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**ANNUAL REPORT
ON
THE SCHEDULED CASTES AND THE
SCHEDULED TRIBES (PREVENTION
OF ATROCITIES) ACT, 1989 FOR
THE YEAR 2001**

(EIGHTTH REPORT)



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

Laid on the Table of
Rajya Sabha on 21.4.2003
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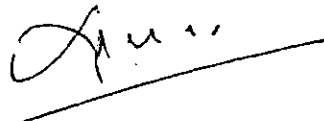
FOREWARD

The socio-economic and educational development of Scheduled Castes and Scheduled Tribes is a high priority task and the safeguards have been enshrined in the Constitution of India. In regard to educational and economic development of Scheduled Castes and Scheduled Tribes, a number of schemes have been implemented from time to time. Towards instilling confidence in Scheduled castes and Scheduled Tribes and to punish the offenders, the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was enacted as a special central legislation. This Act extends to the entire country except the State of Jammu and Kashmir and that Rules under the Act have also notified in the year 1995.

2. The provisions of the Act are implemented by the State Governments and the Union Territory Administrations. Towards effective implementation of the Act, central assistance is provided to the State Governments and Union Territory Administrations under the Centrally Sponsored Scheme of implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Under the Scheme, fifty per cent of the total expenditure over and above the committed liability, is shared by the Government of India by the way of providing central assistance to the State Governments and that the Union Territory Administrations receive hundred per cent central assistance. The central assistance under the scheme is provided for various measures such as strengthening of administrative and enforcement machinery, provision of legal aid, setting up of exclusive special courts, provision of relief and rehabilitation to effected persons etc.

3. The continuation of incidents of atrocities against Scheduled Caste and Scheduled Tribes is a matter of concern for all of us. Besides effective implementation of the Act and various schemes intended for their educational and economic development, the attitudinal changes in the society as a whole are necessary to root out the caste related prejudices. I look foreword for active support and cooperation of all the State Governments and Union Territory Administrations, elected representatives in this regard and also wish that the task of bringing about attitudinal changes in the society may be pursued effectively with the participation of civil society as a whole.

4. The annual report on implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 for the year 2001 has been prepared based on the information received from the respective State Governments and Union Territory Administrations. I place this report on the Table of the House, as per provision under sub Section (4) Section 21 of the said Act.



(DR. SATRANARAYAN JATIYA)
MINISTER OF SOCIAL JUSTICE & EMPOWERMENT

NEW DELHI

DATED: 20.3.2003

CHAPTER 1

INTRODUCTION

1.1 CONSTITUTIONAL SAFEGUARDS AND SPECIAL ENACTMENTS

The Constitution of India seeks to provide, social, economic, educational and political justice and equality of status and opportunity to all citizens. The Directive-Principles of State Policy provide that "the State shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular of Scheduled Castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation". For achieving this objective, various safeguards and protective measures have been provided in the Constitution for protection of the deprived, weaker and vulnerable sections and to ensure their all round development so as to bring them into the national mainstream, at par with other sections of the society. Salient features of the safeguards provided in the Constitution for the Scheduled Castes and the Scheduled Tribes are given at **Annexure I**. The Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 were enacted as special legislations for protection of the Scheduled Castes and the Scheduled Tribes population.

1.2 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.

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (No.33 of 1989) came into force from 30.1.1990. This legislation aims at checking commission of offence by persons other than Scheduled Castes and

Scheduled Tribes against Scheduled Castes and Scheduled Tribes. The Act is based on the concept of positive discrimination and affirmative action in the field of criminal law in favour of the weaker sections, the SCs and STs. It provides for stricter punishments for certain categories of crimes committed against SCs/STs (defined as atrocities), which are higher than the penalty laid down for similar offences under the Indian Penal Code. Comprehensive Rules have also been notified under the Act in 1995 which provides for inter alia norms for relief and rehabilitation.

1.3 WHAT CONSTITUTE ATROCITY?

Offences of atrocities against SCs and STs have been defined under Section 3(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. As per the said provision, whoever not being a member of Scheduled Caste or a Scheduled Tribe:-

- (i) forces a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance;
- (ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dumping excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighbourhood;
- (iii) forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;
- (iv) wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred;
- (v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;
- (vi) compels or entices a member of a Scheduled Caste or a Scheduled Tribes to do 'begar' or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government;
- (vii) forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote to a particular candidate or to vote in a manner other than that provided by law;
- (viii) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;

- (ix) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;
- (x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
- (xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;
- (xii) being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;
- (xiii) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;
- (xiv) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any section thereof have a right to use or access to;
- (xv) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence,

is deemed to have committed atrocity against the Scheduled Castes or Scheduled Tribes persons concerned. Such an offence is punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

Further whoever, not being a member of a Scheduled Caste or a Scheduled Tribe gives or fabricates false evidence intending thereby to knowingly implicate any member of a Scheduled Caste or a Scheduled Tribe in conviction, or commits mischief by fire or any explosive substance with intention to cause destruction of any building used by a member of a Scheduled Caste or a Scheduled Tribe and commits offences as described in Section 3(2) of the Act, and is punishable as per provisions of the Act.

1.4 MECHANISM FOR ENFORCEMENT OF THE ACT

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is a Central Legislation, which extends to whole of India, except the State of Jammu & Kashmir. Provisions of the Act are implemented by the State

Governments and Union Territories: The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 have been made as per provision under Section 23 of the Act. As per provision under Rule 8, the State Governments are required to set up Scheduled Castes and Scheduled Tribes Protection Cell at the State Headquarters, for looking after implementation of the Act. Further the State Governments are required to nominate nodal officer under Rule 9. Details on provision of relief, travelling allowance, daily allowance, maintenance expenses, etc., to the persons affected by the atrocities have been laid down under Rule 11. With a view to ensure that due attention is paid to investigation of cases registered under the Act, Rule 7 provides that a Police Officer not below the rank of Deputy Superintendent of Police shall investigate offences committed under the Act. With a view to expedite trial of cases registered under the act, the State Governments specify special courts for trial of offences, under Section 14 of the Act. Section 15 provides for appointment of Special Public Prosecutor for conducting the cases. The State Governments and Union Territory Administrations are being extended financial support for implementation of the Act, under the Centrally Sponsored Scheme implemented by the Central Government.

1.5. REPORTS ON THE IMPLEMENTATION OF THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989.

Provision under sub-section 4 of Section 21 of the Act requires the Central Government to prepare a report on implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, during a calendar year and lay it in both Houses of the Parliament. In pursuance of the said provision, report for the year 2000 was placed in the Parliament during April 2002. The present report is for the year 2001 prepared as per the said provision.

1.6 LAYOUT OF THE REPORT

The report has been arranged in 4 chapters. The 1st chapter covers Introduction, Chapter 2nd disposal of cases by police and courts, Chapters 3rd and 4th outline the measures taken by the Government of India, the State Governments and UT Administrations for effective implementation of the Act.

CHAPTER

2

REGISTRATION AND DISPOSAL OF CASES UNDER THE SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989.

2.1 ATROCITIES

Atrocities committed against SCs and STs by a person not being a member of Scheduled Caste or Scheduled Tribe as defined under Section 3(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, have been described in para 1.3 of Chapter-1 of the Report.

2.2 INCIDENCE OF ATROCITY AGAINST SCHEDULED CASTES AND SCHEDULED TRIBES (UNDER SPECIAL LAWS)

Number of cases registered against Scheduled Castes and Scheduled Tribes under the Act has been compiled based on information received from the concerned States/UTs. Details are given in Table 2.1: -

TABLE- 2.1

INCIDENCE OF CRIME AGAINST SCs AND STs (State-wise under the SCs & STs (POA) Act, 1989)

S. No.	State/UT	No. of Cases reported during the year 2001
1.	Uttar Pradesh	9764
2.	Rajasthan	5915

3.	Madhya Pradesh	4432
4.	Andhra Pradesh	2020
5.	Orissa	1277
6.	Gujarat	1217
7.	Karnataka	1214
8.	Chhattisgarh	902
9.	Tamil Nadu	828
10.	Maharashtra	797
11.	Bihar	693
12.	Kerala	499
13.	#Jharkhand	155
14.	Uttaranchal	132
15.	Haryana	68
16.	Punjab	56
17.	Himachal Pradesh	17
18.	Delhi	17
19.	West Bengal	10
20.	Dadra & Nagar Haveli	5
21.	Chandigarh Admn.	2
22.	Goa	1
23.	A. & N. Islands	1
24.	Arunachal Pradesh	0
25.	Assam	0
26.	Manipur	0
27.	Meghalaya	0
28.	Mizoram	0
29.	Nagaland	0
30.	Sikkim	0
31.	Tripura	0
32.	Daman & Diu	0
33.	Lakshadweep	0
34.	Pondicherry	0
	TOTAL	30,022

* The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 does not extend to Jammu & Kashmir State.

Information not includes the Districts of Deoghar and Godda of the Jharkhand State.

2.3 From the above table, it may be analysed that: -

- (i) During the year 2001, no case under the Act has been reported against SCs and STs in 11 States/UTs, namely, Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Daman & Diu, Lakshadweep and Pondicherry.
- (ii) Number of offences registered in 5 States/UTs, namely, West Bengal, Dadra & Nagar Haveli, Chandigarh Administration, Goa and A. & N. Islands has been negligible (less than 10 number).
- (iii) In 4 States, namely, Haryana, Punjab, Himachal Pradesh and Delhi less than 100 cases were reported during 2001.
- (iv) Number of cases registered in the 14 States, namely, Uttar Pradesh, Rajasthan, Madhya Pradesh, Andhra Pradesh, Orissa, Gujarat, Karnataka, Chhattisgarh, Tamil Nadu, Maharashtra, Bihar, Kerala, Jharkhand and Uttaranchal during the year 2001 have been relatively high.
- (v) Analysis of the number of cases registered per lakh SC and ST population (as per 1991 Census) in these States indicate the position to be major concern in Uttar Pradesh, Rajasthan, Madhya Pradesh and Andhra Pradesh. Details are given in the Table 2.2.

TABLE - 2.2

S. No.	State	Total Number of cases registered during 2001.	Total SC/ST population as per 1991 Census (In lakhs)	Number of cases per lakh SC & ST population as per 1991 Census
1.	Uttar Pradesh	9764	283.36	34.46
2.	Rajasthan	5915	130.83	45.21
3.	Madhya Pradesh	4432	228.78	19.37
4.	Andhra Pradesh	2020	147.92	13.65
5.	Orissa	1277	121.61	10.50
6.	Gujarat	1217	92.22	13.19
7.	Karnataka	1214	92.85	13.07
8.	Chhattisgarh	902	*21.48	41.99

9.	Tamil Nadu	828	112.86	07.33
10.	Maharashtra	797	160.76	04.95
11.	Bihar	693	165.68	04.18
12.	Kerala	499	32.07	15.55
13.	Jharkhand	155	*26.21	05.91
14.	Uttaranchal	132	*12.32	10.71

*Figures does not includes STs.

2.4 PROGRESS IN INVESTIGATION AND DISPOSAL OF CASES

Progress of investigation of cases by police and disposal of cases by Courts during the year 2001 is given in Table 2.3 and Table 2.4 respectively.

TABLE – 2.3

INVESTIGATION OF CASES BY POLICE

S. No.	Item	<u>No. of Cases</u>	
		No.	Percentage of total
1.	Total No. of cases (including brought forward)	39,157	
2.	No. of cases charge sheeted in courts	21,678	55.36%
3.	No. of cases closed after investigation	7,510	19.18%
4.	No. of cases pending with the police at the end of the year	9,969	25.46%

State-wise details of disposal of cases by the Police are at **Annexure –II**

From the above, it appears that more than 55.36% of the cases were charge sheeted during the year and 19.18% cases were closed after investigation.

TABLE-2.4

Disposal of Cases by Courts

S. No.	Item	No. of Cases	
		No.	Percentage of Total
1	2	3	4
1.	Total No. of cases (including brought forward)	1,52,957	
2.	No. of cases disposed of by Courts	16,203	10.59%
(a)	No. of cases ending in conviction	1,965	12.13%
(b)	No. of cases ending in acquittal	14,238	87.87%
3.	No. of cases pending with Courts	1,36,754	89.41%

- The information is awaited for the States Government of Jharkhand.
- The figures of 18 Districts only of the Bihar State.

The States / UTs wise details are given at **Annexure - III**

From the above, it appears that only 10.59% of the total cases were disposed of during the year. Out of the disposed cases, 12.13% ended up in conviction.

CHAPTER

3

MEASURES TAKEN BY GOVERNMENT OF INDIA

MEASURES FOR SOCIO-ECONOMIC DEVELOPMENT

3.1 With a view to ensure rapid socio-economic development of the Scheduled Castes and Scheduled Tribes, formulation of Special Component Plan (SCP) and Tribal Sub-Plan (TSP) by the State Governments were pursued. Further, Special Central Assistance (SCA) provided as an additive to these plans was continued during the year 2001 - 2002. Details are given below.

TABLE – 3.1

(Rs. in crores)

Year	Release of	
	SCA to SCP	SCA to TSP
2001 – 2002	452.51 (450.39)	500.30 (400.00)

(Amount in bracket indicate figure for the previous year)

3.2 The Scheduled Castes and Scheduled Tribes families were assisted under the Twenty Point Programme to enable them to reach above the poverty line.

During the period of this report, the following number of families were assisted in the country:-

TABLE - 3.2

Year	No. of Scheduled Castes families assisted (Point 11 (A) of 20 Point Programme)	No of Scheduled Tribes families assisted (Point 11(B) of 20 Point Programme)
2001 - 2002	21,48,994	7,56,671

3.3 ASSISTANCE FOR IMPLEMENTATION OF THE ACT

Central Assistance is provided 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 to the State Governments on 50:50 basis and 100% to Union Territory Administrations. The details for the year 2001 - 2002 are given below: -

TABLE - 3.3

Year	Central Assistance released (Rs. in crores)
2001-2002	30.05 (27.09)

(Amount in bracket indicates the amount provided in the previous year)

The Central assistance was released for implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955 for various measures, such as:-

- (i) provision of adequate facilities, including legal aid, to persons subjected to any disability arising out of "untouchability" "atrocities" to enable them to avail themselves of such rights;
- (ii) appointment of officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of these Acts;

- (iii) setting up of Special Courts for the trial of offences under these Acts.
- (iv) setting up of Committees at such appropriate levels as the State Government may think fit to assist the State Governments in formulating or implementing such measures;
- (v) periodic survey on the working of the provisions of these Acts with a view to suggesting measures for better implementation of the provisions of these Acts;
- (vi) identification of the areas prone to atrocity and where persons are under any disability arising out of "untouchability" and adoption of such measures as would ensure the removal of such disability from such areas,
- (vii) provision for travelling and maintenance expenses to witnesses, including the victims of atrocities, during investigation and trial of offences committed under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989; and
- (viii) provision for economic and social measures. Whereas the economic measures include monetary relief to atrocity victims, which is in between Rs.20, 000/- to Rs.2, 00,000/- depending upon the gravity of the incidence of atrocity, as detailed in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995; the social aspects cover participation of civil society at large. The social measures include promoting inter-caste marriage, inter-community goodwill meets, inter-community dinning, participation of NGOs, conducting seminars on important themes of social relevance, etc.

