACHAL PRADESH

LEGAL AID

Assistance for legal matters is provided free of cost by the State Legal Aid Board. The scheme includes expenses towards litigation as well as TA/DA to witnesses. During the year 2003-2004, 320 persons belonging to Scheduled Castes and Scheduled Tribes were benefited.

INTER CASTE MARRIAGES

In the year, 2003-2004, an expenditure of Rs. 62.72 lakhs was incurred towards incentive to 254 couples.

COMMITTEES

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

9. JAMMU AND KASHMIR

COMMITTEES

The State level Vigilance / Monitoring Committee has been constituted under the Chairpersonship of Additional Director of Police (CID) for monitoring such cases.

10. JHARKHAND

SPECIAL COURTS

Special Courts have been set up in each district of the State for disposal of cases under the Protection of Civil Rights Act, 1955.

PCR CELL

A Special Scheduled Castes and Scheduled Tribes Cell has been constituted under the Crime Investigation Branch of the Police Department. The Cell is headed by the Director General of Police, a Superintendent of Police, a Deputy Superintendent of Police and other officers and staff. Vigilance of cases is maintained by the Cell and review of the progress of investigation of crimes is made from time to time.

COMMITTEES

Under the provisions of the Act, a State level Vigilance Committee has been set up under the Chairpersonship of the Chief Minister.

11. KARNATAKA

LEGAL AID

The Karnataka Legal Services Authority, High Court Legal Services Committees, District Legal Services Authority and Taluk Legal Services

Committees extend free legal aid and advice to the Scheduled Castes & Scheduled Tribes.

INTER-CASTE MARRIAGES

An amount of Rs. 240.00 lakhs was incurred to provide incentive to 960 couples.

WORKING OF PROTECTION OF CIVIL RIGHTS ENFORCEMENT CELL

Directorate of Civil Rights Enforcement is functioning for the enforcement of the Protection of Civil Rights Act, 1955. Officers of the Police Department visit the Harijan Colonies to know the grievances and problems of the Scheduled Castes and the Scheduled Tribes and take suitable action for their redressal. Whenever cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955 are reported, Police Officers visit the spot immediately and register the cases against the offenders.

COMMITTEES

A High Level Committee has been set up under the Chairpersonship of the Hon' ble Minister for Home and is co-chaired by the Social Welfare Minister.

PUBLICITY MEASURES

Seminars are held under the auspices of the Directorate of Civil Enforcement and the Inspector General of Police. Training is imparted to Police Officers to educate and sensitise them on the need to enforce provisions of the Act. Eminent persons are also invited to address the seminars.

12. KERALA

INTER-CASTE MARRIAGES

An expenditure of Rs. 46.00 lakhs was incurred for having provided incentive to 230 couples during 2003 – 2004.

APPOINTMENT OF OFFICERS

A Special Cell is functioning in the Police Headquarters of the State, under the supervision of the Inspector General of Police (PCR), which keeps a watch over the handling of matters relating to cases under the Act. Three Special Mobile Squads (SMS) are also functioning in the Districts of Palakkad, Kasargode and Wayanad. Each squad is headed by a Deputy Superintendent of Police. The Inspectors of the squad maintain liaison with the District Advisory Committee dealing with problems affecting the members of the Scheduled Castes and the Scheduled Tribes.

The District Superintendents of Police/Commissioners of Police also conduct mass contact programmes and receive petitions by visiting Scheduled Castes / Scheduled Tribes colonies.

PUBLICITY AND OTHER MEASURES

The camps are organised to bring awareness towards the Protection of Civil Rights. The programmes namely " Temple Entry Proclamation " and " Social Solidarity fortnight " are also being implemented. The Public Relation Department and Director of Scheduled Castes and Scheduled Tribes Department give wide publicity to various measures. Seminars are also conducted by the District Welfare Officers.

13. MADHYA PRADESH

LEGAL AID

Legal aid is provided through Legal Aid and Legal Advice Board. Assistance of Public Prosecutors, Special Prosecutors and Senior Advocates is also made available to the Scheduled Castes and the Scheduled Tribes under the Act

INTER CASTE MARRIAGES

During the year 2003-2004, an expenditure of Rs.10.32 lakhs was incurred to provide incentive to 110 couples.