State / UT wise details are furnished at **Annexure -IV**

3.4 SUPPORT OF THE CIVIL SOCIETY

The proactive State interventions in favour of Scheduled Castes and Scheduled Tribes at times lead to friction and tension. Such tension is associated with ownership of land, right of tenants, occupations, payment of wage and other issues of similar nature. At times such incidence lead to commission of offences against SCs and STs. Atrocity against SCs and STs are somewhat different from ordinary crime as it has social and economic sides as well. While efforts are being made by the Government for checking incidence of such atrocity and to punish the person responsible for committing such atrocities on SCs and STs, it is necessary that the administrative and legal machinery, media and civil society at large extend their cooperation in this regard. The proactive State interventions in favour of the SCs and STs are required to be understood and appreciated in its proper context. Positive attitude and active co-operation by the civil society at large is essential for rapid socio-economic development of Scheduled Castes and Scheduled Tribes and achieving the "Equality for all" as envisaged under the Constitution.

CHAPTER 4

MEASURES TAKEN BY STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATIONS

ANDHRA PRADESH

LEGAL AIDS

During 2001-2002, an amount of Rs. 133.39 lakhs was incurred from monitoring relief and legal aid to the victims of atrocities and provided aid for 533 victims. No income limit has been fixed for eligibility to provide legal aid to the victims of atrocities.

APPOINTMENT OF OFFICER

Apart from the Scheduled Castes and Scheduled Tribes Cell functioning in the Social Welfare Department at Secretariat, the State Government have also been set up a Special Cell in the Police Department in the office of the CID headed by an Inspector General of Police. The PCR Cell with supporting Staff for speedy investigation, prosecutes and for effective disposal of cases of untouchability and atrocities on Scheduled Castes and Scheduled Tribes.

SPECIAL COURTS

23 Special designated Courts are functioning under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in each district in

the State . There are 3 Special Courts set up exclusively for speedy disposal of cases in the atrocity prone area i.e. Guntur, Chittour and Secunderabad. Further State Government vide G.O.MS.No. 14, Social Welfare (POA1) Department, dated 19.2.2002 have also sanctioned 9 Special Courts in the following 9 Districts which have been recognised as atrocity prone area in the survey conducted by DIG, PCR as well as recommended by Justice Punnayya, One Man Commission appointed by Government on implementation of PCR and POA Acts.

1. Nellore
2. Kurnool
3. Cuddapah
4. Medak
5. Karimnagar
6. Krishna
7. Nizamabad
8. Mahabubnagar
9. Guntur(Prakasham has been proposed instead of Guntur)

COMMITTEES

Under this Act, Government have constituted a High Power State Level Review Committee on atrocities against Scheduled Castes and Scheduled Tribes vide G.O.Ms.No.49 SW (POA.1) Department dated 21.05.2001 and this Committee would have its meeting once in six months to review atrocities against Scheduled Castes and Scheduled Tribes. The District level Vigilance and Monitoring Committees have also been constituted vide G.O. Ms. No. 232 SW(H1) Department, dated 26.11.1991 and will have its meeting once in three months. On the recommendations of the Dr. Justice K. Punnayya Commission, Government have also issued orders vide G.O.Ms.No. 109, dated 31.10.2001 for constituting Peace Committees in the areas where atrocities on large scale take place. The Mandal Level Committees with Public Representatives, Government officials, Non-Government officials and Scheduled Castes and Scheduled Tribes Organisations and its functionaries with MRO as Member Convenor have also been constituted vide G.O.Ms.No. 112, dated 31.10.2001. The Government has also constituted Non-Official Advisory Committee to assist and advice the District incharge Minister on the problems of Scheduled Castes and Scheduled Tribes in the Villages vide G.O.Ms.No.113, SW(POA1) Department, dated 31.10.2001.

AWARENESS PROGRAMMES

In order to curb evil practices of untouchability and creating proper awareness among the general public, circulars, pamphlets and other instructions

have already been issued from time to time to launch an awareness campaign from IX th round Janmabhoomi 2000 to XVI th round of Janmabhoomi 2002 which was also observed as Weaker Sections janmabhoomi mainly on eradication of untouchability, two glasses system, temple entries, arrangement of community dinners, Dhobi and Barber services provided to Scheduled Castes and Scheduled Tribes, access provided to Scheduled Castes to take water from common well of the village etc., to eliminate any form of discrimination on caste basis with particular reference to Scheduled Castes and Scheduled Tribes. A massive campaign was launched From 1st November,2001 to 3rd November,2001 and other activities like weekly visits to the village and observing 30th of every month as "Civil Rights Day" through pamphlets, posters, looklets, pledges, painting of RTC buses and bus Stops, wall paintings, pillar boards, hoardings, song and drama musical programmes plays, skits, playlets, slides, electronic media and playing cassettes in cinema theaters before and after the intervals were also undertaken.

RELIEF AND REHABILITATION

Under Rule 14 and 15 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, the scheme of relief and rehabilitation to the victims of atrocities has been taken up by the State Government. Accordingly the State Government vide G.O.Ms. No. 3, SW(H0 Department, dated 16.1.1996 have issued orders enhancing the relief and rehabilitation amount, fixing the monitory limits for each kind of atrocity depending on the nature of the loss sustained by the victims of atrocities and their dependents with effect from 31.3.1995. The Government have also provided relief and rehabilitation measures to the victims of the following category cases as well.

1. Atrocities on Scheduled Castes and Scheduled Tribes committed by unidentified persons where police declared the offender as undetected after investigation.
2. Atrocities on Scheduled Castes and Scheduled Tribes committed by extremists.
3. Members of Scheduled Castes and Scheduled Tribes who have died in police firing.
4. Members of Scheduled Castes and Scheduled Tribes who have died in political clashes and arson.

The expenditure on sanction of relief and rehabilitation to the victims of atrocities was exempted from Treasury control vide G.O.Ms.No.72, SW (H1) Department, dated 15.20.1991 during the year 2001-2002, the relief and rehabilitation measures were provided to 533 persons of an amount of Rs.123.415 lakhs.

CAMPAIGN FOR ERADICATION OF UNTOUCHABILITY AND PREVENTION OF ATROCITIES AGAINST SCHEDULED CASTES AND SCHEDULED TRIBES

- The Government of Andhra Pradesh have issued G.O.Ms.No.35,SW(POA-1) Department , dated 21.4.1999, appointing Justice Dr. K Punneyya, Retired Judge of Andhra Pradesh, High Court as Single Member Commission of enquiry.
- The Commission submitted its report on 31.5.2001.
- The Cabinet accepted the report on 3.9.2001 and decided to appoint a Cabinet Sub – Committee with Five Ministers to further consider each of the recommendations and work out modalities for its implementation.
- The Cabinet approved recommendations of the Cabinet Sub-Committee on 1.10.2001.
- The Government have issued G.O.Ms. No.92,SW(POA-1) Department , dated 3.10.2001, accepting the recommendations of the Commission.
- The Government has also decided to launch a campaign on eradication of untouchability and prevention of atrocities against Scheduled Castes and Scheduled Tribes with an action programme based on the Cabinet decisions from 1st November,2001.
- The Cabinet Sub-Committee met with State Level Scheduled Castes and Scheduled Tribes Organisations on 18.10.2001.
- Hon'ble Chief Minister conducted a meeting with all the political parties on 22nd October,2001.
- The Government issued guidelines in Government Memo No. 9508/POA.1/2001, dated 25.10.2001 to all District Collectors for conduct of campaign for eradication of untouchability and prevention of atrocities against Scheduled Castes and Scheduled Tribes.
- The Hon'ble Chief Minister and Cabinet Sub-Committee conducted Tele Conference with all Collectors and Superintendents of Police on 27.10.2001.
- Hon'ble Chief Minister addressed letters to all leaders of political parties, M.L.As, M.Ps, Central Minister and Hon'ble Speaker of Lok Sabha with an

appeal to participate and extend full cooperation in the successful conduct of the campaign.

- The Social Welfare Department, Tribal Welfare Department and Revenue Department have issued various Government orders to implement each of the recommendations.
- Publicity material like Pamphlets, Posters, Book-lets containing the recommendations of Justice Punnayya Commission, Oath to be taken in the meetings were prepared by Information & Public Relation Department and sent to all District Collectors for wide publicity through nodal teams for the implementation of the action programme from 1st November, 2001
- Comprehensive guidelines were issued to the District Collectors for conducting the campaign from 1st to 3rd November, 2001.

LUNCHING OF CAMPAIGN

- The Hon'ble Chief Minister launched the campaign on 1st November, 2001 at Peddareddypeta village of Pulkal Mandal in Medak District.

IMPACT OF THE CAMPAIGN

- Reports received from the District Collectors and the News items published in various News papers throughout the State indicate that the campaign launched has been successful and purposeful to bring about social change by changing the mindset of the public in general and upper caste people in particular.
- The Government is hopeful that this programme gradually will shape into a Peoples Movement.
- Weekly Visits to Villages.
- Government issued orders in G.O.Ms.No.105 SW(POA) Department , dated 31.10.2001 that all Mandal Level officials and non-officials including representatives of the Endowment Department and NGOa along with a Police official not below the rank of S.I., will visit one village in a week in every Mandal on a fixed day.

- This team will interact with all sections of the people in the village including Scheduled Castes and Scheduled Tribes and convince and persuade to upper caste people against evils of untouchability in its various forms and in whatever manner it is being practiced and also against atrocities against Scheduled Castes and Scheduled Tribes.
- The team should lead the Scheduled Castes and Scheduled Tribes into the village temples, provide access to the public water sources and that the system of keeping the separate glass for SCs, should be removed from the hotels.
- The team should also tackle any other village level social evils or superstitions like Jogins, Basavis, Banamathi, Potharaju, Bonded labour, manual scavenging etc.

SPECIAL OFFICER

The State Government of Andhra Pradesh vide G.O.Ms. No. 11, SW(POA1) Department, dated 31.10.2001 have notified Special officer in accordance with Rule 10 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995. Accordingly Joint Collector of the district has been appointed as Special officer in 12 districts to inter-act with the District Magistrate, Supdt. of Police or other officers responsible for implementing the provisions of the Act.

IDENTIFICATION OF ATROCITIES PRONE AREAS

The Government have declared 12 districts of the State as atrocity prone districts in which there is past history of large scale atrocities against Scheduled Castes and Scheduled Tribes. These districts are as follows:-

1. Prakasam
2. Guntur
3. West Godavari
4. Nellore
5. Vizianagaram
6. Kurnool
7. Cuddapah
8. Mahabubnagar

9. Nizambad
10. Karimnagar
11. Khammam
12. Adilabad.

2. ARUNACHAL PRADESH

Arunachal Pradesh is predominantly a Tribal State and so far no case under the Act has been reported in the State. As such no separate cell has been set up under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Nevertheless, the Commissioner – cum – Secretary (Home) has been designated as the nodal officer.

3. ASSAM

LEGAL AID

Free legal aid is given to deserving SC/ST families through Sub - Divisional level legal aid Committees.

TRAVELLING AND MAINTENANCE EXPENSES

The provision for travelling and maintenance allowance to the witnesses including the victims of atrocities, has been made. Nevertheless no cases were registered under the Act.

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 in the Sub-Divisions. The Sub-Divisional Welfare Officers supervise, prosecution of cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

COMMITTEES

In Assam, Legal Aid Committees have been functioning in all the districts. The State level Advisory Council has also been functioning. These Committees have representation of SC/ST/OBC members also. The State level Advisory Council for SC/ST headed by Minister – in – charge, SC/ST also looks after the matters relating to Civil Rights of these groups. All MLAs and MPs belonging to SC/ST community are this members of the Council alongwith the representative from the prominent voluntary organisations.

At the Sub-Divisional level, there is a Sub-Divisional Welfare Development Board consisting of the Public representatives which looks after the developmental programmes for SC/ST.

SPECIAL COURTS

Special designated Courts have been functioning in each District.

SURVEY

Progress reports on working of the provision of the Act are collected from Sub-Division level officers, twice in a year.

IDENTIFICATION OF ATROCITIES PRONE AREAS

There is since no instance of atrocity in the State of Assam, therefore, no area has been identified as Atrocity Prone Area in the State.

4. BIHAR

LEGAL AID

An amount of Rs. 17.00 lakhs has been sanctioned for legal aid.

NODAL OFFICER

In accordance with the provision of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the Secretary, Home Department Government of Bihar has been designated as Nodal Officer who from time to time convenes meeting to review implementation of the provision of the Act.

SCHEDULED CASTES AND SCHEDULED TRIBES CELL

At State Level, a Scheduled Castes and Scheduled Tribes Cell has been formed under the Director General CID. This cell works under the overall charge of Inspector General of Police (Weaker Section).

COMMITTEES

A Committee under Chairpersonship of the Chief Minister has been constituted at State level to review the action taken in implementation of various provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Likewise, the Committee has also been set up at district level under the Chairpersonship of District Collector, which conducts a review, once in every three months.

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 under the charge of Inspector General of Police. 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.

SENSITIVE AREAS

Government of Bihar, Home Department (Special) has identified 33 districts as sensitive from the point of view of atrocities areas against the total 38 districts of Bihar. These districts are Gaya, Sitamarhi, Nalanda, Sheohar, Sheikhpura, Baxar, Saran, Banka, Bhabua, West Champaran (Betia), Supaul, Lakhisarai, Vaishali, East Champaran (Motihari), Darbhanga, Samastipur, Saharsa, Kishanganj, Begusarai, Rohtas, Jehanabad, Bhojpur, Muzaffarpur,

Siwan, Madhubani, Madhepura, Bhagalpur, Patna, Gopalganj, Purnia, Nawada, Munger and Aurangabad.

SPECIAL COURTS

Court of First Class Additional Sessions Judge has been specified as Special Court under the Act in each district. Exclusive Special Courts have also been set up at 9 Divisional places and also at East Champaran (Motihari) and Bhojpur districts. The State Government has also approved creation of six posts of Additional Session Judge for Nawada, Samastipur, Vaishali, Nalanda, Madhubani and Siwan Districts.

RELIEF MEASURES

In accordance of the provision of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rule, 1995, the State Government has been disbursed an amount of Rs. 94.25 lakhs to the districts as per their requirement.

APPOINTMENT OF SPECIAL PUBLIC PROSECUTORS

The Special Public Prosecutors have been appointed in the Special Courts for taking up cases of atrocity.

PUBLICITY

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

CONTINGENCY PLAN

The State Government of Bihar is in process of preparation of a contingency plan in accordance with the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995. The following steps have been taken so far in this regard.

1. In case of demise of a Scheduled Castes/ Scheduled Tribes persons due occurrence of atrocity the dependents of the affected family would be provided employment as class IV employee in Government service.
2. Where livestock has been affected due to atrocity, the Doctors of the Animal Husbandry Department on priority will provide required assistance.
3. The Government has also decided to provide pension to the affected widow with in the fifteen days under Social Defence Pension Scheme.

5. CHHATTISGARH

LEGAL AID

Under the Scheme, free legal aid is provided to such Scheduled Castes and Scheduled Tribes in rural areas in the cases which are related to disputes of land and atrocities cases and that the trial is pending in the session courts. During the year 2001, in 138 cases, Rs. 1325/- was paid to advocates in respect of such cases.

TRAVELLING AND MAINTENANCE EXPENSES

The State Government provides second class Rail fare to and fro or actual taxi fare to the victims of atrocities/ their dependents and witnesses during the investigation before the inquiry officer and to attend the trial in the court. For this purpose, during the year 2001, an amount of Rs. 12,326/- was paid for 54 cases of Scheduled Castes and Rs. 23,135/- to 68 cases of Scheduled Tribes.

The State Government also provides maintenance expenses to the victims of atrocity or his/her dependent and attendant for the days when they are away from the place of residence for investigation, hearing and trial of cases and the rates are not below the rate fixed in respect of minimum wages for agricultural labourers. During the year 2001, an amount of Rs. 3870/- to Scheduled Castes persons and Rs. 12060/- to Scheduled Tribes persons has been paid.

IDENTIFICATION OF ATROCITIES PRONE AREAS

No atrocity prone area has been specifically identified, however, whenever such a case occurs, immediate action is taken.

PERIODIC SURVEY

No periodic survey has been conducted.

PUBLICITY

The State Government has given wide publicity in each district for purpose of implementation of the Scheme and for providing immediate relief to Scheduled Castes and Scheduled Tribes. The debates and competitions in the high schools and at college level are organised and the prizes are distributed.

The State Government has also given wide publicity through holding Sadbhavana Shibir, Awareness centers, Awards to Panchayat, Seminar and such work through NGOs for prevention of atrocities.

APPOINTMENT OF OFFICERS

Special Public Prosecutors have been appointed in seven special courts for conducting cases of atrocities.

SPECIAL POLICE THANAS

Special Police Thanas (AJK) have been set up in the districts of Raipur, Durg, Rajnandgoan, Jagadalpur, Dantewada, Bilaspur Raigarh and Surguja.

SPECIAL CELL

The State Government has set up Special Police Cells in ten districts to review the cases registered under the Act. The Scheduled Castes and Scheduled Tribes Protection Cell has also been set up in the Police headquarter under the charge of Inspector General of Police with supporting staff.

SPECIAL COURTS

For the trial of cases registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, by special courts in the districts of Raipur, Durg, Rajnandgoan, Bilaspur, Raigarh, Surguja & Jagadalpur.

have been set up. The proposal of setting up of 4 more special courts is also under consideration. .

RELIEF AND REHABILITATION

Under the Contingency Plan formulated in accordance with the provisions under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, an amount of Rs. 58.70 lakhs was provided as financial assistance to 1635 persons, belonging to Scheduled Castes and Scheduled Tribes towards relief and rehabilitation.

COMMITTEES

The State level and District level Advisory Vigilance & Monitoring Committees have been set up in the State to review implementation of various provisions of the Act.

At the State level, Committee is chaired by the Chief Minister and at the District level it is chaired by District Collectors. The meetings of Committees are held from time to time.

6. GUJARAT

LEGAL AID

The budget provision for legal aid is made under 'BCK-64 Nagrik Cell'. The scheme is in implementation as prescribed under Government Resolution No. SCW/0188/3955/B/J, dated 25.1.1989. The present income limit of Rs. 12,000/- p.a. however requires to be raised up to Rs. 24,000/- p.a. Likewise, the present rate of legal aid of Rs. 3000/- for a criminal case and Rs.500/- for a civil case is also not sufficient and needs to be enhanced upto Rs. 5000/- for a criminal cases and for Rs. 3000/- for a civil case.

TRAVELLING AND MAINTENANCE EXPENSES

Victims of atrocities or his/her dependents, complainants, witnesses for attending police inquiry or court are paid actual fare to and fro for journey by second class in express, mail and passenger trains or actual bus or taxi fare (not

more than bus fare). Rs. 100/- per day, per person is also paid towards daily allowances and maintenance expenses. No separate payment is however, made for night halt.

ECONOMIC AND SOCIAL REHABILITATION

The State Government provides financial assistance to the victims of atrocity as per scale prescribed by the Government of India under Rule No. 12(4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995. 1500 persons were given such assistance amounting to Rs. 2.20 crores in the year 2001.

In case of social boycott and migration, the victimized Scheduled Caste persons are paid a cash dole of Rs.10/- per day /per person for a period up to six months.

APPOINTMENT OF OFFICERS

At the Secretariat level, Additional Chief Secretary, Deputy Secretary and Under Secretary are looking after the work, while at Directorate level, the Director is looking after the work. Special Cell called the 'Nagrik Cell' is also in existence and Deputy Director has been appointed to look after the cell. Three Regional Vigilance Officers are working at Baroda, Ahmedabad and Rajkot.

The following arrangements exist to take adequate steps for better implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

1. The District Magistrate/District Superintendent of Police of respective Districts are responsible for effective security of Scheduled Caste & Scheduled Tribe persons within their jurisdiction.
2. All Gazetted officers of districts have been instructed to visit S.C. localities compulsorily during their tour.
3. Three tier Social Justice Committees under the Gujarat Panchayat Act have been set up in District, Taluka and Village Panchayat levels and have been entrusted with the work of eradication of untouchability prevailing in any form.
4. The Law Officials have been instructed to deal with the cases of atrocities effectively in the Court of Law, particularly the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. Setting up of committees at appropriate level in formulation and implementation of the measures.

COMMITTEES

The State Government has taken comprehensive action for effective implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Various committees at different levels i.e. at State level, District level and Taluka level have been set up under the Act.

HIGH LEVEL COMMITTEE

A High Level Committee has been constituted under the Chairpersonship of Hon'ble Chief Minister for effective implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Besides the Hon'ble Chief Minister, the Finance Minister, Social Welfare Minister, some Members of Parliament and State Legislature and Senior Government officials are also the members of the Committee.

STATE LEVEL COMMITTEE

A State level Committee is working under the Chairpersonship of the Secretary in charge of Social Justice & Empowerment Department, for reviewing the reports of the Vigilance Officers of the three Vigilance Squads. The Committee consists of Home Secretary, Legal Secretary etc. The Committee reviews the cases of Atrocities and other aspects regarding land, trial of cases etc.

In the year 2001, meetings of State Level Committee were held on 10.5.2001 for quarterly review of Jan, 2001 to March, 2001 and then on 24.7.2001 to conduct review of April, 2001 to June, 2001 and on 24.1.2001 to conduct review of July, 2001 to September, 2001 and October, 2001 to December, 2001.

DISTRICT LEVEL COMMITTEE

At district level, a District Vigilance Committee under the Chairpersonship of District Collector of respective districts has been set up. Such Committees consist of District Panchayat President, Chairperson of District Social Justice

Committee, District Development Officer, District Superintendent of Police, District Government Pleader, Public Prosecutor, MPs/MLAs and Prominent Social Workers of respective Districts. This committee is looking after the effective implementation of the Act. In the year 2001, 59 meetings of such committees were held.

TALUKA LEVEL COMMITTEE

Similar to District Level Committee, there are Taluka Level Committees at in every taluka under the Chairpersonship of Taluka Mamlatdar for the same purpose which comprise of Taluka Development Officer, Public Prosecutor, Police Inspector and Police Sub Inspector of the Taluka, as the members of the Committee.

CITY LEVEL COMMITTEE

Under the Chairpersonship of the Police Commissioner, City Level Committees have also been set up. Government Pleader, Municipal Commissioner and Scheduled Caste/ Scheduled Tribe members of Municipal Corporation are members of these Committees. These committees review the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. In the year 2001, 11 such meetings of committees were held.

SURVEY

During the year, no survey was conducted.

IDENTIFICATION OF THE ATROCITY PRONE AREAS

The following 11 districts have been identified as sensitive from the point of occurrence of offences of atrocities

1. Mehsana
2. Ahmedabad
3. Junagadh
4. Sabarkantha
5. Kheda
6. Rajkot (Rural)

7. Amreli
8. Kachcha
9. Surendranagar
10. Vadodara (Rural)
11. Bharuch

PARTICIPATION FOR NON GOVERNMENT ORGANIZATIONS

Non Government Organizations, Voluntary Agencies and Prominent Leaders of the field are invited for active participation in the Shibirs, Seminars and Workshops.

OTHER MEASURES TAKEN

PUBLICITY OF ACT

For wide publicity of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, printed booklets both in Gujarati and English were circulated among Authorities/ Non-officials and village Panchayats, Social Workers and Voluntary Organizations.

STATE LEVEL SEMINARS

In the year 2001-2002, the State level seminar was held at Social Study Center, Surat .

The booklets containing various schemes and the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 were distributed to all Panchayats.

District Level, Taluka level and Village level Shibirs, were organized and relevant literature was distributed in the Shibirs. An amount of Rs.5.00 lakh was incurred for the purpose.

SPECIAL COURTS

The Government of Gujarat has specified Session Courts in all Districts to be designated Special Courts with effect from 30th January 1990, under Section

14 of the Act vide Social Welfare Department Notification No. GHIL/2/90/NGL/1089/1/8/H-Cell, dated 30.1.1990. An amount of Rs.70.00 lakhs provided for these Courts for the year 2000-2001, was fully utilised.

Further, the Government of Gujarat have already decided to set up seven more Special Courts in other districts in the State vide Government Resolution No. SCT/1089/4287/D dated 25.6.1999 of the legal department. These places are mentioned below: -

1. Amreli
2. Vadodara
3. Junagadh
4. Panchmahal
5. Rajkot
6. Surat
7. Surendranagar

7. HARYANA

LEGAL AID

Legal aid is provided to Scheduled Castes persons in cases relating to the practice of untouchability, access to temples, wells and other public places, disputes relating to women and for ensuring reservation in services. Assistance for witnesses and payment of court fees is also provided. During the year, 2001, an amount of Rs.4, 000/- was given to 8 beneficiaries towards legal aid. No income limit is fixed under the scheme.

SPECIAL COURTS

For speedy trial of offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the State Government have designated senior most Addl. District Judge in the Session Court in each district. In the State, in each Session Court, a Public Prosecutor has been appointed for taking up such cases under the Acts.

ATROCITY PRONE AREAS

No areas has been indetified as atrocity prone area in Haryana State.

APPOINTMENT OF OFFICERS

District Welfare Officers in each District have been made responsible for effective implementation of the provision of the Act.

A Special Cell has been set up in every district to ensure speedy investigation of cases of atrocities on Scheduled Castes. District Inspector of Police is incharge of the Cell. A Special Cell has also been set up at Police Headquarters, Panchkula to deal with crimes against weaker sections of the society. The Cell is functioning under the direct supervision of the Inspector General of Police, Law and Order, Haryana.

As and when any atrocity is committed on Scheduled Castes, a criminal case is registered and the investigation is conducted by a Gazetted Officer in such cases. Such a case is treated as special reported case, in which progress is scrutinised at the range and at Police headquarters level. The Investigating Officers complete the investigation of such cases immediately and put up the challan in the Courts in stipulated period. The cases are followed up in the courts and monitoring is done.

COMMITTEES

For effective implementation of the Act, and to monitor progress of the cases on atrocities, a District Level Consultative Committee has been constituted under the Chairpersonship of Dy. Commissioner, with the Superintendent of Police, Members of Legislative Assembly and two others members.

RELIEF TO VICTIMS

Financial assistance is provided to the victims of the atrocities as per the Rules. An amount of Rs. 27,13,828/- was disbursed to 77 persons in the year 2001 towards relief measures under the Act.

8. HIMACHAL PRADESH

LEGAL AID

Legal aid is provided free of cost to persons belonging to Scheduled Castes and Scheduled Tribes by the Legal Aid Board of the State Government. No income limit has been fixed for the Scheduled Castes and Scheduled Tribes women and children. This free legal aid also includes the expense of TA-DA and expenses of Court fees etc.

During the year, 56 Scheduled Castes and 5 Scheduled Tribes persons were benefited under the Scheme.

RELIEF MEASURES

Financial assistance is provided to the victims of atrocities as per the norms prescribed under Rule 12(4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995. During the year 2001-2002, an amount of Rs. 7.83 lakhs was sanctioned.

APPOINTMENT OF SPECIAL OFFICERS

Officers of the rank of Additional District Magistrate have been designated as Special Officers and Dy. S.P. has been appointed as Investigating Officer under the Act in each district.

COMMITTEES

State Level Vigilance and Grievance Redressal Committee has been constituted under the Chairpersonship of the Chief Minister of the State. The District Level Committees have also been functioning under the Chairpersonship of District Magistrate in each District.

SURVEY

No specific area has been identified as atrocity prone area in Himachal Pradesh. The Special Cell in Police Headquarters supervises the progress of registration of cases under the Scheduled Castes and the Scheduled Tribes

(Prevention of Atrocities) Act, 1989. As per Rule 8 of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, a Protection of Scheduled Castes and Scheduled Tribes Cell under the Chairpersonship of Director General of Police has also been set up.

ATROCITY PRONE AREAS

No specific area has been identified as atrocity prone area in Himachal Pradesh. However, as and when any incident of atrocity comes to the notice, appropriate action is initiated immediately.

9. JHARKHAND

LEGAL AID

The legal aid has been provided to Scheduled Castes and Scheduled Tribes persons upto Rs.1000/- through District Collector.

COMMITTEES

As per the Act and Rules, the District level Vigilance and Monitoring Committee have been set up for effective implementation of the Act. At State level, a High level Vigilance & Monitoring Committee has also been constituted under the Chief Minister to review the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

SPECIAL COURTS

In the State, in all 22 Districts, First Class Additional District & Session Courts have been designated as special courts for trial of cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

APPOINTMENT OF OFFICERS

Officers have been appointed for initiating and exercising supervision over prosecutions. A Scheduled Castes and Scheduled Tribes Cell has been

established in the Home (Police). A Scheduled Castes and Scheduled Tribes Thana has also been set up in Ranchi District in the State. A proposal of setting up of Scheduled Castes and Scheduled Tribes Thana in other districts is also under consideration in Home Department.

TRAVELLING AND MAINTENANCE EXPENSES

The travelling and maintenance expenses to the victims of the atrocities and the witnesses under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is provided by the State Government through District Magistrate.

RELIEF

The financial assistance is provided to the victims of atrocities/ their dependents as per norms of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995 i.e. in case of death or permanent disability of earning member @ Rs. 2,00,000/- and 1,00,000/- in case of death or permanent disability of non-earning member.

10. KARNATAKA

LEGAL AID

Free Legal Aid Committees have been established in all the district and taluk headquarters. These Committees extend legal aid facilities to Scheduled Castes and Scheduled Tribes persons who are subjected to atrocities. Further, the victims of atrocities are provided legal aid free of cost by the Legal Aid Service Authority. The Karnataka Legal Aid Service Authority has stated that 254 persons belonging to Scheduled Castes and 39 persons belonging to Scheduled Tribes have been rendered legal assistance during the year 2000 – 2001.

The expenses of legal assistance are being met out of the general funds provided to the Legal Aid Service Authority. However no income limit is prescribed for the Scheduled Castes and the Scheduled Tribes persons seeking legal assistance.

TRAVELLING & MAINTENANCE EXPENSES

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995, came into force on 31.3.1995. Under Rule 11 of the said Rules, provisions have been made for payment of travelling allowance, daily allowance, maintenance expenses and transport facilities to the victims of atrocities, his / her dependents and witnesses. The District Magistrates or the Sub Divisional Magistrates or any other Executive Magistrate have been empowered to make necessary arrangements for providing the above allowances to the said person.

The steps have been taken by the Government for the payment of travelling and maintenance expenses to the victims and witnesses in the atrocity cases.