APPOINTMENT OF OFFICERS

a) PCR CELL

A Protection of Civil Rights Cell has been set up under the charge of Additional Director General of Police, to oversee the implementation as well as monitoring of the registration, investigation and prosecution of cases in the courts under the Act.

b) SPECIAL POLICE STATIONS

45 Scheduled Caste Welfare Thanas(AJK) have been set up for registering cases relating to atrocities and untouchability offences. The Thanas are in Morena, Bhind, Ujjain, Rajgarh, Panna, Vidisha, Jabalpur, Jhabua, Bhopal, Mandla, Neemuch, Katni, Umaria, Gwalior, Ratlam, Indore, Chhindwara, Khargone, Balaghat, Dhar, Seoni, Dewas, Datia, Dindori, Mandsaur, Damoh, Shajapur, Tikamgarh, Narsinghpur, Sidhi, Sagar, Shivpuri, Chhatarpur, Sheopur, Harda, Rewa, Sehore, Satna, Hoshangabad, Shahdol, Raisen, Betul, Guna, Khandwa and Badwani.

COMMITTEES

A) STATE LEVEL COMMITTEE

A State Level Committee under the Chairpersonship of the Chief Minister has been constituted with 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 as members, to review the implementation of the Protection of Civil Rights Act, 1955.

B) DISTRICT LEVEL COMMITTEE

District Level Committees under the Chairpersonship of District Magistrates have also been set up. The members of the District Level Committee are elected Members of Parliament, Members of Legislative Assembly, Superintendent of Police, three gazetted officers of the State, five non-official members belonging to Scheduled Castes and Scheduled Tribes and three persons representing NGOs.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

The State Government has identified the untouchability prone areas details of which are given below: -

| S.No. | Name of District | No. of villages/area identified as untouchability/atrocitiy prone |
|--------------|-------------------------|--|
| 1. | Indore | 1 |
| 2. | Tikamgarh | 6 |
| 3. | Chhatarpur | 4 |
| 4. | Khandwa | 6 |
| 5. | Ujjain | 18 |
| 6. | Dewas | 9 |
| 7. | Ratlam | 9 |
| 8. | Guna | 23 |
| 9. | Morena | 4 |
| 10. | Shahdol | 7 |
| 11. | Gwalior | 7 |
| 12. | Shivpuri | 8 |
| 13. | Satna | 6 |
| 14. | Mandsaur | 9 |
| 15. | Shajapur | 12 |
| 16. | Balaghat | 10 |
| 17. | Seoni | 3 |
| 18. | Dhar | 5 |
| 19. | Khargane | 2 |
| 20. | Narsinghpur | 8 |
| 21. | Mandla | 2 |
| 22. | Neemuch | 3 |
| 23. | Sagar | 15 |
| 24. | Damoh | 8 |
| 25. | Datia | 3 |
| 26. | Bhopal | 4 |
| 27. | Sehore | 8 |
| 28. | Betul | 9 |
| 29. | Rajgarh | 12 |
| 30. | ... | 6 |
| 31. | Vidisha | 18 |
| 32. | Chhindwara | 16 |
| 33. | Jabalpur | 7 |
| 34. | Rewa | 2 |
| 35. | Bhind | 3 |
| 36. | Sheopur | 1 |

| | | |
|-----|---------|---|
| 37. | Harda | 3 |
| 38. | Katni | 7 |
| 39. | Umaria | 1 |
| 40. | Dindori | 4 |
| 41. | Badwani | 3 |

| | |
|-------|-----|
| TOTAL | 313 |
|-------|-----|

PUBLICITY

A. Sadbhawana Shivirs

Sadbhawana Shivirs were organized in all the districts of the State towards eradication of untouchability. The Members of Parliament, Members of Legislative Assembly, Chairperson and Members of Zilla Panchayat, Members of Nagar Panchayat, Gram Panchayat, Members of Scheduled Castes and also persons not belonging to Scheduled Castes participate in the Shivirs in which information relating to provisions of schemes for Welfare of Scheduled Castes / Scheduled Tribes and the Act, is disseminated. The community lunch is also organized.

B. Awards to Panchayats

The Panchayats doing outstanding work in the field of eradication of untouchability are awarded by Government. At the district level, the Gram Panchayat doing outstanding work is awarded Rs. 5000/, at Divisional level the award is of Rs. 10,000/- and at the State level, the award of Rs. 20,000/- is given.

During the year 2003-2004, an amount of Rs. 1.95 lakhs was disbursed to districts for awards to panchayats.