ECONOMIC AND SOCIAL REHABILITATION

In the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995, the details of the compensation amount to be awarded to the victims of the atrocity depending on the nature and gravity of the offence have been given. The District Magistrate and the Superintendent of Police are to assess the loss of life and damages to the property before awarding the said compensation. The District Magistrate, the Sub Divisional Magistrate or any other Executive Magistrate under Rule 12 (4) has to take steps to provide relief and rehabilitation. Adequate measures have been taken to provide economic and social rehabilitation to the victims of atrocity cases in the State.

An amount of Rs. 215.00 lakhs including 50% central share was provided in the budget for payment of compensation and to take up rehabilitation measures for the victims of atrocities.

SPECIAL COURTS

Karnataka Government has appointed 6 Special Prosecutors in special courts established for trial of cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act at Gulbarga, Belgaum, Bijapur, Kolar, Mysore and Raichur. These prosecutors are supervised by the Director of Prosecution. Periodical reports are being called for regarding progress and effective conduct of the cases.

COMMITTEES

The Government has set up a High level Committee under the Chairpersonship of Hon'ble Minister for Home and is co-chaired by the Social Welfare Minister in Karnataka State with the following members.

- (1) Principal Secretary, Home & Transport Department.
- (2) Principal Secretary, Social Welfare Department.
- (3) Principal Secretary, Revenue Department.
- (4) Secretary, Law & Parliamentary Affairs.
- (5) Secretary (PC & AS), Home & Transport Department.
- (6) Secretary, Rural Development and Panchayat Raj Department.
- (7) Director of Prosecutions & Government Litigation.
- (8) Director General & Inspector General of Police, Bangalore.
- (9) Additional Director General of Police, DCRE- Convenor & Member Secretary.

The Committee reviews the progress of atrocity cases under investigation and pending trial in the Special Courts. On the recommendation of the Committee, suitable instructions are issued to the Prosecuting and the Investigating agencies, for effective implementation of the provisions of the Act from time to time.

The State Vigilance and Monitoring Committee has been set up in the State. The Committee is chaired by the Hon'ble Chief Minister of Karnataka and the members consist of MPs and MLAs, mostly belonging to SC/ST community and some senior officers from the State Government. The Committee reviews and monitors the action taken with regard to the implementation of the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and other matters related person belonging to Scheduled Castes and Scheduled Tribes.

The State Government has constituted State/District/Sub-Divisional/Taluk level SC and ST Welfare Committees consisting of important functionaries or Government elected representatives and persons belonging to the weaker sections as members. They meet regularly and review the welfare measures undertaken for the benefit of SC and ST and redress their grievances.

Committee at State level and District level empowering the authority of vigilance and monitoring vide Rule 16 and 17 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995 have been constituted.

APPOINTMENT OF OFFICER / PCR CELL

The officers of Civil Rights Enforcement Directorate periodically visit Harijan colonies, particularly sensitive places, collect information and inform the local police to take necessary action whenever and wherever situation so demands. Senior Officers of the CRE Directorate visit the places of occurrences of atrocity cases to ensure proper protection to SCs and STs and monitor the investigation and prosecution and payment of compensation to the victims

PERIODIC SURVEYS

During the year 1993-94, a survey of the status of Protection of Civil Rights in Karnataka was conducted by the Centre for Research and Development of Dalits under a scheme sponsored by Directorate of Civil Rights Enforcement, Government of Karnataka.

The survey report has since been submitted to the Government and also to the Director for SC/ST, Government of India, National Commission for SCs and STs, Bangalore. During July/August 1994, the Civil Rights Enforcement Directorate has identified the following areas as atrocity prone in various Districts of the State.

DHARWAD DISTRICT : Sartur, Honnapur, Keligeri, Byadagi, Battikoppa, Varada, Warangalla.

BIJAPUR DISTRICT : Baradala.

GULBARGA DISTRICT : Alagi, Seethanur, Ganjalkhed, Bhusnoor, Surapur, Chincholi, Vothana, Hippigere, Petannapur, Hagaragundagi, Rayakode, Mimbergi, Afzalpur.

RAICHUR DISTRICT: Idapanur, Gudihalla, Jogapur, Karatagi, Manvi, Gangavathi, Turvihala, Khanapur.

BIDAR DISTRICT: Torekalla, Bhalki, Dhakulli, Kushnur, Horahatti.

CHITRADURGA DISTRICT : Gudihalli, Babbutiriyar, Somagudda, Kyamadu, Chitranayakanahalli, Obbenahatti, Anaji.

SHIMOGA DISTRICT: B.R. Project, Malavalli, Tyagadakatta, Kargal, Honnali, Belagutti.

BELLARY DISTRICT: Deshnur, Telagi.

BANGALORE DISTRICT: Kumbalgad, Channasandra, Puttanagar, Srinivasapur, Kadathippur, Harohalli, Kadugodi, Beechinahalli.

KOLAR DISTRICT: Harati village, Hanagatti village.

TUMKUR DISTRICT: Doddaballa villages.

MYSORE DISTRICT: Kushalanagar, K.Gudu, G.Marelli, Devanur, Chitenahalli, Hannur, Kilagere, Badanavalu, Kelasur.

MANDYA DISTRICT: Shivahalli, Malligere, Sandahalli, Hulikere, Koppalu, K. Shettyhalli.

HASSAN DISTRICT: Gandasi village, Chigahalli, Bandashettalli.

BELGAUM DISTRICT: Anagola village, Bendigere, Balladabagewadi, Mapanadinne, Patagundi, Anjivali.

PERIODIC SURVEYS AND IDENTIFICATION OF ATROCITY PRONE AREAS

All the regional Superintendents of Police of the DCRE conduct survey periodically and identify untouchability and atrocity prone areas in their territorial jurisdiction. The following measures have been suggested for identifying such area.

- (a) Villages where clashes and atrocities have taken place in the past and are likely to surface again.
- (b) Villages where there is dispute between the SC/ST and caste Hindus with regard to the installation of a statue or construction of community hall on particular piece of land.
- (c) Villages which are sensitive due to the annual rituals being performed only by SC/ST e.g. buffalo sacrifice during annual jatra, beating of drums during festival etc.
- (d) Villages where the hotel owners practice untouchability.
- (e) Villages where the members of the SCs are boycotted socially or prohibited from entering the temples of the village deity.
- (f) Villages where clashes, are likely to take place due to the refusal by SC/ST to do coolie works.
- (g) Villages where bonded labour system is still in practice.
- (h) Villages where disputes exist between a member of SC/ST and a caste Hindu.
- (i) Villages where there is preaching and practicing of untouchability in any form.

PARTICIPATION OF NGOS

Besides constitution of committees at various levels, the Government has issued circular to all the Deputy Commissioners and Police authorities to seek co-operation of voluntary organisations in establishing peace in sensitive areas.

11. KERALA

APPOINTMENT OF OFFICERS

A Special Cell is functioning in the Police Head Quarters of the State, under the Supervision of Additional Director General of Police (PCR). The Special Cell was initially formed in the State Police Headquarters as per G.O.(RT) No.71/79/Home. dated 5.1.1979. Three Special Mobile Squads (SMS) are functioning in the Districts of Palakkad, Kasargod and Wayanad. Each squad consists of 1 Deputy Superintendent of Police, 1 Sub-Inspector of Police and 2 Head Constables/ Police Constables and 1 Driver. Considering the volume of work with Special Mobile Squads, the strength is inadequate, hence it is to be enhanced to 6 Head constables and 10 Police constables at least in each Special Mobile Squads. The Squad at Kasargod has jurisdiction over Kannur District also. These squads are working directly under the control of District Superintendent of Police concerned. As per the State Police Headquarters Circular No. 44/94 dated 20.9.94, the Director General of Police had ordered that all cases registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 will also be investigated by the Special Mobile Squad. The area of jurisdiction of the Special Mobile Squad, Kasargod is large and hence its strength has to be increased. The Inspectors of the squad maintain close liaison with the District Advisory Committee dealing with problems affecting the members of the Scheduled Castes and the Scheduled Tribes in their respective Districts.

The Special Cell at State Police Headquarters keeps a watch over the handling of matters relating to cases under the Protection of Civil Rights Act, 1955, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and other atrocities against members of SCs/STs. The Special Cell also monitors criminal cases registered in the State and petitions presented by the members of SCs/STs. In some cases when it is found necessary, enquiries are conducted by the Superintendent of Police (Special Cell). Information on commission of offences under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is collected from all the Commissioners of Police and the District Superintendents of Police concerned and action is pursued on the basis of such intelligence. The FIRS/GCRS and progress reports of the cases are also being

obtained from the Districts and scrutinised and instructions are being given for completing investigation quickly and to submit chargesheet to the Courts as early as possible without giving room to the culprits to escape from the clutches of law. Strict directions have been given to all District Superintendents of Police and Commissioner of Police to arrest the accused within 24 hours of the commission of the crime and to oppose their bail. Strict instructions have also been given to Public Prosecutors also to oppose bail. In this connection, it may be noted that all offences under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 are treated as grave crimes and investigated by the Dy. Superintendents of Police /Assistant Superintendents of Police.

District Superintendents of Police/Commissioners of Police are also conducting mass contact programmes and receiving petitions by visiting SC/ST colonies within their Districts.

District Women Cell which functions under the Chairpersonship of District Superintendent of Police/Commissioner of Police with lady MPs/MLAs and lady Social Workers as members.

COMMITTEES

Government has constituted an Advisory Committee at the State and District levels for dealing with matters relating to members of Scheduled Castes and Scheduled Tribes. All SC/ST MPs, MLAs, District Officers and Non-Officials nominated by the State Government are members of the Committee. The Committee is intended for monitoring effective implementation of various schemes and measures for the effective implementation of the rules and orders intended to safeguard the interests of SCs and STs. The Government of Kerala have also constituted District Level Committee in each district under the Chairpersonship of District Collectors and District Superintendents of Police/Commissioners of Police as members for the review and effective implementation of the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 as per G.O.(RT)No.1052/92/Home dated 29.2.1992. Legislative Committee also monitors and assess the implementation of the provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and other measures intended for the welfare of the members of the SCs/STs.

SPECIAL COURTS

The District Courts of Kerala have been specified as Special Courts to try the offences under the said Acts and the Public Prosecutors of all Districts have

been nominated as Special Prosecutors for conducting the cases in the District Courts as per G.O.(RT)No. 622/90/Home dated 29.1.1990.

TRAVELLING AND MAINTENANCE EXPENSES

District level Committee has been constituted in each District under the Chairpersonship of the District Collector concerned. District Superintendent of Police/Commissioner of Police, District Social Welfare Officer, Government Public Prosecutor and concerned District Scheduled Castes and Scheduled Tribes Welfare Officers are members of the Committee. The Committee sanctions travelling and maintenance expenses and compensation to the witnesses as well as to the victims of atrocities.

PERIODICAL SURVEYS

Periodical Surveys relating to atrocities against Scheduled Castes and Scheduled Tribes are being conducted by Police Department.

IDENTIFICATION OF ATROCITY PRONE AREAS

Three Special Mobile Squads are functioning in Palakkad, Kasargod and Wayanad Districts for preventing offences against the members of Scheduled Castes and Scheduled Tribes including offences under the Protection of Civil Rights Act, 1955.

ECONOMIC AND SOCIAL REHABILITATION

The Government of Kerala have prepared a scheme for the economic and social rehabilitation of the members of Scheduled Caste and Scheduled Tribe who are victims of atrocities. The Directors of SC/ST Department are responsible to prepare schemes for providing legal assistance to the victims of atrocities and also for their economic and social rehabilitation.

PUBLICITY AND OTHER MEASURES

The Public Relations Department and the Directors of SCs and STs Welfare Departments give adequate publicity to various measures adopted for the welfare of SCs and STs. Feasts, Seminars etc. are also conducted by the District Welfare Officers. The Malayalam translation of the Scheduled Castes and the

Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955 has been provided to all Police Stations and Circle Officers to enable them to acquaint themselves with the legal provisions and their responsibilities.

12. MADHYA PRADESH

LEGAL AID

State Govt. has notified a panel of Senior Advocates and Public Prosecutors for all the districts in the State. During the year 2001-2002, Rs.20 lakhs were made available to District and Sessions Courts for this purpose.

SPECIAL COURTS

State Govt. has set up 29 Special Courts under the Act at Dhar, Shajapur, Morena, Shahdol, Damoh, Raisen, Mandla, Sehore, Bhind, Tikamgarh, Mandaleswar, Dewas, Mandsaur, Indore, Hoshangabad, Jabalpur, Vidisha, Panna, Chhatarpur, Ujjain, Guna, Satna, Rewa, Narsinghpur, Sagar, Gwalior, Rajgarh, Bhopal and Jhabua. A provision of Rs. 424.50.00 lakhs was made in the budget for 2001-2002.

RELIEF AND REHABILITATION

State Government incurred an expenditure of Rs. 650.84 lakhs during the year 2001-2002 towards providing relief to 4760 persons.

SOCIAL REHABILITATION

Subsistence allowance @ Rs.1,000/- p.m. upto six months is given to a dependent person of victim. Efforts are made to arrange for employment, drinking water, agricultural land, education of children, self-employment and supply of appliances to the disabled.

TRAVELLING AND MAINTENANCE EXPENSES

As per provision under Rule 11 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, the State Government has provided travelling and maintenance allowance to the witnesses and victims

of cases of atrocities during the investigation before the inquiry officer and before the court of law. For this purpose during the year 2001-2002, an amount of Rs. 9.00 lakhs has been allotted to 45 District Collectors.

APPOINTMENT OF OFFICERS

Dy. Superintendents of Police in 45 districts have been specified as Investigation Officers under Rule 7 of the Scheduled Castes and the Scheduled Tribes (POA) Rules 1995. Scheduled Castes and Scheduled Tribes Protection Cell under the charge of Additional Director General of Police has been set up at State level.

Under the Cell, 38 Special Police Thanas have also been set up in District Headquarters of Murena, Ujjain, Panna, Jabalpur, Bhopal, Gwalior, Indore, Khargone, Dhar, Dewas, Mandsoor, Shajapur, Narsinghpur, Sagar, Chatarpur, Rewa, Satna, Shahdol, Bhind, Rajgarh, Videsha, Jhabua, Khandwa, Ratlam, Tikamgarh, Chindwara, Balaghat, Sioni, Mandala, Damoh, Sidhi, Shivpuri, Datia, Sehore, Hoshangabad, Raisen, Baitul and Guna.

A provision of Rs. 1065.30 lakhs was made in the budget during the year 2001-2002.

NODAL OFFICER

State Government has also notified Commissioner, Scheduled Castes Development as Nodal Officer under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. During the year 2001, the State Level review meetings were held by Nodal officer on 19.4.2001, 24.8.2001 and 22.2.2002.

At district level, an officer of the rank of Addl. District Magistrate has been declared as Special Officer under the Act.

COMMITTEES

Monitoring and Evaluation Committee has been constituted at State level under Chairpersonship of the Chief Minister. Members of Legislative Assembly belonging to Scheduled Castes and Scheduled Tribes are also members of the

Committee. At district level, a District Vigilance & Monitoring Committee have also been formed and they meets every quarters for review the progress of atrocities cases..