14. MAHARASHTRA

INTER-CASTE MARRAIGES

During the year 2003 – 2004, an expenditure of Rs. 91.14 lakhs was incurred towards providing incentive to 606 couples.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

The District wise information in regard to number of sensitive villages is given in the table below: -

| S.No. | Name of District | Highly Sensitive | Partially Sensitive | Less Sensitive | Total |
|--------------|-------------------------|-------------------------|----------------------------|-----------------------|--------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | Mumbai | - | - | - | - |
| 2. | Sindhudurg | - | 32 | - | 32 |
| 3. | Thane | - | - | - | - |
| 4. | Raigad | - | - | - | - |
| 5. | Ratnagiri | - | - | - | - |
| 6. | Nasik | - | - | - | - |
| 7. | Dhule | - | 24 | - | 24 |
| 8. | Jalgaon | - | - | - | - |
| 9. | Nandurbar | - | 4 | 10 | 14 |
| 10. | Ahmednagar | - | - | - | - |
| 11. | Pune | - | 23 | - | 23 |
| 12. | Satara | - | - | 30 | 30 |
| 13. | Sangli | - | 15 | - | 15 |
| 14. | Solapur | 2 | 6 | 12 | 20 |
| 15. | Kolhapur | - | 16 | - | 16 |
| 16. | Amravati | 22 | - | 210 | 232 |
| 17. | Yavatamal | 55 | - | - | 55 |
| 18. | Buldhana | 22 | - | 126 | 148 |
| 19. | Akola | 10 | - | 7 | 17 |
| 20. | Nagpur | - | - | 26 | 26 |
| 21. | Wardha | 7 | - | 9 | 16 |
| 22. | Bhandara | - | 22 | - | 22 |
| 23. | Gondia | - | - | 15 | 15 |
| 24. | Chandrapur | - | - | - | - |
| 25. | Aurangabad | 15 | 12 | - | 27 |
| 26. | Jalana | 8 | - | 16 | 24 |
| 27. | Beed | - | - | - | - |
| 28. | Parbhani | - | 28 | - | 28 |
| 29. | Hingoli | - | 41 | 35 | 76 |
| 30. | Nanded | 147 | - | 47 | 194 |
| 31. | Osmanabad | 2 | 3 | 2 | 7 |
| 32. | Latur | - | - | - | - |
| 33. | Washim | 2 | 19 | - | 21 |
| 34. | Gadchiroli | 22 | 1 | - | 23 |
| 35. | Mumbai | - | - | - | - |

PCR CELL

Special machinery under the Social Justice Department has been created in addition to regular departmental set up. The Special District Social Welfare Officer in all the District places implements the Act and also arrange for its publicity. The Officer is also the Member Secretary of the District Vigilance and Control Committee headed by the District Collector. The Special PCR Cell has also been created under Home Department. The Officers of this Cell visit the places where the untouchability offences takes place and they also investigate the cases registered under the Act and submit the report to the Government. The special PCR Cell also monitors the cases under the Act.

COMMITTEES

The Vigilance Committees have been constituted at District, Divisional and State level. District level Vigilance Committee is headed by District Magistrate. Divisional level Vigilance Committee is headed by the Divisional Commissioner and State level Vigilance Committee is headed by the Hon'ble Chief Minister. The following table indicates the number of meetings held.

| Sr. No. | Total Number of District and Division | Total Number of meeting conducted |
|----------------|--|--|
| 1 | 2 | 3 |
| 1. | 35 Districts | 185 |
| 2. | 6 Division Head Quarters | 10 |

PUBLICITY

1. PARISHAD

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

2. Participation of Youth

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

a). Eloquence Competition

The competitions through schools and colleges are organized by Special District Social Welfare Officers every year. The winners are encouraged by giving cash prizes. An expenditure of Rs. 01.53 lakhs was incurred for this competition.

b). Essay Competition

The Special District Social Welfare Officers conduct the essay competitions at schools and colleges level every year. The winners are given cash prizes. An Expenditure of Rs. 1.53 lakhs was incurred for this competition.

c). Sensitization of Village Workers & Officers

During the year 2003, a programme of sensitization of village level workers and officers was undertaken. One-day workshop was organized at 352 Panchayat Samittee Levels and approximately 20000 participants attended the workshops. Amongst the participants were the Sarpanch, Secretary and Members of Grampanchayat, Talathi & Police Patil of village and staff of Police Stations. An expenditure of Rs. 3.50 lakhs was incurred on organization of 352 workshops during the year.