SURVEY AND IDENTIFICATION OF ATROCITY PRONE AREAS

The following areas have been identified as atrocity prone: -

<u>S.No.</u>	<u>Name of District</u>	<u>No. of villages/area identified as atrocity prone</u>
1.	Indore	28
2.	Tikamgarh	2
3.	Chhatarpur	7
4.	Khandwa	19
5.	Ujjain	17
6.	Dewas	5
7.	Ratlam	2
8.	Guna	6
9.	Morena	16
10.	Shahdol	9
11.	Gwalior	2
12.	Shivpuri	3
13.	Satna	3
14.	Mandsaur	3
15.	Shajapur	5
16.	Balaghat	2
17.	Seoni	2
18.	Dhar	7
19.	Jhabua	1
20.	Khargane	1
21.	Narsinghpur	5
22.	Mandla	4
23.	Sagar	8
24.	Damoh	6
25.	Panna	2
26.	Datia	2
27.	Bhopal	18
28.	Sehore	3
29.	Betul	2
30.	Rajgarh	5
31.	Hoshangabad	6

32.	Raisen	3
33.	Vidisha	5
34.	Chhindwara	6
35.	Jabalpur	21
36.	Rewa	29

Total	313
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PUBLICITY & PROPAGANDA

A. COMMUNAL HARMONY

Non-Governmental Organisations have been encouraged in the atrocities prone areas/- Scheduled Castes and Scheduled Tribes concentrated areas for publicity and propaganda. In addition to this, Sadbhavana Shibirs, Awareness camps have also been organised by State Government with the support of Local Members of Legislative Assembly, Officials of Zilla Panchayat, Nagar Panchayat, Gram Panchayat and Members of Scheduled Castes and Scheduled Tribes.

The State Government has disbursed an amount of Rs.10.50 lakhs to districts towards Awareness camps and Rs.1.80 lakhs to educational institutions for holding debate and essay competitions during the year 2001-2002.

B. SPECIAL WORK SCHEME FOR PUBLICITY & MEDIA COVERAGE

The State Government has introduced first time a Special Work Scheme for removal of untouchability during the year 2001-2002. Under the scheme various programmes at State level, has been organised. The details are as under:

(i) Inter School Essay Competition

On 16.12.2001, inter school essay competition was organised at State level in which boys and girls of 28 district higher secondary schools were participated on the theme of "untouchability : Tab Aur Aub" . The participants were also given first, second and third prize of Rs. 5000/-, 3000/- & 2000/- respectively. This essay is also being published and distributed in the district for publicity.

(ii) Inter University Debate Competition

On 17.12.2001, inter university debate competition was organised at State level for eradication of untouchability. The subject of debate competition was "Asprushta Nirawan Ke Bina Anusuchi Jatiya Ke Liye Samajik Nayay Sambhav Nai Hai" The cash award were given to the participants in favour and opposition as first, second and third awards of Rs. 5000/-, 3000/- and 2000/- respectively.

(III) Nukkad Natak Writing Competition

For eradication of social evils and participation of people and community, nukkad natak, writing competition were organised and from the participants, 6 poems and 6 writing papers were selected and these papers were also published and distributed at the State, Divisional and district levels.

(iv) Chetna Geet Writing Competition

On the theme of removal of untouchability one chetna geet writing competition was organised and out of 243 poems, 6 poems were selected and audio cassettes were prepared for publicity in various places in the district.

(v) National Conference on Dalit Empowerment

National Conference was organised on 12-13th January, 2002 at Bhopal for removal of untouchability and eradication of poverty by State Government. The intellectuals, public representatives, social workers participated. In the conference, 21 point programme was accepted by the conference for overall development of dalits. The "Bhopal Declaration was also issued.

AWARDS

A. Dr. Ambedkar Award

Government of Madhya Pradesh has also been giving cash award of Rs. 10000/- to the Police personnel for outstanding work in regard to removal of untouchability and prevention of atrocities and is also giving running shield to the that zone of police personnel.

B. Governor's Award

Government of Madhya Pradesh has awarded cash prize of Rs. 10000/- to the Police personnel for outstanding work in regard to removal of atrocities on SCs & STs women, minor boys & girls and other sections of the society.

C. Chief Ministers Awards

Government of Madhya Pradesh has also been giving cash award of Rs. 10000/- to the Police personnel for outstanding work in regard to removal of atrocities, relief and rehabilitation of to atrocities victims and is also given running shield to that zone of police personnel.

D. Kasturba Gandhi Award

Government of Madhya Pradesh is providing cash award of Rs. 10000/- to the Police personnel for outstanding work in regard to removal of atrocities on women and children.

E. K.F.Rustamji Award

Government of Madhya Pradesh has set up Special Police Thanas in the districts and cash award of Rs. 10000/- for outstanding work performed in regard to removal of atrocities to the Police Thana during the year, is being given.

13. MAHARASHTRA

LEGAL AID

The free legal aid committees are established at District as well as Taluka head quarters. They take care of legal assistance to all economically weaker sections of society having annual income below Rs. 6,000/-.

APPOINTMENT OF OFFICERS

The effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in the Maharashtra State is being done jointly by the Department of Social Justice, Department of Home and the Department of Land Revenue. The administrative set - up is as under :-

HOME DEPARTMENT

- | | | |
|----|------------------|-----------------------------|
| 1. | State Level | I.G.P.(PCR) |
| 2. | Divisional Level | Dy. Superintendent of (PCR) |
| 3. | District Level | P.S.I. (PCR) |

SOCIAL WELFARE DEPARTMENT

- | | | |
|----|----------------|------------------------------------|
| 1. | State Level | Dy. Director (PCR) |
| 2. | District Level | Extension Officer/ Inspector (PCR) |

LAND REVENUE DEPARTMENT

District Collector coordinates the efforts of all the three departments i.e. Social Welfare, Police and Executive Magistrates at District and Taluka level. The Special Cells at district level keep constant watch and review the implementation of the Acts.

The implementation of these Acts involves three aspects.

1. Investigation
2. Rehabilitation
3. Legal dispensation

The Home Department through District Superintendent of Police Office takes care of investigation process, which includes registration of offences, investigation of offences & timely submission of charge sheets and constant monitoring before the courts.

Rehabilitation and financial assistance to the aggrieved individuals/families is provided and monitored by Department of Social Justice. The dispensation of, and also providing free legal aid in cases of violation of human rights and atrocities committed on Scheduled Castes and Scheduled Tribes is

monitored and reviewed by Law & Judiciary Department at the State Level and District Special Courts at district level.

RELIEF MEASURES

Financial assistance is extended to the victims of atrocities as per the guidelines laid down by the Government of India in this regard. The monetary relief ranges between Rs. 25,000/- to Rs. 2.00 lakhs as under :-

1.	Murder	Earning member	
	Rs.2,00,000/-		
		non-earning member	Rs.1,00,000/-
2.	100% incapacitation	Earning member	Rs.2,00,000/-
		Non-earning member	Rs.1,00,000/-
3.	Partial incapacitation		Rs.30,000/-
4.	Modesty		Rs.50,000/-
5.	Rape		Rs.50,000/-

FOR LOSS OF PROPERTY

1.	Loss of house	New house at Govt. Cost
2.	Loss of immovable property	Monitory relief as per spot Inspection Report
3.	Loss of capital assets(vehicle, cattle,goat)	Payment as per market value
4.	Loss of household (foodgrains, cloths, etc.)	Actual cost as per spot Inspection Report.
5.	Damage to irrigation well drinking water wells, electric fittings, fruit bearing trees etc.	Payment as per market value depending on spot Inspection Report.

Besides, the above, the cases of women victimisation and exploitation are given special care so as to ensure their social rehabilitation.

As a part of rehabilitation programme in suitable cases employment opportunities for the women victims are also explored.

COMMITTEES

In order to take periodical review of the implementation of various legal provisions of the Act and to ensure proper and effective and alert administrative machinery, the following committees at various levels are set up.

A. DISTRICT LEVEL VIGILANCE COMMITTEE

The Committee is headed by District Magistrate. The Special District Social Welfare Officer is working as Member Secretary of Committee. The Committee meets once in a month and review the offences, investigation & sanctioning of monetary relief to victims and also issues suitable directives to concerned authorities for proper implementation of the legal provisions of the Act as also for prompt disbursement of sanctioned financial aid. The Committee also reviews the publicity and propaganda programmes in sensitive villages and the positive impact of such programmes.

B. DIVISIONAL LEVEL VIGILANCE COMMITTEE

The Committee is headed by Divisional Revenue Commissioner. The Divisional Social Welfare Officer works as Member Secretary. All District Collectors & District Superintendents of Police of all districts of Division are the members of Committee. The Committee meets on quarterly basis and takes stock of occurrences of various offences in various districts, provision and distribution of financial aid to the victims and also discusses and reformulate strategies to combat the occurrences pertaining to atrocities and offences against the Scheduled Castes and Scheduled Tribes.

C. STATE LEVEL COMMITTEE

The State level High Power Committee is headed by Chief Minister & Director, Social Welfare Department is its Member Secretary. All Secretaries concerned with implementation of Act are members of the Committee. This Committee meets twice in a year and reviews the performance at the State level pertaining to the following points.

1. To review the appropriate and scrupulous implementation of 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.
2. To review whether the financial assistance and help is provided as per rules and regulations under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 & clauses under the said Act.
3. To review whether immediate rehabilitation and help has been extended to Scheduled Castes and Scheduled Tribes victims.
4. To review the cases that have been lodged with the Police under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. To review whether the concerned institution/ officer/ office implements the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 scrupulously.
6. To review reports and cases of breach and implementation under the Act.

SURVEYS

Constant visits are paid by Extension Officers to each and every village under their jurisdiction. Depending on their survey reports, District Vigilance Committee decides the sensitivity level of each and every village and prepares a list of sensitive villages. The sensitive villages are kept under constant watch and social, education and publicity measures are taken to establish smooth relation between forward & backward classes.

TRAVELLING & MAINTENANCE EXPENSES

The victims of various atrocities are provided monetary relief for attending Police Station or District Court. Accordingly, provisions are made to pay the maintenance and travelling allowances to the victims in cases where they are called to Police Station or to the office of the District Magistrate during the process of investigation.

PUBLICITY & PROPAGANDA

The workshops at District, Division & State level are organised every year for sensitisation of administrative machinery at the grass root level, so that the functionaries act promptly and effectively to prevent any kind of atrocities on the weaker sections of the society and can act timely for rehabilitation of the victims who become target of such atrocities and social inequalities. At the same time, awareness against social evils is created through these Parishads. During the year 2001-2002, 1 State level, 6 Divisional levels and 139 District Parishads were organised. Non Government Organisations are also promoted to conduct such Parishads.

For sensitization of village level workers and officers, during the year 2001-2002, various programmes were organised in each district. Under the scheme all Gram Sevaks of Grampanchayat, Members & Sarpanches of Grampranchyats, Police Patils & Talathis of villages, Police employees of Police Stations were called for one day workshops organised respectively at their Taluka headquarters.

The following aspects of legal provision and programmes were covered during these workshops:

- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- The Protection of Civil Rights Act, 1955
- Monitory relief and rehabilitation benefits available under the Act to the atrocity affected persons.
- All Government schemes pertaining to Scheduled Castes.
- Propaganda and sensitisation against social evils.
- Eradication of caste systems and promoting national unity.
- Knowledge regarding legal provisions towards protection of the rights of the women.

During the year 2001-2002, Rs. 39,35,360/- were spent for carrying out, the scheme in 352 Panchayat Samities and training was imparted to 35,200 village officers and workers.

ATROCITIES PRONE AREAS

The details of partially sensitive, less sensitive and high sensitive villages during the year are given below: -

S.No.	Name of District	No. of Villages			Total
		Partially	Less	High	
1.	Nasik Region				
1.	Dhule	24	-	-	24
2.	Nandurbar	20	9	9	38
3.	Ahmednagar	5	7	2	14
2.	Pune Region				
1.	Pune	3	21	-	24
2.	Solapur	-	2	14	16

3. Amaravati Region

1.	Amravati	-	22	210	232
2.	Yeotmal	-	61	-	61
3.	Buldhana	25	16	-	41
4.	Akola	17	8	-	25

4. Nagpur Region

1.	Bhandara	64	-	-	64
2.	Gondia	8	-	-	8

5. Aurangabad Region

1.	Aurangabad	-	36	-	36
2.	Beed	34	-	-	34
3.	Latur	21	21	-	42

14. MANIPUR

APPOINTMENT OF OFFICERS

The Commissioner (TD), Government of Manipur has been appointed as Nodal Officer in pursuance of Rule 9 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

SPECIAL COURTS

District and Session Judge Courts, Manipur East and Manipur West have been declared to be Special Courts on 22nd June 1990.

SPECIAL PROSECUTORS

Government of Manipur has appointed two Special Public Prosecutors for conducting cases in the Special Court, Manipur East, Imphal and Manipur West, Imphal.

COMMITTEES

No Committee had been constituted since there was no case of atrocity against Scheduled Castes and Scheduled Tribes in the State.

IDENTIFICATION OF ATROCITY PRONE AREAS

No area has been identified of atrocity prone as there was no case of atrocity against Scheduled Castes and Scheduled Tribes in the State.

15. MEGHALAYA

Meghalaya is predominantly a tribal State with a negligible number of Scheduled Caste population. No cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was reported in the State during the calendar year ended 31.12.2001.

SPECIAL COURTS

Special Courts have been set up in all the seven Districts of the State for trying offence under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Special Public Prosecutors have also been designated in each District for conducting cases.

16. NAGALAND

Nagaland is a predominantly tribal State and that there is no reported case of atrocity against Scheduled tribes during the period of report.

ADMINISTRATIVE MACHINERY

There is no separate Administrative Judicial set up in the State of Nagaland to deal with offences under the Act.

COMMITTEES

In pursuance of Sub Rule VI of Rule III of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, a State Level Committee for implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been constituted Vide Notification No. DSW/GEN - 13/93 dated 30th September 1996.

SPECIAL COURTS

No reports regarding atrocities committed on Scheduled Castes and Scheduled Tribes were received during the period of report. As such, no cases were registered.

17. ORISSA

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is enforced by the Home Department through their police machinery. The Scheduled Castes and Scheduled Tribes Development Department is associated with the measures like sanction of funds under Legal aid and Monetary Relief to the victims of atrocities belonging to Scheduled Castes and Scheduled Tribes and other social measures like cash incentives to the couples performing inter - caste marriages and sanction of grants-in-aid to NGOs.

LEGAL AID

Legal Aid is paid to Scheduled Castes persons under the Legal Aid and Advice Scheme, 1981 administered by the Law Department. Besides, the SC/ST litigants are also given legal aid under a scheme in operation by the Scheduled Castes and the Scheduled Tribes Development Department. The legal aid is also given for fighting out cases pertaining to establishing their rights, titles and possession of the land and also for the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 under the scheme. A sum of Rs .20,000/- has been provided under the Scheme for implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 during 2001-2002. This has been sanctioned in favour of 2 (SC) beneficiaries during the current year.

Further out the funds provided by State Government under Non – Plan a sum of Rs. 35,000/- and Rs. 11,400/- has been sanctioned in favour of 6 (SC) and 1(ST) beneficiaries respectively during 2001-2002 under Legal Aid Scheme.

TRAVELLING & MAINTENANCE EXPENSES

The travelling and maintenance expenses to witnesses including the victims of atrocities are covered within the provisions for legal aid alongwith the pleaders fees, court fees, processing fees etc.

ECONOMIC AND SOCIAL REHABILITATION

Monetary relief is provided to the victims of atrocities belonging to Scheduled Castes and Scheduled Tribes as per the scale of relief prescribed by the State Government. The amount of monetary relief paid and the number of Scheduled Castes and Scheduled Tribes victims of atrocities assisted during the last three year, is given below: -

(In Rupees)					
<u>Year amount</u>	<u>No. of Victims</u>		<u>Monetary relief paid</u>		<u>Total</u>
	SC	ST	SC	ST	
1999 – 2000	70	60	1,30,000	2,09,900	3,39,900
2000 – 2001	225	89	6,84,200	2,47,200	9,31,400
2001 – 2002	166	40	5,15,000	2,10,000	7,25,000

APPOINTMENT OF OFFICERS

No Officers have been appointed specifically for implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in the State. However, 32 Inspectors of Police, 18 S.I. of Police, 17 A.S.I. of Police and 128 Constables have been deployed to implement provisions of the said Act in all the 32 police Districts of the State.

" The Human Rights Protection Cell has been set up in each police District of the State under the supervision of Superintendent of Police to monitor investigation of offences against the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955 and other Acts".

COMMITTEES

The State Govt. have set up Committees at various levels to address the problems of atrocities against the SCs & STs.- The State Level Scheduled Castes Welfare Advisory Board under the Chairpersonship of the Chief Minister, Orissa includes Scheduled Caste MLAs and non-Official members. The Board reviews implementation of various developmental schemes for SCs at intervals and suggests measures on prevention of atrocities.

A review meeting on incidence of atrocities is also held regularly once in every quarter under the Chairpersonship of the Principal Secretary, Home Department and other agencies of the State Government associated with implementation of provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

District Level Vigilance and Monitoring Committee as required under Rule 17 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 have been constituted and function at district levels. The quarterly meetings of the Committees are being held regularly to review incidents of atrocities and implementation of the provisions of the Act.

PERIODIC SURVEYS

No specific area has yet been identified as atrocity prone area.

IDENTIFICATION OF ATROCITY PRONE AREAS

District Magistrates and Superintendents of Police have been instructed to identify areas where there are reasons to apprehend atrocity or recurrence of any offence under the Act. No such area has however, so far been identified in any district.

SPECIAL COURTS

The Courts of all District and Session Judge and Additional District and Session Judge have been notified as Special Courts for trial of offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, vide Government of Orissa, Home Department Notification No. 40448 dated 26.6.2000.

EFFORTS INVOLVING N.G.Os FOR CREATING HARMONY

Leading non-official organisations are given Grant-in-aid to supplement Government efforts for creating awareness against the evil practice of untouchability and bringing social harmony through posters, hand bills, group discussions, staging of dramas at different important public places and helping the Scheduled Castes and Scheduled Tribes persons entry into the public places like hotels, temples and drinking water sources etc. During 2001 – 2002, an amount of Rs. 50,000/- was sanctioned for the purpose.

OTHER MEASURES TO ENSURE REMOVAL OF ATROCITIES

- (I) Superintendents of Police of all Districts have been instructed to submit preventive proceeding U/S 107/116/117 of Cr P.C. where there is apprehension of commission of such offences on Scheduled Castes and Scheduled Tribes.
- (II) Public order and tranquility to prevent atrocity is maintained.
- (III) Sense of security is developed among the members of Scheduled Castes and Scheduled Tribes through prompt enquiry / investigation.
- (IV) Joint Enquiries are conducted and compensation is recommended promptly.
- (V) Vigilance and Monitoring Committees have become functional and vigilant.
- (VI) Advance intelligence is collected about likely atrocity on Scheduled Castes and Scheduled Tribes.
- (VII) Awareness is generated among Scheduled Castes and Scheduled Tribes Community about constitutional rights and benefits.

18. PUNJAB

As per 1991 Census, the total population of Punjab State is 2,02,11,969 out of which 57,42,528 belong to Scheduled Castes making approximately

28.31% of the total population of the State. The State Government is committed to prevent atrocities on Scheduled Castes.

LEGAL AID

The Legal Services Authority, provides free legal aid to the victims of atrocities under Rule 12 of the Legal Services Authority Act, 1987. Under this rule, free legal aid is also provided to the members of Scheduled Castes and Scheduled Tribes irrespective of their income. The witnesses are paid travelling allowance to attend trial of cases in the court. Legal Service Committee have already been set up at State, District & Sub Divisional level for the implementation of Legal Aid scheme by the Punjab Legal Services Authority, Chandigarh.

APPOINTMENT OF OFFICERS

No Officer has been appointed separately for supervision over prosecution for contravention of the provision of the said Act.

SPECIAL COURTS

Special Courts have been set up and the senior most Additional and District Session Judge has been appointed as a Special Judge of the Courts. The atrocity cases being tried in these courts are defended by the Public Prosecutors concerned.

ADMINISTRATIVE ARRANGEMENT

A Special Cell headed by the Additional Director General of Police (Crime) is in operation in the Home department, which ensures speedy disposal of atrocity cases.

PERIODIC SURVEYS

No periodic surveys have been conducted as the scheme formulated under this Act has not been approved by the Government.

IDENTIFICATION OF ATROCITIES PRONE AREAS

In the State of Punjab, no such area has been identified where the members of Scheduled Castes are likely to be subjected to atrocities.

REVIEW MEETINGS

All Senior Superintendents of Police have been directed by the Home Department to take prompt action if any incident of atrocities on SC/ST comes to their notice.

19. RAJASTHAN

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, Rajasthan SC Development Co-operative Corporation, Director, Local Body Department and Director, Social Welfare Department as members of the Committee.

The main functions of the Committee are as under:-

- (i) To review working of various provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also suggest removal of untouchability offences in the State.
- (ii) To see and prompt action in the cases of prevention of atrocities on Scheduled Castes and Scheduled Tribes and weaker sections of the society and also to arrange relief measures to victims of atrocities.
- (iii) To involve NGOs and Social Workers for removal of untouchability.

In addition to this, District Vigilance and Monitoring Committees at district level have also been formed under the charge of District Magistrate, Superintendent of Police, District Social Welfare Officer and District Regional Officer of Scheduled Tribes Development Department are nominated members. This Committee has also nominated five members amongst the public representatives including Members of Legislative Assembly of the District belonging to Scheduled Castes and Scheduled Tribes. The functions of the Committee are to investigate and prompt action in the atrocity cases. The cases are referred immediately to Courts for disposal. The committee has power to exercise immediate action in cases of negligence of duty by a public servant as per the provision of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The Committee also reports such cases for investigation to State Police and other agencies like Vigilance Bureau, Anti-Corruption Department and CID etc.

APPOINTMENT OF OFFICERS

A Civil Rights Cell has been formed in the Police Headquarters under the supervision of Inspector General of Police CID (CB) with supporting staff at State level to review the cases registered under the Protection of Civil Rights Act, 1955 and The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Apart from this Cell, 22 Special Cells have also been set up in the State under the supervision of Deputy Superintendent of Police for prompt and immediate investigation of cases registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and initiating immediate action for providing relief to victims of atrocities.

RELIEF

The financial assistance is provided with approval of District Collector. During the year 2001-2002, an amount of Rs. 40.57 lakhs has been disbursed to 92 victims of atrocities belonging to Scheduled Castes and Scheduled Tribes.

SPECIAL COURTS

Exclusive Special Courts under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 have been set up at Jaipur, Ajmer,

Kota, Jodhpur, Udaipur, Bikaner, Pali, Medta(Nagore), Alwar, Pratapgarh(Chittorgarh), Dausa, Ganganagar, Jhalawad, Sawai Madhopur, Baran, Tonk and Bhilwara. In the remaining districts, Courts of District Session Judge have been specified as Special Courts to try offences under the POA Act. Special Public Prosecutors have also been appointed for this purpose.

NODAL OFFICER

In accordance with the provision of Rule 9 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995, the Secretary, Science & Technology Department, Government of Rajasthan has been appointed as Nodal Officer for co-ordinating the functioning of the District Magistrate and Superintendent of Police.

SPECIAL OFFICER

The State Government of Rajasthan vide their office order No. F.11 (133) (1) R & P /SWD/98-99/353/3-44 dated 3.8.2002 has authorized the District Collector to appoint the Additional District Magistrate and Superintendent of Police of the district as Special Officer in their districts for implementation of the provisions of the Act.

20. SIKKIM

Suitable instructions have been given by the police authorities to the local police for speedy and careful disposal of cases registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and filing the chargesheet within the prescribed time limit.

ADMINISTRATIVE MACHINERY

In Sikkim, there is no such problem of maintaining Law and Order. The people of Sikkim are, by nature God fearing and Law abiding people. However, in case of occurrence of any problem in maintaining Law and Order in the State, the Government and the police authorities are always alert and adequate steps are taken for maintaining peace and communal harmony in rural and urban

areas to check and minimise the crimes and atrocities on Scheduled Castes and Scheduled Tribes.

Necessary instructions have been given to the police booths set up in rural and urban areas for taking timely and effective action in investigating the cases and submitting the chargesheet in the courts. The police personal have been instructed to investigate the complaints soon after the FIR is lodged.

SPECIAL COURTS

District and Session Courts (North and East) and District and Session Courts (South and West) have been designated as Special Courts to try the cases of Atrocities on Scheduled Castes and Scheduled Tribes for North and East Districts and for West and South Districts respectively.

APPOINTMENT OF OFFICERS

The State Government have appointed Special Public Prosecutors with adequate qualification and experience to try the cases in right earnest and for disposal with necessary conviction. The Special Public Prosecutors are also maintaining strong and cordial relation with the local police machinery.

PUBLICITY

The State Government also organizes training courses for creating awareness about various provisions of the Special Acts among the Special Public Prosecutors and the concerned Police Officials. Regular training and orientation of functionaries at all level are also conducted.

PERIODIC SURVEY

The action is taken on complaints registered by Scheduled Castes and Scheduled Tribes and the status of such complaints is reviewed periodically by the State Government.

RELIEF AND REHABILITATION

Necessary steps are being taken to review / amend the norms for payment of relief and rehabilitation, prescribed under Rule 12 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 for

providing total relief amount to the victims by the time the case is chargesheeted in the court.

21. TAMIL NADU

LEGAL AID

The Tamil Nadu State Legal Services Authority is the instrumentality of the State for the implementation of Constitutional directive under Article 39-A of the Constitution. The new Authority constituted under the legal Services Act 1987 as amended is continuing all the programmes and policies of the erstwhile legal aid Board.

This Authority has 167 Constituent units spread throughout Tamil Nadu. The Authority is funded by the Government of Tamil Nadu. The funds are allotted through grants-in-aid provided in the budget for each financial year. The authority is providing legal aid in terms of Article 39-A of the Constitution to all concerned persons.

The total number of application received during the year 2001 was 65,868. The number of applications received from persons belonging to Scheduled Castes out of those applications was 5875 and those from Scheduled Tribes was 332 making total 6,207. This works out to 9.42% of the total applications received.

As far as income limit to provide legal assistance is concerned, the authority has prescribed the ceiling of Rs. 25,000/- per annum, but under the Legal Services Authorities Act 1987, the legal aid to persons belonging to Scheduled Castes and Scheduled Tribes is free, and there is no income limit.

APPOINTMENT OF OFFICERS

The Additional Director General of Police, CID Social Justice supervises the functioning of the PCR Units headed by Inspector General of Police, Human Rights, Social Justice(CID) with 7 Deputy Superintendents of Police (Mobile Squad) located at Chennai, Trichy, Villupuram, Tanjore, Ramanthapuram, Madurai and Tirunelveli and Inspectors of Police, with supporting staff including one Statistical inspector in each district. The functions of Human Rights, social justice C.I.D. wing are to supervise investigation of cases registered under the two Acts.

SPECIAL COURTS

The details of Special Courts set up on 18.3.1997 for speedy disposal of cases registered under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, are given below: -

S.N.	Name of the headquarters	Jurisdiction over the Districts
1.	Madurai	Madurai Commissionerate, Madurai Dindigul Theni, Ramanthapuram, Sivagangai and Virudhunagar
2.	Trichy	Trichy Commissionerate, Trichy, Perambalur Karur and Pudukottai
3.	Thanjavur	Thanjavur, Nagapattinam and Thiruvarur
4.	Tirunelveli	Tirunelveli Commissionerate, Tirunelveli, Thoothukudi and Kanniyakumari.

These 4 Special Courts cover 16 Districts and 3 Commissionerates. The progress of trial in all the Special Courts is good. Another proposal for setting up of 2 more Special Courts at Villupuram and Erode is also under consideration. In addition, there are 11 designated courts to try cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Protection of Civil Rights Act, 1955.

PERIODICAL SURVEYS

For conducting survey and for collection of statistical information, there is one Statistical Inspector in each PCR Unit and he/she is assisted by staff of PCR Unit. The survey work of the Statistical Inspector is supervised by Inspector General of Police, Human Rights, Social Justice C.I.D., Chennai with assistance of Economist and Sociologist who are positioned at Headquarters. Statistical Inspectors conduct surveys in atrocity prone areas, which are identified as per the guidelines of Government of Tamil Nadu and bring it to the notice of Superintendent of Police and Collector for taking precautionary and preventive measures to avoid any untoward incidents / clashes between the Scheduled Castes and non Scheduled Castes.

IDENTIFICATION OF ATROCITY PRONE AREAS

The PCR wing in Tamil Nadu is pioneer in framing a scheme to identify the untouchability atrocity prone villages. The norms were introduced as early as in

1984 and subsequently modified. The following norms are in force from the year 1994.

- (a) A village is considered atrocity prone, if in a mother village or its hamlets, 3 or more true cases are reported within a periods of 3 successive calendar years.
- (b) A village is also considered atrocity prone, if even one case of heinous offence, caste oriented tension / clash is reported.
- (c) Atrocity prone village identified will be declared highly sensitive in nature even if one case involving heinous offence such as murder, rape, arson or greivous hurt is reported.
- (d) Atrocity prone villages are kept in the active list for a period of 2 years from the last reported case and then transferred to the dormant list for further period of 3 years. During the dormant period, if any case is reported it is brought back to atrocity prone villages.

2. In Tamil Nadu, 469 Villages have been identified as atrocity prone and Dormant atrocity prone villages. In these villages, every year, survey is being conducted to check availability of basic amenities like.

- (a) Link Road
- (b) Street Lights
- (c) Pathway to burial grounds
- (d) Drinking Water.

In addition, officers enquire with regard to any social disability arising on the ground of untouchability and general grievances if any.

3. Whenever any 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 by registration of cases but also conduct of survey of those villages to find out, lack of basic amenities and other grievances are listed out and a report is sent the District Collector for necessary action and a copy is forwarded to the Director, Adi - Dravidar & Tribal Welfare for follow - up action.

PUBLICITY

To educate the public about the evils of untouchability, a mobile publicity Unit with staff and audio visual equipment was established in the year 1983. This unit with headquarters at Chennai covers 13 District viz Chennai, Kancheepuram, Thiruvallur, Vellore, Cuddalore, Thiruvannamalai, Villuppuram, Salem, Namakkal, Dharmapuri, Erode, Coimbatore, and Nilgiris Districts. To ensure better coverage, one more unit with headquarters at Thiruchirapalli with

staff and audio visual equipment was established in 1989. This unit covers the remaining 16 Districts in Southern Region of Tamil Nadu.

To educate the public, feature film Puthiyasarithiram, fillers and feature film Kalam Mariduchi and Vazhu Vazhavidu have been produced for being screened in villages and telecast over television. These units concentrate in the areas, where untouchability is practised.

Besides, the above, following measures have been undertaken for the removal of untouchability.