15. ORISSA

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 SC/ST litigants are also given legal aid under Legal Aid Scheme operated by the ST & SC Development Department to fight cases for establishing their right, titles and possession of the disputed land and also for the cases under the Protection of Civil Rights Act, 1955. Under the scheme, an amount of Rs. 49,400/- to five Scheduled Castes and Rs. 39,000/- to two Scheduled Tribes was allotted during 2003-2004.

APPOINTMENT OF OFFICERS

Government have constituted District Human Rights Protection Cell in 32 Police Districts to deal with the Protection of Civil Rights Act, 1955 and other Acts also. No separate set of officers have been specifically appointed for implementation of the Act.

INTER CASTE MARRIAGES

During 2003 – 2004, an expenditure of Rs. 12,000/- was incurred to provide incentive to 4 couples.

PUBLICITY AND OTHER MEASURES

Publicity is given through various mass media about evil practice of untouchability and provisions of the Protection of Civil Rights Act, 1955. The field Officers of Scheduled Tribes & Scheduled Castes Development Department contact the villagers in course of their tour and hold group discussions for creating awareness against the practice of untouchability. 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 their efforts in doing work for creating awareness against the evil practice of untouchability and 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.

16. PUNJAB

LEGAL AID

Free legal is provided to member of Scheduled Caste in filing and defend case by Punjab Legal Services Authority.

PUBLICITY

Publicity to the provisions of the Act is done by way of organizing seminars, debates and mass lunch at block level. Boards and Hoardings are being installed in the State highlighting the provisions of the Act. So far in 9 districts, such boards have already been installed and the remaining districts are being covered.

17. RAJASTHAN

LEGAL AID

The legal services to entitled persons are provided under that Legal Services Authorities Act, 1987, Rajasthan State Legal Service Authority Rules, 1995 and Rajasthan State Legal Services Regulation, 1999.

During the calender year 2003, 1054 Scheduled Castes and 1761 Scheduled Tribes were benefited of legal services in the State.

APPOINTMENT OF OFFICERS

A Civil Rights Cell is functioning in the Police Headquarters. Further, 21 Special Cells have also been set up in the State under the supervision of Deputy Superintendent of Police for prompt investigation of cases under the Act.

COMMITTEES

A State Level Committee under the Chairpersonship of the Chief Minister has been constituted which includes the State Minister of Social Welfare Department as Vice Chairperson and Chairperson, Scheduled Castes Committee, Members of Legislative Assembly, Secretaries of Home, Law, Revenue, Urban & Rural, Social Welfare Departments, Director General of Police, Managing Director of Rajasthan Scheduled Castes Development Co-operative Corporation, Director, Local Body Department and Director, Social Welfare Department, as Members of the Committee.

18. TAMIL NADU

COMMITTEES

The State Level Vigilance and Monitoring Committee and District Vigilance and Monitoring Committees have been formed. The State Vigilance and Monitoring Committee is chaired by the Hon' ble Chief Minister and the District Vigilance and Monitoring Committees function under the Chairpersonship of the District Collectors concerned.

PCR CELL

There are 35 Special PCR Mobile Squads located in each District headquarter. This is in addition to the regular set up of Police Stations.

2. For collection of statistical information a statistical unit consisting of one Statistical Inspector is attached to each mobile squad.
3. The Additional Director General of Police, Social Justice CID and the Deputy Inspector General of Police, Human Rights, Social Justice CID Chennai monitor the enforcement of the Protection of Civil Rights Act, 1955 and also supervise the functioning of the PCR Mobile squads. Seven Supervisory squads also exist, each headed by a Deputy Superintendent of Police with the supporting

staff, at Chennai, Trichy, Madurai, Villupram, Thanjavur, Ramanthopuram and Thirunelveli.

SURVEYS

180 Villages have been identified as atrocity / dormant atrocity prone Villages. In these Villages, every year, a survey is conducted to check availability of basic amenities like.

- a) Link Road
- b) Street lights
- c) Pathway to burial grounds
- d) Drinking Water

2. Whenever petitions are received from any Scheduled Caste and Scheduled Tribe alleging discrimination, an enquiry report is called for. If the enquiry reveals any discrimination, it is ensured that not only the registration of cases but a survey of those villages is also conducted.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

180 villages have been identified as untouchability / atrocity prone areas.

PUBLICITY

Two mobile publicity units with staff and audiovisual equipment have been established which cover all the districts in the State.