- 1 Manithā Neya Varavizha is celebrated from 24th to 30th January of every year by conducting meetings to focus the attention of the public about the evils of untouchability and the need to treat the Scheduled Castes equally. This opportunity is availed to propagate the concessions available to the Scheduled Castes. The Government are sanctioning a sum of Rs. 5.00 lakhs per year for this purpose since 1997-98. Similarly State level functions also organised in a one of the District every year.
- 2 Folk Artists like "Villupattu Kuzhu " are engaged to raise the opinion of the public against untouchability through the medium of songs.
- 3 Community feasts are arranged ever year on 26th January, 15th August, 2nd October and any local important day of the District. Voluntary organisations are also involved in arranging the Samabandhi Bojanam / community feast. A sum of Rs.50,000 /- sanctioned per annum is spent for this purpose.

For educating the public through Television, a sum of Rs. 3.00 lakhs per annum has been sanctioned from 1997-98 for the production for fillers on removal of untouchability etc.

COMMITTEES

CONSTITUTION OF STATE LEVEL VIGILANCE AND MONITORING COMMITTEES

In accordance with the provisions of clause V of sub-section 2 of Section 21 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities)

Act, 1989 and Rules, 16 and 17 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 issued under the Act, the State Government have constituted a State Level Vigilance cum Monitoring Committee to review the implementation of the provisions of the Act. Accordingly, orders have been issued in G.O.Ms.No. 97 Adi – Dravidar & Tribal Welfare Department Dated 11.12.2001 constituting the Hon'ble Chief Minister as the Chairperson and 28 other as the members of the Committee. The meeting of the State level Vigilance and Monitoring Committee is conducted periodically

CONSTITUTION OF DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEES

The District Level Vigilance and Monitoring Committees have been constituted in all the Districts and meetings of the District Level Committees are held periodically i.e. once in a quarter. The reports of the District Level Committees received from the Collectors are reviewed by the Secretary, Adi Dravidar and Tribal Welfare Department and suitable instructions are issued to the Collectors on matters requiring urgent importance.

REVIEW MEETINGS

The District Collectors review every month all the cases registered under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and send their reports before 20th of the next month. The review reports received from the District Collectors are discussed in detail by the Secretary, Adi Dravidar and Tribal Welfare Deptt. With Inspector General of Police, PCR every month and necessary instructions on the follow up action to be taken are issued to the District Collectors.

22. TRIPURA

LEGAL AID

(A) Scheme for providing legal aid to the Scheduled Castes is in force in the State. This is in the shape of grants to the member of SC involved in Civil/ Revenue cases for meeting the expenses of litigation.

No member of Scheduled Castes is eligible for such legal assistance if he owns or cultivates land more than four standard acres or other wise his total income per year exceeds rupees four thousand.

A member of Scheduled Castes submits application for sanction of grant or legal assistance to the Sub-Divisional Officer/District Magistrate & Collector concerned for examining the financial condition and other relevant facts and in consultation with the Sub-Divisional /District Committee, the Sub -divisional Officer/District Magistrate accord sanction of legal assistance to eligible SC petitioners. Limits of sanction of legal assistance are as follows :-

- | | | | | |
|------|---------------------------------|---|---|---|
| i) | Sub-Divisional Officer | - | - | Upto Rs. 250/- |
| ii) | District Magistrate & Collector | - | - | Upto Rs. 500/- |
| iii) | Director, SC & OBC Welfare | - | - | Beyond Rs. 5000/-with the approval of the Govt. |

(B) In addition, legal aid may be given in all or in any one or more of the following modes as per the Tripura State Legal Services Authorities Rules, 1998.

- i) Payment of the Court fees, processing fees, expenses of witnesses and all other charges payable or incurred in connection with any legal proceedings;
- ii) Representation by a legal practitioner, in legal proceedings;
- iii) Supply of certified copies of judgements, orders, notes of evidence and other documents in legal proceedings;
- iv) Drafting of legal documents.

There was no reported incident of untouchability offence in Tripura and as such, question of sanction of legal aid to victims of untouchability did not arise.

TRAVELING AND MAINTENANCE EXPENSES

There is provision in the budget for traveling and maintenance expenses to witnesses including the victims of Atrocities.

ECONOMIC AND SOCIAL REHABILITATION

Provision has been made in the Annual Plan budget.

APPOINTMENT OFFICERS

In pursuance of clause (ii) of sub-section (2) of section 15(A) of the Protection of Civil Rights Act, 1955, (Act.22 of 1955), the State Government has appointed (I) Sub-Divisional Officers of the Sub-Division (ii) Deputy collectors

(Revenue) (Circle Officers of Revenue Circles) and (iii) Police Officers upto the rank of Sub-Inspector for initiating and exercising supervision and prosecution under the provision of the said Act.

The Judicial Magistrates of the 1st class have been empowered under the Protection of Civil Rights Act, 1955 to hold Special Court for the trial of offences under the said Act.

The officers of Welfare Department during their tour in the field also keep a close watch, whether any incidents are taking place in the field.

COMMITTEES

At the State level, there is a high power Scheduled Caste Welfare Advisory Committee under the Chairpersonship of the Chief Minister. The Committee consists of prominent Scheduled Caste leaders. This Committee sits periodically in meetings to review and evaluate implementation of special component scheme for Welfare of Scheduled Castes and other related matters.

SPECIAL COURTS

Setting up of Special Courts in Tripura is not necessary in so far as there is no problem of untouchability as an evil or special phenomenon. This was further discouraged due to influx of displaced persons from erst-while East Pakistan (now Bangladesh) of whom a large number belong to Scheduled Castes. Their rehabilitation was dispersed all over the State and they are intermingled with other communities of the society.

Atrocities on Scheduled Castes and also the practice of untouchability are virtually non-existent in the State. No case of Atrocity has been reported in Tripura during the year 2001.

However, the State Government with the concurrence of the Chief Justice of the Hon'ble High Court, Gauhati has specified the Court of Session Judges, West Tripura District, Agartala, North Tripura District, Kailashahar and South Tripura District, Udaipur as Special Courts respectively as per the provision of Section 14 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

PERIODICAL SURVEY

In this State, there is a separate Directorate to exclusively look after the Welfare of Scheduled Castes under the Department for Welfare of Scheduled Castes, OBCs and Minorities. There has appeared no situation necessitating any survey on the issue, as there are no atrocities on Scheduled Castes.

IDENTIFICATION OF AREAS SUBJECT TO ATROCITIES

There are no identified Scheduled Caste Basties and separate Scheduled Caste localities in the State. The Scheduled Castes live side by side with other communities in the State. As such identification of untouchability prone area or atrocity prone area does not arise. The vice of untouchability is not noticable in Tripura.

23. UTTAR PRADESH

LEGAL AID

Free Legal Aid is provided to members of SCs/STs.

TRAVELLING AND MAINTENCE EXPENSES

The travelling and maintenance expenses to the victims of the atrocities/dependents and to the witnesses are provided under the Scheduled Castes and the Scheduled Tribes(Prevention of Atrocities) Act, 1989.

ECONOMIC AND SOCIAL REHABILITATION

The economic and social rehabilitation to the victims of the atrocities/dependents are provided as per State Government Office Memorandum No. 4758/26-3-95-4 (256)/94 dated 17.10.95 under the Scheduled Castes and the Scheduled Tribes(Prevention of Atrocities) Rule, 1995

COMMITTEES

District level Vigilance & Monitoring Committee under Chairpersonship of the District Collector has been set up in all the districts in the State. The State Level Monitoring Committee functions under Chairpersonship of the Commissioner of Social Welfare and Principal Secretary, Social Welfare Department and reviews implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The "Task Force Committee" has also been constituted in the Directorate of Social Welfare.

SPECIAL COURTS

The State Government has notified 40 Special Courts in the districts of Farrukabad, Unnao, Basti, Banda, Etawah, Hamirpur, Gonda, Kanpur City, Badaun, Sultanpur, Barabanki, Bulandshahr, Gorakhpur, Varansi, Pilibhit, Etah, Deoria, Jhansi, Faizabad, Agra, Lucknow, Mirzapur, Siddharth Nagar, Bairach, Gazipur, Fatehpur, Jalun, Kanpur Rural, Mainpuri, Meerut, Gaziabad, Bareilly, Chandoli, Bagpat, Jyotiba Phule Nagar, Hardoi, Shravasti, Balrampur, Kannoij & Gautam Buddh Nagar. There is a need to set up special courts in remaining districts also to expedite disposal of cases.

IDENTIFICATION OF ATROCITY PRONE AREAS

The incident of atrocity may though occur in any districts of the State, yet 20 Districts have been declared as sensitive. These districts are Lucknow, Hardoi, Sitapur, Raibareilly, Unno, Gonda, Baraich, Barabanki, Sultanpur, Fatehgarh, Etawa, Banda, Jalon, Basti, Gorkhpur, Azamgarh, Badaun, Meerut, Varanasi and Agra.

APPOINTMENT OF OFFICERS

For implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, at State level, a special Inquiry Cell has been established in Police Headquarters under the charge of Additional Director General of Police. The sanctioned posts in the Cell are one Additional Director General of Police, One Inspector General of Police, One Deputy Inspector General of Police, One Superintendent of Police, One Additional Superintendent of Police and Nine Dy. Superintendent of Police. The State Government has also set up such cells in all District besides in Six State Railway Police Stations. These are under the charge of Superintendent of Police and perform functions

under supervision of Deputy Superintendent of Police assisted by Sub Inspector, one Head constable and two constables

A Cell has also been set up at Directorate of Social Welfare and at Secretariat level in Commissioner of Social Welfare and Principal Secretary, Social Welfare Department at State level.

The implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules, 1995 at district level is looked after by the District Social Welfare Officer under supervision of District Collector.

24. UTTARANCHAL

LEGAL AID

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

TRAVELLING AND MAINTENANCE EXPENSES

The travelling and maintenance expenses to the victims of the atrocities and the witnesses under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is provided by the State Government.

ECONOMIC AND SOCIAL REHABILITATION

During the year 2001-2002, Rs.47.88 lakhs has been incurred by the State Government towards economic and social rehabilitation of the victims of atrocities. 105 persons/families were benefited.

APPOINTMENT OF OFFICERS

For the commission of offences on Scheduled Castes and Scheduled Tribes, the directions have already been issued to all officers from

time to time for immediate registration of such offences under the Act. The investigation of cases is undertaken by the Deputy Superintendent of Police and the cases are supervised by Superintendent of Police.

SPECIAL CELLS

Special Police Cell has been set up in each district in Police Department. These Cells monitor investigation of cases of atrocities on SCs & STs. The Deputy Superintendent of Police works under the supervision of Superintendent of Police.

COMMITTEES

Committees have been set up under the Chairpersonship of the District Collector. The Committee looks in to the issues concerning provisions of economic assistance and rehabilitation to affected persons.

SPECIAL COURT

Special court has been set up in Nainital district. In rest of Districts, the District & Session Courts have been designated as special courts for trial of cases under the Act.

IDENTIFICATION OF ATROCITY PRONE AREAS

No specific area has been identified as atrocity prone area in Uttaranchal, however, the District Administration has been vigilant in this regard and as and when such incident occurs, immediate and prompt action is taken.

25. ANDAMAN & NICOBAR ADMINISTRATION

LEGAL AID

The Andaman & Nicobar Administration Legal Advisory Board is already functioning to render legal aid to the persons subjected to atrocities.

TRAVELLING AND MAINTENANCE EXPENSES

During the calendar year 2001, no victims of atrocities could be provided any financial assistance towards travelling and maintenance expense.

ECONOMIC AND SOCIAL REHABILITATION

No proposal was received.

COMMITTEES

There was no need to set up such committees, as the number of cases of atrocities was very less.

SPECIAL COURTS

The Administration has designated the Sessions Court, Port Blair as the Special Court to try the offences under Section 14 of the above Act vide Notification No. 151 dated 4.9.1990.

PERIODIC SURVEY

No survey was necessary as the provisions of the Act adequately protected the tribals.

IDENTIFICATION OF ATROCITY PRONE AREAS

As there is no atrocity prone area in the Union Territory, therefore no additional measure were needed for safety of the Scheduled Tribes.

26. CHANDIGARH ADMINISTRATION

Two cases were reported during the calendar year 2001 in the Union Territory, under the Scheduled Castes & the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

LEGAL AID

Rules for providing Legal Aid to Scheduled Castes have been formulated and notified in Chandigarh Administration during the year 1992. However no case of legal aid came up for the calendar year.

SPECIAL COURTS

The Court of Additional Session Judge, Chandigarh has been specified as Special Court to try offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The District Attorney, Chandigarh has also been specified as Public Prosecutor for the purpose of conducting cases in the Special Court.

RELIEF TO ATROCITY AFFECTED PERSONS

No amount has been granted during the year under report as rehabilitation measure under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

IDENTIFICATION OF ATROCITY PRONE AREAS

No area has been identified as atrocity prone or subjected to atrocities, in the UT of Chandigarh.

DADRA AND NAGAR HAVELI

LEGAL AID

Very few cases of atrocities against members of SC/ST in the UT have been reported, as the area is overwhelmingly tribal. However, a scheme of legal aid namely Dadra and Nagar Haveli, Legal Aid and Advice Scheme 1993 has been incorporated in the Annual Plan, 1997-98 under which, financial and legal aid is provided to the victims of atrocities to fight their cases. One case of a Scheduled Tribe woman seeking legal aid & advice came up with Social Welfare Department during the year 2001-2002 and necessary action was initiated.

TRAVELLING AND MAINTENANCE EXPENSES

The provision for travelling expenditure is to be met out of budget sanctioned under the Centrally Sponsored Scheme.

ECONOMIC AND SOCIAL REHABILITATION

No special provision for economic and social rehabilitation of the victims has been made, however, if required relief on this count is provided from the rehabilitation budget of the Union Territory. There has been no such case reported during the period under consideration.

APPOINTMENT OF OFFICERS

Five officers, namely the Collector, Dadra and Nagar Haveli, the Resident Dy. Collector, the Land Reforms Officer-I and the Land Reforms Officer-II and the Mamlatdar, Dadra & Nagar Haveli have been conferred powers exercisable by the Police Officers under the Code of Criminal procedure and in the special court.

COMMITTEES

The District Vigilance and Monitoring Committee under the Chairpersonship of the Collector has been set up in Dadra and Nagar Haveli to see that the cases of atrocities against SCs and STs are pursued vigorously and brought up before the Courts.

PERIODIC SURVEYS

Cases of atrocities in the UT are very few and hence periodic surveys on the working of the said Act have not been carried out. However, instructions to all concerned officials from time to time are reiterated to remain vigilant.

SPECIAL COURTS

This Union Territory has constituted a Special Police Cell, Special designated Court and appointed Special Public Prosecutor to ensure effective

implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

IDENTIFICATION OF ATROCITY PRONE AREAS

Being a predominantly tribal territory, there are no such areas prone to the practice of atrocities on SCs and STs in the Union Territory of Dadra & Nagar Haveli.

EFFORTS INVOLVING NGOS FOR CREATING HARMONY AND BROTHERHOOD AMONGST THE COMMUNITIES IN SENSITIVE DISTRICT

There is no sensitive district as such in the UT of Dadra & Nagar Haveli. Moreover, the people of the Union Territory have faith in peace & communal harmony and cases of communal violence have not been reported so far.

28. DAMAN & DIU

LEGAL AID

In view of very rare cases of atrocities against members of Scheduled Castes and Scheduled Tribes in this UT., no provisions of special facilities as well as legal aid have been made for the affected persons.

TRAVELLING AND MAINTENANCE EXPENSES

In view of very rare cases of atrocities against members of Scheduled Castes and Scheduled Tribes in this UT., no provision for travelling and maintenance expenses have been made for the affected persons.

ECONOMIC AND SOCIAL REHABILITATION

In view of very rare cases of atrocities against members of Scheduled Castes and Scheduled Tribes in this UT., no provision for rehabilitation has been made for the affected persons.

APPOINTMENT OF OFFICERS

The Collector & District Magistrate, Daman and the Mamlatdar and the Executive Magistrate, Daman have been empowered to exercise the powers of Police Officer under the Act of Criminal Procedure and in particular the powers of arrest, investigation & prosecution of persons before the Special Court under the said Act. The Chief of Police, Daman and the Chief of Police, Diu have been appointed as Investigating Officers for Daman and Diu districts respectively under Rule 7 of the Act.

COMMITTEES

The District level Committee has been set up in Daman District to follow strictly the measures of banning transfer of land from tribals to non-tribals under Chairpersonship of the Collector, Daman.

Vigilance and Monitoring Committees have been set up for Daman and Diu Districts under Chairpersonship of respective Collectors to supervise investigation of cases under this Act.

PERIODIC SURVEY

In view of very rare cases of atrocities, need for periodic survey on the working of the said Act has not arisen.

IDENTIFICATION OF ATROCITIES PRONE AREAS

There are no atrocity prone areas in the UT. of Daman & Diu.

29. NCT OF DELHI

LEGAL AID

During the calendar year 2001, no case for grant of financial assistance under the Act was received in the department.

TRAVELLING AND MAINTENANCE EXPENSES

Necessary provision for paying travelling and maintenance expenses has been made in budget but during the year 2001 no request for payment was received in the department.

ECONOMIC AND SOCIAL REHABILITATION

During the calendar year 2001, no case for economic and social rehabilitation was received by this department.

COMMITTEE

A Standing Committee has been formed for examination and consideration of cases for providing relief and rehabilitation to victims of atrocities in the territory of Delhi.

PERIODIC SURVEYS

No need has been felt for periodic survey as the number of cases registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 has so far been very few.

IDENTIFICATION OF ATROCITIES PRONE AREAS

No such area has been identified under this Act so far in NCT of Delhi.

INVOLVEMENT OF NGO'S

No NGO has been involved in implementation of provision of this Act.

30 LAKSHADWEEP

LEGAL AID

There has been no cases of atrocity against Scheduled Castes and Scheduled Tribes during the year 2001.

TRAVELLING AND MAINTENANCE EXPENSES

No. travelling and maintenance expenses were incurred during the period under report.

ECONOMIC AND SOCIAL REHABILITATION

The Indigenous population of the Union Territory are Muslims by religion and they are classified as Scheduled Tribes. They constitute about 96% of the population of this Territory. There is no possibility of commission of atrocities against majority section of the community. Moreover, there have been no cases of atrocities against Scheduled Tribes in the past. Hence no provision for economic and social rehabilitation was made for want of need.

APPOINTMENT OF OFFICERS

No Officers have been appointed for initiating or exercising supervision over prosecution in the absences of atrocities falling under the Act.

SPECIAL COURTS

The District and Sessions Court Lakshadweep has been notified as a Special Court to try offences coming under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, in respect of Lakshadweep. The Assistant Public Prosecutor and the Government pleader have been notified as Special Public Prosecutor to appear on behalf of the Administration behalf the Special Court notified under the said Act.

COMMITTEES

No Committees have been set up, since there were no case of atrocities.

PERIODICAL SURVEYS

No survey was conducted in the absence of any case of atrocities reported under this Act.

IDENTIFICATION OF ATROCITIES PRONE AREAS

The indigenous population of this Union Territory are Muslims by religion and classified as Scheduled Tribes. There is no possibility of Commission of atrocities against majority section of Community.

31. PONDICHERRY

ADMINISTRATIVE MACHINERY

The PCR Cell Unit is functioning directly under the control of the Supdt. of Police in three enclaves of the Union Territory of Pondicherry, namely Pondicherry, Karaikal and Yanam. This unit is registering cases under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 based on various complaints preferred by the people belonging to the Scheduled Castes and Scheduled Tribes Community, falling under the purview of the provisions of the above Acts and disposing of such complaints according to merits of cases.

Untouchability is not practiced so much in the Union Territory of Pondicherry. No complaint falling under the purview of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was reported during the year 2001. No complaint of discrimination of the members of the public belonging to Scheduled Castes based on public prejudice in public places like hotels, restaurants or place of public utilities entertainments was reported during the period under review. The practice of segregating the members of public belonging to Scheduled Castes and Scheduled Tribes from the people belonging to other communities in making them to use utensils and other articles separately in places like Hotels, Bar etc., is not in existence in the Union Territory of Pondicherry.

LEGAL AID

Regarding legal aid to Scheduled Castes and Scheduled Tribes members, the Union Territory has provided a Free Legal Aid Cell, which is giving assistance to Scheduled Castes and Scheduled Tribes members also.

TRAVELLING AND MAINTENANCE EXPENSES

Travelling allowances/Daily allowance and bus fares to all the witnesses are being given by the Judicial Department, Pondicherry. Other facilities like

compensation to the victims are paid by Adi-Dravidar Welfare Department. All Medical help to the victims is provided free of cost.

ECONOMIC AND SOCIAL REHABILITATION

Adi-Dravidar Welfare Department and Revenue Department looks after the economic and social rehabilitation of the victims of atrocities.

APPOINTMENT OF OFFICERS

The Directorate of Prosecution functioning under the control of Law Department, guides the prosecuting agencies of the Cell, in the investigation, and disposal and successful prosecution of the cases, registered by the Cell.

COMMITTEES

A State Level Committee for the Welfare of Scheduled Castes has been constituted with the Hon'ble Minister as Chairperson, MPs and all the sitting MLAs belonging Scheduled Castes and member of the Committee.

The Committee performs the following functions:-

- (1) Reviews the progress of the schemes for the Welfare of Scheduled Castes, evaluate their impact and suggest measures for further improvement.
- (2) Reviews the implementation of Protection of Civil Rights Act, 1955 and the SCs & STs (Prevention of Atrocities) Act, 1989 and suggest measures for its proper enforcement.
- (3) Reviews the implementation of reservation orders in the services under the Pondicherry Administration including Government undertakings, Boards, Co-operative bodies, Municipalities, etc and suggest measures for further improvement.
- (4) Reviews the implementation of Special Component Plan and suggests measures for further improvement.
- (5) Reviews the functioning of the Revenue-Cum-Police Harijan Cell and of the High Level Cell.
- (6) Makes an 'on the spot study' of situation, if need be, in case of atrocities on Scheduled Castes or in cases where harassment of Scheduled Castes has been reported.
- (7) Discuss any other matter which affects the rights and interests of persons belonging to the Scheduled Castes and suggest appropriate measures.

- (8) A High Level Cell has also been constituted with the following Composition
- | | | |
|---|---|----------------------|
| (a) Secretary to Govt.(Welfare) | : | Chairperson |
| (b) Commissioner of Labour | : | Member |
| (c) Director Legal Admn. | : | Member |
| (d) Deputy Secretary (Revenue) | : | Member |
| (e) Under Secretary (Revenue) | : | Member |
| (f) Commissioner Hindu Religious Institutions | : | Member |
| (g) Supdt. of Police (PCR Cell) | : | Member |
| (h) Director for Welfare of Scheduled Castes | : | Member/
Secretary |

SPECIAL COURTS

No Special Courts have been set up, but the Additional Public Prosecutor is conducting prosecution in the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in the Hon'ble Court of Additional Sessions Judges, Pondicherry.

PERIODIC SURVEYS

Periodic Surveys is under taken by the above said Committees on the working of the provisions of the Act.

IDENTIFICATION OF ATROCITY PRONE AREAS.

In the Union Territory of Pondicherry, there is no atrocity prone area, however preventive measures are being continued in all the villages where SC/ST people are residing.

32. OTHER STATES / UTS

Detailed write-up is awaited from the State Government of Goa & West Bengal and disposal by Court from the State Government of Jharkhand.

As no case of atrocity on Scheduled Castes & Scheduled Tribes has been registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 during the year 2001, the information is therefore, NIL in respect of Mizoram.

ANNEXURE-I

THE MAJOR CONSTITUTIONAL SAFEGUARDS FOR THE SCHEDULED CASTES AND SCHEDULED TRIBES

Article 15 - Prohibition of discrimination on grounds of religion, race, caste, sex, place of birth.

Article 15(4) - Empowers the State to make special provision for the advancement of any socially and educationally backward classes of citizens or for Scheduled Castes and Scheduled Tribes.

Article 16 - Equality of opportunity in matters of public employment, but special provision for Scheduled Castes and Scheduled Tribes.

Article 16(4) - Empowers the State to make any provision for the reservation in appointments or posts in favour of any backward class of citizens which, in the opinion of the State is not adequately represented in the services under the State.

Article 17 - "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.

Article 19 - Protection of certain rights regarding freedom of speech etc.

Article 23 - Prohibition of traffic in human beings and forced labour relevant to instances of bonded labour among Scheduled Castes and Scheduled Tribes.

Article 25 - Freedom of conscience and free profession, practice and propagation of religion-entry into temples of Hindu religious institutions of a public character.

- Article 29 –** Protection of interests of minorities-religion, race, caste, language – no bar to admission in educational institutions.
- Article 35 –** Legislation to give effect to the provisions relating to fundamental rights.
- Article 38 –** State to secure a social order for the promotion of welfare of the people.
- Article 243-D-** Reservation of seats for Scheduled Castes and Scheduled Tribes in Panchayats.
- Article 244&339 –** Administration of Scheduled Areas and Tribal Areas and control of the Union over the administration of Scheduled Areas and the welfare of the Scheduled Tribes.
- Article 330 –** Provides for reservation of seats for Scheduled Castes and Scheduled Tribes in the Lok Sabha.
- Article 332 –** Provides for reservation of seats for Scheduled Castes and Scheduled Tribes in the State Vidhan Sabhas (Legislative Assemblies).
- Article 335 –** Claims of Scheduled Castes and Scheduled Tribes to services and posts.
- Article 338 –** National Commission for Scheduled Castes and Scheduled Tribes.
- Article 341&342 –** List of Scheduled Castes and Scheduled Tribes.

ANNEXURE -II

STATEMENT SHOWING CASES REGISTERED BY POLICE AND THEIR DISPOSAL UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989 DURING THE YEAR 2001

S.No.	State / UT	No. of cases registered during 2001	No. of cases with police during 2001 including B.F.	No. of cases closed after investigation	No. of cases chargesheeted in courts	No. of cases pending with police at the end of 2001
1.	Andhra Pradesh	2020	2574	570	1288	716
2.	Bihar	693	1802	61	180	1561
3.	Chhattisgarh	902	1053	22	915	116
4.	Goa	1	1	1	0	0
5.	Gujarat	1217	1945	73	1760	112
6.	Haryana	68	85	17	54	14
7.	Himachal Pradesh	17	20	8	7	5
8.	*Jharkhand	155	349	40	176	133
9.	Karnataka	1214	1851	99	643	1109
10.	Kerala	499	909	176	290	443
11.	Madhya Pradesh	4432	5332	273	4336	723
12.	Maharashtra	797	972	72	755	145
13.	Orissa	1277	2329	271	1125	933
14.	Punjab	56	75	20	14	41
15.	Rajasthan	5915	6391	2423	1966	2002
16.	Tamil Nadu	828	1192	373	662	157
17.	Uttaranchal	132	132	45	78	9
18.	Uttar Pradesh	9764	12037	2957	7356	1724
19.	West Bengal	10	69	6	43	20
20.	A. & N. Islands	1	1	0	1	0
21.	Chandigarh	2	3	1	1	1
22.	Daman & Diu	0	1	0	1	0
23.	D. & N. Haveli	5	5	0	2	3
24.	Delhi	17	25	1	22	2
25.	Pondicherry	0	4	1	3	0
	TOTAL	30,022	39,157	7,510	21,678	9,969

- Note: -**
1. The Scheduled Castes and the Scheduled Tribes (POA) Act, 1989 does not extend to Jammu & Kashmir State.
 2. Nil data reported by 9 States/UTs viz Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and Lakshadweep
 3. * Information notes include the District of Deoghar and Godda of the Jharkhand State.

**STATEMENT SHOWING CASES WITH COURTS UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES
(PREVENTION OF ATROCITIES) ACT, 1989 AND THEIR DISPOSAL DURING THE YEAR 2001**

S.No.	State / UT	No. of cases in Courts including B.F. in 2001	No. of cases ended in conviction	No. of cases ended in acquittal	No. of cases pending with Courts at the end of 2001
1.	Andhra Pradesh	3251	61	756	2434
2.	Assam	6	0	0	6
3.	*Bihar	3439	41	344	3054
4.	Chhattisgarh	2179	231	459	1489
5.	Goa	2	0	1	1
6.	Gujarat	15053	34	541	14478
7.	Haryana	108	0	11	97
8.	Himachal Pradesh	31	1	11	19
9.	Karnataka	4977	3	430	4544
10.	Kerala	1945	6	126	1813
11.	Madhya Pradesh	12765	547	2153	10065
12.	Maharashtra	8973	33	1118	7822
13.	Orissa	7118	17	237	6864
14.	Punjab	48	0	3	45
15.	Rajasthan	8427	290	1678	6459
16.	Tamil Nadu	2338	47	387	1904
17.	Uttaranchal	548	50	163	335
18.	Uttar Pradesh	81585	599	5808	75178
19.	West Bengal	93	2	7	84
20.	A. & N. Islands	2	2	0	0
21.	Chandigarh Administration	2	0	0	2
22.	Daman & Diu	4	0	2	2
23.	D. & N. Haveli	9	0	0	9
24.	Delhi	48	1	1	46
25.	Pondicherry	6	0	2	4
	TOTAL	1,52,957	1,965	14,238	1,36,754

- Note:-
1. The Scheduled Castes and the Scheduled Tribes (POA) Act, 1989 does not extend to Jammu & Kashmir State.
 2. Nil data reported by 8 States/UTs viz Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and Lakshadweep.
 3. The information is awaited from the State Government of Jharkhand.
 4. *The figures of 18 Districts only of the Bihar State.

ANNEXURE - IV

**STATEMENT SHOWING THE STATE/UT - WISE DETAILS OF CENTRAL ASSISTANCE
RELEASED UNDER THE CENTRALLY SOPONSORED SCHEME FOR IMPLEMENTATION OF THE
PROTECTION OF CIVIL RIGHTS ACT,1955 AND THE SCHEDULED CASTES AND THE
SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT,1989 DURING 2001 -2002.**

S.No.	State / UT	Amount(Rs. in lakhs)
1.	Andhra Pradesh	165.012
2.	Gujarat	178.200
5.	Haryana	13.781
7.	Karnataka	174.585
8.	Kerala	44.149
9.	Madhya Pradesh	812.860
10.	Maharashtra	6.480
11.	Orissa	0.970
12.	Punjab	33.105
13.	Rajasthan	317.380
14.	Tamil Nadu	502.478
15.	Uttar Pradesh	700.000
16.	Dadra & Nagar Haveli	25.000
17.	Pondicherry	31.500
TOTAL		3005.500
Budget provision Rs. 3000.00 lakhs		