To create awareness among the public, feature film captioned "Pudhiya Sarithiram" "Vazhu Vazhavidu" and "Kallam Maridichu" are screened in villages. Every year, the Adi- Dravidar and Tribal Welfare Department participates in the Republic Day pageantry float depicting new schemes introduced.

A sum of Rs. 1.00 lakh is sanctioned from State Budget for one Village in each District where untouchability is not followed and people live harmoniously. The funds are used for provisions of basic amenities such as supply of drinking water, pathway, construction of school building, child welfare, center for repair works, construction of water tub for cattles, provisions of street lights or for any other purpose useful to the village, as decided by the Panchayat.

In addition an expenditure of Rs. 53.96 lakhs was incurred towards following programmes: -

- a) Manithaneya Vara vizha was celebrated in all the Districts from 24th to 30th January by conducting meetings to focus the attention of the public.
- b) Villupattu Kuzhu artists were engaged to focus public attention.
- c) Community feasts were arranged every year on 26th January, 15th August, 2nd October or any other local important day of the District.
- d) Voluntary organizations were involved in arranging sama bandhi bojanam / community feasts.

19. 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 provision of the Act.

The 1st class Judicial Magistrates have also been empowered to hold special court for the trial of offences under the Act.

20. UTTARANCHAL

LEGAL AID

The concerned District authorities provide free legal aid in all Districts of the State.

SPECIAL CELL

Special Police Cell has been set up in each district. These Cells monitor investigation of cases of atrocities on Scheduled Castes and Scheduled Tribes.

INTER-CASTE MARRIAGES

An amount of Rs. 3.20 lakhs was incurred during 2003-2004 to provide incentive to 32 couples.

21. UTTAR PRADESH

LEGAL AID

Free legal aid is provided to Scheduled Castes and Scheduled Tribes and financial assistance is also provided for expenditure incurred in connection with related court cases. For this, State level and District level Committees have been set up.

APPOINTMENT OF OFFICERS

For effective implementation of the Protection of Civil Rights Act, 1955, a Special Investigation Cell has been set up in the State. This Cell comprises of an Additional Director General of Police, an Inspector General of Police, a D.I.G Police, an Supdt. of Police, an Additional Supdt. of Police and nine Dy. S.Ps. Besides this Cell, a Special Investigation Cell has also been set up in 20 Districts of Uttar Pradesh. Further, six State Railway Police stations also function under overall supervision of Superintendent of Police.

COMMITTEES

A Committee has been set up in each District to review monitoring and progress of the implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. This Committee has been functioning in each District under the Chairpersonship of District Collector.

SPECIAL COURTS

For trial of offences under the Protection of Civil Rights Act, 1955, in each district, the Court of Chief Judicial Magistrate / Judicial Magistrate has been designated as Special Court in the State.

22. WEST BENGAL

Untouchability is not in practice in the State from 1996 onwards and not a single case was reported under the Protection of Civil Rights Act, 1955. As such, the State Government did not find it necessary to provide for any special arrangement.

PUBLICITY

Publicity was given through Panchayats and leaflets.

INTER-CASTE MARRIAGES

During the financial year, an expenditure of Rs. 80,000/- was incurred toward providing incentive to 26 couples.

23. CHANDIGARH ADMINISTRATION

PUBLICITY

Various publicity measures were taken to create awareness among the public about eradication of untouchability

24. DADRA AND NAGAR HAVELI

LEGAL AID

There is a scheme to provide legal aid to Scheduled Castes and Scheduled Tribes.

PCR CELL

Working of the Protection of Civil Rights Act, 1955 in Union Territory of Dadra & Nagar Haveli is being looked after by the Police Personnel appointed under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

COMMITTEES

The District Level Vigilance and Monitoring Committee set up under the Chairpersonship of the Collector monitors the cases under the Act.

25. DAMAN & DIU

LEGAL AID

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

26. DELHI

SPECIAL COURTS

12 Courts have been designated as Special Courts under the Act.

27. PONDICHERRY

LEGAL AID

Legal Aid is provided and the complainants need not engage any lawyer to conduct their cases in courts.

APPOINTMENT OF OFFICERS

The PCR Cell is functioning under the control of Superintendent of Police in three places namely Pondicherry, Karaikal and Yanam. This Unit is registering cases under the Protection of Civil Rights Act, 1955 based on the various complaints. The Officers of the Cell also undertake other activities such as collection of intelligence about the atrocities, ill treatment and practice of untouchability both in urban and rural areas.

ANNEXURE - I**STATEMENT SHOWING CASES REGISTERED BY POLICE AND THEIR DISPOSAL UNDER THE PROTECTION OF CIVIL RIGHT ACT, 1955 DURING THE YEAR 2003**

| S. No. | State / UT | No. of cases registered during 2003 | No. of cases with police during 2003 including B.F. | No. of cases closed by Police after investigation | | No. of cases chargesheeted in courts | No. of cases pending with police at the end of 2003 |
|--------|------------------|-------------------------------------|---|---|-----------------------------|--------------------------------------|---|
| | | | | Charge found false/mistake of fact or law | Final report true submitted | | |
| 1. | Andhra Pradesh | 195 | 516 | 83 | 21 | 133 | 279 |
| 2. | Chhattisgarh | 1 | 1 | 0 | 0 | 1 | 0 |
| 3. | Gujarat | 1 | 1 | 0 | 0 | 1 | 0 |
| 4. | Himachal Pradesh | 1 | 2 | 0 | 0 | 2 | 0 |
| 5. | Jharkhand | 4 | 4 | 0 | 0 | 2 | 2 |
| 6. | Kerala | 2 | 2 | 1 | 0 | 1 | 0 |
| 7. | Karnataka | 69 | 1180 | 40 | 0 | 35 | 1105 |
| 8. | Madhya Pradesh | 17 | 24 | 0 | 0 | 13 | 11 |
| 9. | Maharashtra | 39 | 46 | 0 | 9 | 31 | 6 |
| 10. | Orissa | 2 | 9 | 4 | 1 | 3 | 1 |
| 11. | Tamil Nadu | 3 | 3 | 1 | 0 | 2 | 0 |
| 12. | Pondicherry | 17 | 21 | 1 | 0 | 5 | 15 |
| | TOTAL | 651 | 1809 | 130 | 31 | 229 | 1419 |

Note: - Nil data in regard to 23 States / UTs viz Arunachal Pradesh, Assam, Bihar, Goa, Haryana, Jammu & Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Punjab, Rajasthan, Sikkim, Tripura, Uttaranchal, Uttar Pradesh, Chandigarh, West Bengal, Andaman & Nicobar Islands, Dadra & Nagar Haveli, Daman & Diu, Delhi and Lakshadweep.

ANNEXURE - II**STATEMENT SHOWING CASES WITH COURTS UNDER THE PROTECTION OF CIVIL RIGHT ACT, 1955 AND THEIR DISPOSAL DURING THE YEAR 2003**

| S. No. | State / UT | Number of cases in Courts including B.F. in 2003 | Number of cases in which trials competed | | Number of cases pending with Courts at the end of 2003 |
|--------|------------------|--|--|-------------------------|--|
| | | | Convicted | Acquitted or Discharged | |
| 1. | Andhra Pradesh | 409 | 7 | 167 | 235 |
| 2. | Bihar | 139 | 0 | 30 | 109 |
| 3. | Chhattisgarh | 3 | 0 | 0 | 3 |
| 4. | Gujarat | 86 | 1 | 16 | 69 |
| 5. | Haryana | 7 | 0 | 2 | 5 |
| 6. | Himachal Pradesh | 10 | 0 | 0 | 10 |
| 7. | Jharkhand | 3 | 1 | 0 | 2 |
| 8. | Kerala | 4 | 0 | 1 | 3 |
| 9. | Karnataka | 2064 | 0 | 6 | 2058 |
| 10. | Madhya Pradesh | 1643 | 0 | 6 | 1637 |
| 11. | Maharashtra | 1530 | 3 | 71 | 1456 |
| 12. | Orissa | 133 | 0 | 1 | 132 |
| 13. | Punjab | 4 | 0 | 2 | 2 |
| 14. | Rajasthan | 2 | 0 | 0 | 2 |
| 15. | Tamil Nadu | 2056 | 0 | 2017 | 39 |
| 16. | Delhi | 17 | 0 | 5 | 12 |
| 17. | Pondicherry | 27 | 1 | 11 | 15 |
| | TOTAL | 8137 | 13 | 2335 | 5789 |

Note: - Nil data in regard to 18 States / UTs viz Arunachal Pradesh, Assam, Goa, Jammu & Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Uttaranchal, Uttar Pradesh, Chandigarh, West Bengal, Andaman & Nicobar Islands, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep.