

ANNUAL REPORT
ON
THE PROTECTION OF CIVIL RIGHTS ACT,
1955 FOR THE YEAR 2004



GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
NEW DELHI

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CHAPTER-1

INTRODUCTION

1. Article 17 of the Constitution of India abolished the practice of untouchability and in furtherance of the provision, the Protection of Civil Rights Act was enacted in the year 1955. The Act provides for punishment for untouchability offences and extends to all over the country. The Act is implemented by the State Governments and Union Territory Administrations.

2. Caste feelings and prejudices associated with certain occupations like manual scavenging, flaying and tanning put the concerned persons to a disadvantaged situation. Lack of assets, low literacy, other social and economic backwardness aggravate the position. Several Schemes and programmes are being implemented for socio-economic and educational development of Scheduled Castes. These measures, along with implementation of the Protection of Civil Rights Act, 1955 are gradually helping in reduction of offences of untouchability.

3. In accordance with Section 15A (4) of the Act, the Annual Report on implementation of the Protection of Civil Rights Act, 1955 for the year 2004 has been prepared, based on the information received from various State Governments and Union Territory Administrations.

4. The progress of cases registered under the Act and their disposal during the year 2004 has been discussed in chapter II of the Report. Details of measures taken by the Central Government in this regard are mentioned in Chapter III of the Report. Measures undertaken by the State Governments and Union Territory Administrations are given in Chapter IV of the Report.

CHAPTER-2

STATISTICAL PROFILE OF STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATIONS

During the year 2004, one hundred twenty six (126) cases were registered under the Act. The largest number of cases (32 cases) were reported in Andhra Pradesh and State wise details of the cases registered under the Act during the year 2004 in descending order are mentioned in the table below. In the remaining State Governments and Union Territory Administrations, no case was registered during the calendar year 2004.

TABLE NO.1

CASES REGISTERED DURING 2004

S. No.	State/UTs	Number of Cases registered during the year 2004	Percentage of total case registered under the PCR Act
1.	Andhra Pradesh	32	25.40
2.	Maharashtra	31	24.60
3.	Karnataka	24	19.05
4.	Pondicherry	20	15.87
5.	Madhya Pradesh	7	05.56
6.	Bihar	4	03.17
7.	Jammu & Kashmir	3	02.38
8.	Kerala	2	01.59
9.	Tamil Nadu	2	01.59
10.	Himachal Pradesh	1	00.79
	Total	126	100

STATES REGISTERING 1 TO 20 CASES

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

TABLE NO.2

S.No.	State/UTs	Number of cases reported during 2004
1.	Pondicherry	20
2.	Madhya Pradesh	07
3.	Bihar	04
4.	Jammu & Kashmir	03
5.	Kerala	02
6.	Tami Nadu	02
7.	Himachal Pradesh	01
	Total	39

STATES REGISTERING 21 TO 100 CASES

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

TABLE NO.3

S.No.	State/UTs	Number of cases reported during 2004
1.	Andhra Pradesh	32
2.	Maharashtra	31
3.	Karnataka	24
	Total	87

CASES DEALT WITH BY POLICE

The details in regard to cases dealt with by Police during 2004 are given in the following table.

TABLE NO.4

S. No.	Item	Number of Cases	
		Number	Percentage of total
1	2	3	4
1.	Total number of cases (including brought forward)	1, 544	
2.	Number of cases closed after investigation	112	07.25%
3.	Number of cases charge sheeted in courts	176	11.40%
4.	Number of cases pending with the police at the end of the year	1, 256	81.35%

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

DISPOSAL OF CASES BY COURTS

The details of disposal of cases by courts during the year 2004 are given in the Table below.

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

S. No.	Item	<u>Number of Cases</u>	
		Number of cases	Percentage of total cases disposed off by the courts
1	2	3	4
1.	Total number of cases (including brought forward)	5, 927	-
2.	Number of cases disposed of by Courts	412	06.95%
(a)	Number of cases ending in conviction	34	08.25%
(b)	Number of cases ending in acquittal	378	91.75%
3.	Number of cases pending with Courts at the end of year	5, 515	93.05%

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

CHAPTER-3

MEASURES TAKEN BY THE GOVERNMENT OF INDIA

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

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

To financially assist the State Governments/ Union Territory Administrations in implementation of provisions of the Act, under a 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, due central assistance is provided to them mainly for strengthening of the administrative, enforcement and judicial machinery, awareness generation, and relief and rehabilitation of the affected persons. During the year 2004-2005, central assistance of Rs. 3475.00 lakhs was released to State Governments and Union Territory Administrations, the details of which are given below: -

S.No.	State / Union Territory	Central Assistance released (Rs. in Lakhs)
1.	Andhra Pradesh	615.755
2.	Chhattisgarh	71.745
3.	Goa	01.00
4.	Gujarat	337.79
5.	Haryana	14.8445
6.	Himachal Pradesh	37.00
7.	Karnataka	531.1735
8.	Kerala	30.397
9.	Madhya Pradesh	314.965
10.	Maharashtra	343.49
11.	Orissa	08.18
12.	Punjab	57.50
13.	Rajasthan	200.00
14.	Sikkim	01.50
15.	Tamil Nadu	218.34
16.	Uttar Pradesh	610.70
17.	Uttaranchal	22.00
18.	Dadra Nagar Haveli	30.00
19.	Pondicherry	28.62
	TOTAL	3475.00

The Ministry of Social Justice and Empowerment has also been addressing the State Governments / Union Territory Administrations to implement the provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, in letter and spirit.

A 'Atrocities and Protection of Civil Rights Wing' is also functioning in the headquarters of the National Commission for Scheduled Castes. An "Atrocity Wing" is also functioning in the National Commission for Scheduled Tribes.

3.3 MINISTRY OF INFORMATION AND BROADCASTING

3.3.1 ALL INDIA RADIO (AIR)

All Stations of All India Radio (AIR) have been mounting programmes for the 'Eradication of Untouchability' in their Special

Audience Programmes (SAP) like Rural, Women, Youth and Children's programmes apart from the general broadcasts. These programmes have been in the form of Talks, Plays, Features, Discussions, Interviews, Family Serials and Slogans etc. 1057 programmes were broadcasted on 'Eradication of Untouchability' in different dialects/regional languages from various All India Radio Stations during the calendar year 2004.

3.3.2 DOORDARSHAN

Doordarshan Kendras have been mounting programmes for "Eradication of Untouchability" in the form of documentaries, interviews talks on the various subjects. 32 programmes were telecast by various Doordarshan Kendras during the year 2004.

3.3.3 DIRECTORATE OF FIELD PUBLICITY (DFP)

268 Field Publicity Units of the Directorate disseminated information on the theme of 'Eradication of Untouchability'. These units organized in all 15102 programmes like organizing film shows, oral communication programmes, song & drama programmes, photo exhibitions and special interactive programmes in the form of essay competitions, debates, rural sports, rallies, mothers meets, seminars, symposia, drawing / painting competitions.

3.3.4 DIRECTORATE OF ADVERTISING & VISUAL PUBLICITY (DAVP)

Directorate of Advertising & Visual Publicity (DAVP) released advertisements on the bane of untouchability on the occasion of Mahatma Gandhi birthday on 02.10.2004 and Sant Ravi Das Jayanti on 16.02.2004. The Directorate of Advertising & Visual Publicity (DAVP) also produced a weekly radio programme 'Sanwarti Jayen Jeevan Ki Raahein' for broadcast through All India Radio (AIR) and a booklet "Reaching the Unreached" in English and "Aao Jalayan deep Wahan Jahan Abhi Andhera Hai" in Hindi containing schemes and programmes of Ministry of Social Justice & Empowerment. Directorate of Advertising & Visual Publicity (DAVP) also used Outdoor Publicity formats like bus back panels and hoardings to spread the messages on eradication of untouchability.

3.3.5 SONG & DRAMA DIVISION

The Song & Drama Division made concerted efforts by utilizing a wide range of folk and traditional forms to educate people on the issue of untouchability with an intention of changing the mind-set of people. Efforts were also made to raise social awareness on evils of untouchability, targeting rural and semi-urban populace. The Division on an average presented more than 40,000 programmes all over the country involving, over 10,000 artists from across the nation. The programmes are composite in nature and the theme “ eradication of untouchability ” is suitably covered therein.

3.3.6 PRESS INFORMATION BUREAU

The Press information Bureau issued a press note highlighting the work of the Ministry of Social Justice & Empowerment during this period with special emphasis on “ Eradication on Untouchability ”.

3.3.7 FILMS DIVISION

Films Division produces and releases documentary films/ news magazines/short fiction films etc. through the theatrical circuits on various subjects with a view to provide publicity platform to the developmental plans, policies, programmes and projects of the Government. Film Division are also screened films in rural and remote areas of the country through the mobile units of Directorate of Field Publicity.

3.4 OTHER CENTRAL MINISTRIES

The Ministry of Social Justice & Empowerment pursued other Central Ministries/Departments for formulation and implementation of the Special Component Plan for development of Scheduled Castes as per the guidelines issued by the Planning Commission.

CHAPTER-4

MEASURES TAKEN BY STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATIONS

1. ANDHRA PRADESH

LEGAL AID

Free legal aid is provided to the victims of atrocities and there is no income limit fixed towards eligibility.

INTER CASTES MARRIAGES

An amount of Rs. 10,000/- per couple towards incentives to inter-caste married couples, if one of the couples belongs to Scheduled Castes, is sanctioned under the scheme. During the year 2004-2005, an amount of Rs. 246.55 lakhs was spent on 2465 inter-caste married couples towards incentives.

SPECIAL COURTS

There are 22 Mobile Courts in the State, one in each district (except Hyderabad) to take up the cases of untouchability under the Act.

APPOINTMENT OF OFFICERS AND WORKING OF PCR CELL

The Police Department has been given instructions to work for effective implementation of the Act and register cases of offences of untouchability on priority. At present 12 DSPs have been appointed exclusively for investigation of the cases relating to Scheduled Castes and

Scheduled Tribes. Besides it, DSPs, CID in the remaining districts, also investigate the cases.

PUBLICITY MEASURES

In order to curb the evil practice of untouchability and create awareness among the general public, circulars, pamphlets and other instructions are issued from time to time to towards awareness campaign.

WEEKLY VISITS TO VILLAGES

All Mandal Level officials and non-officials including representatives of the Endowment Department and NGOs along with Police officials not below the rank of Sub-Inspector are required to visit one village in a week in every Mandal on a fixed day and interact with all sections of the people in the village including Scheduled Castes and the Scheduled Tribes and convince and persuade upper caste people against evils of untouchability.

All the District Collectors have also been requested to prepare monthly action plan for the visit of the teams to the villages every week and to give advance intimation to the villages selected and also involve all elected representatives, Gram Sarpanchs, ward members and all villagers in the programme.

2. ASSAM

LEGAL AID

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

INTER CASTE MARRIAGES

The purpose of the scheme is to bring caste parity in the society. The marriages between Scheduled Castes and other castes are encouraged and an incentive of Rs. 5000/- per couple is being given.

APPOINTMENT OF OFFICERS

A SC & ST Protection Cell is functioning under the Director General of Police, Assam. The Additional Director General of Police (CID), Inspector General of Police (A), Deputy Inspector General of Police, Range and all district Superintendents of Police are members of the Cell.

COMMITTEES

A State Level Vigilance & Monitoring Committee headed by Minister in-charge of Welfare of Scheduled Castes and Scheduled Tribes reviews implementation of the provisions of the Protection of Civil Rights Act, 1955. All MLAs and MPs belonging to SC/ST community are the members of this Committee, besides representatives of the prominent voluntary organizations.

PUBLICITY

An awareness programme was organized by displaying the provision of the Act for generating awareness amongst the Scheduled Castes and Scheduled Tribes as well as others.

3. BIHAR

PUBLICITY

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

SCHEDULED CASTES AND SCHEDULED TRIBES CELL

At State level, a Scheduled Castes and Scheduled Tribes Cell has been functioning under the Director General of Police (CID) at Headquarters.

COMMITTEES

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

Committees under the Chairpersonship of District Magistrate also reviews implementation of the Act.

SCHEDULED CASTES AND SCHEDULED TRIBES POLICE STATIONS

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

4. CHHATTISGARH

LEGAL AID

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

INTER CASTE MARRIAGES

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

Towards incentive for inter - caste marriages, 14 couples were provided incentive of Rs. 01.97 lakhs during the year 2004.

PUBLICITY

For publicity, an amount of Rs. 4.00 lakhs was disbursed to the districts during the year 2004-2005. 13 Sadhavana Shibirs were also held in the districts during the year.

AWARD TIO GRAM PANCHAYATS

An amount of Rs. 5.00 lakhs was kept for awards of Gram Panchayats. 11 Gram Panchayats incurred an amount of Rs. 4.69 lakhs. This award was given to those Gram Panchayats who did outstanding work for eradication of untouchability.

5. GOA

LEGAL AID

Legal aid is provided to the victims of Scheduled Castes and Scheduled Tribes.

INTER CASTE MARRIAGES

Under the scheme, seven beneficiaries were covered during the year and an expenditure of Rs. 70,000/- was incurred.

SPECIAL COURTS

The State Government has notified Session Courts in North Goa and South Goa as Special Courts to deal the cases under the Act.

6. GUJARAT

LEGAL AID

Under the Free Legal Aid Scheme, financial assistance of Rs. 500/- in civil cases and Rs. 500/- to Rs. 3000/- in criminal cases is given and the prescribed income ceiling is Rs. 12000/- per annum.

INTER CASTE MARRIAGES

An incentive of Rs. 50,000/- is provided (i.e. Rs. 25,000/- in the form of National Saving Certificate and Rs. 25,000/- cash for purchase of household kit) for the marriage between non-Scheduled Castes and Scheduled Castes. An amount of Rs. 88.95 lakhs was incurred to provide incentives to 179 such couples.

APPOINTMENT OF OFFICERS

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

also functioning in the Directorate and Deputy Director has been appointed to look after the Cell.

COMMITTEES

A High Level Committee under the Chairpersonship of the Chief Minister reviews implementation of the Act. The Finance Minister, the Revenue Minister, the Social Welfare Minister, some Members of Parliament and State Legislatures as well as Senior Government officers are members of the Committee.

The District Vigilance Committees under the District Collector also reviews implementation of the Act.

7. HARYANA

LEGAL AID

Assistance for legal aid is provided for cases pertaining to offences of untouchability, mutation of land records, abduction and kidnapping of girls and women and cases pertaining to reservations meant for Scheduled Castes. Expenses towards witnesses and court fees are also met under the scheme. During the calendar year 2004, an amount of Rs.8800/- was utilized benefiting 13 persons. There is no income ceiling to avail of the legal aid.

INTER CASTE MARRIAGES

For eradication of caste system, a financial assistance of Rs.25,000/- (40% in cash and 60% in the form of fixed deposit for six years in the joint account) is provided to a couple, one of whom belongs to Scheduled Caste community, contracting inter-caste marriage. During the calendar year 2004, an expenditure of Rs.3.75 lakhs was incurred for the benefit of 15 such couples.

APPOINTMENT OF OFFICERS

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

COMMITTEES

District Consultative Committees under the Chairpersonship of Deputy Commissioners reviews monitor of cases under the Act.

AWARD TO PANCHAYATS

The Village Panchayats are encouraged by providing grant of Rs. 5000/-in recognition of their work, inter-alia, pertaining to eradication of untouchability. During the calendar year 2004, an expenditure of Rs.1.50 lakhs was incurred on 30 such Panchayats.

SPECIAL CELL

A Special Cell at Police Headquarters, Panchkula under the Inspector General of Police, Law and Order, Haryana deals with crimes against weaker sections of the society.

8. HIMACHAL PRADESH

LEGAL AID

The State Legal Broad provides free assistance for legal matters to a person whose annual income does not exceed Rs. 25,000/-, but there is no income ceiling for Scheduled Castes and Scheduled Tribes. The free legal aid includes expenses towards litigation as well as Travelling Allowance /Dearness Allowance to witnesses.

INTER CASTE MARRIAGES

For eradication of untouchability, an incentive amount of @ Rs.25,000/- per couple is provided to those who marry a Scheduled Caste person. In the year, 2004-2005, an expenditure of Rs. 54.66 lakhs was incurred towards providing incentives to 221 couples.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

There is no specific area where untouchability exists in severe form in the State.

COMMITTEES

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

PUBLICITY

For wide publicity of the Protection of Civil Rights Act, 1955, awareness camps were organized in 95 places during the year 2004-05.

PROTECTION OF CIVIL RIGHTS CELL

A Special Cell in the State Police Headquarters is required to register complaints relating to Scheduled Castes and Scheduled Tribes. At district level also, such a Cell functions in each district Headquarter.

9. JAMMU & KASHMIR

LEGAL AID

The State Government has a legal aid scheme for economically backward people, which includes Scheduled Castes and Scheduled Tribes.

COMMITTEES

The State Level as well as District Level Committees reviews implementation of the Act.

10. JHARKHAND

LEGAL AID

Under the Act, a provision has been made to provide legal aid up to Rs. 1000/-, to the affected persons.

INTER CASTE MARRIAGES

A provision has been made to give an amount of Rs. 25,000/- as an incentive to such couples, which enter into inter-caste marriages.

WORKING OF PCR CELL

A Special Scheduled Castes and Scheduled Tribes Cell headed by the Director General of Police under the crime Investigation Branch of the Police Department is required to monitor the investigation of cases registered under the Act.

COMMITTEES

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

SURVEYS

Periodical Surveys on impact of measures taken under the Act are conducted by the Jharkhand Tribal Research Institute, Ranchi.

11. KARNATAKA

LEGAL AID

The Karnataka Legal Aid Services Authority provides free legal assistance to Scheduled Castes and Scheduled Tribes persons without prescribing any income limit.

INTER-CASTE MARRIAGES

An incentive amount of Rs. 25,000/- per couple is provided to a couple for inter - caste marriage, where one of the couple is a Scheduled Caste person. An amount of Rs. 300.00 lakhs was incurred covering 1200 couples.

SPECIAL COURTS

All the Judicial Magistrate First Class Courts at Taluk Head quarters take up trial of cases under the Act. Further Seven Special

Courts at Belgaum, Mysore, Bijapur, Gulbarga, Raichur, Kolar and Tumkur also try the cases under the Act.

WORKING OF PROTECTION OF CRE CELL

Directorate of Civil Rights Enforcement is working for the enforcement of the Protection of Civil Rights Act, 1955. Officers of the Police Department visit the Harijan Colonies to redress the problems of Scheduled Castes and Scheduled Tribes and whenever cases under the Act are reported, immediate action is taken to make bandobust arrangements, registration of cases, arrest of the accused and producing them before the Court. The investigation is conducted vigorously and charge sheet is submitted to the Court.

COMMITTEES

A High Level Committee under the Chairpersonship of the Minister for Home and co-chaired by Minister for Social Welfare, reviews implementation of the Act. The Principal Secretary/ Secretary of the Department of Home and Transport, Social Welfare, Revenue, Law and Parliamentary Affairs, Rural Development and Panchayat Raj, Director of Public Prosecutions and Government Litigation, Director General, Additional Director General (DCRE) and Inspector General of Police are members of the Committee.

District Level Vigilance Monitoring Committee under the Chairmanship of the District Magistrate, are also functioning.

PUBLICITY MEASURES

In order to promote awareness generation regarding provisions of the Act, Seminars and Workshops are organized at State, District and Taluk levels. TV serials, Cassettes, Street plays, TV spots on the theme pertaining to removal of untouchability have also been produced.

12. KERALA

INTER-CASTE MARRIAGES

Financial assistance of Rs. 10,000/- per couple is given to inter-caste marriage couples where one of them is a Scheduled Caste/

Scheduled Tribe person. An expenditure of Rs. 46.00 lakhs was incurred for having provided incentive to 460 couples during the year.

APPOINTMENT OF OFFICERS

A Special Cell under the Inspector General of Police is functioning in the Police Headquarters of the State. The Special Cell, inter-alia, keeps a watch over the handling of matters relating to cases under the Act. Three Special Mobile Squads (SMS) are also functioning in the Districts of Palakkad, Kasargode and Wayanad.

SPECIAL COURTS

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

SPECIAL MOBILE SQUADS

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

PUBLICITY AND OTHER MEASURES

The camps are arranged to bring awareness towards the Protection of Civil Rights of Scheduled Castes. The Public Relation Department and Director of Scheduled Castes and Scheduled Tribes Department also gives publicity to various measures. Besides it, seminars are organized by the District Welfare Officers. The Malayalam translation of the Act has also been supplied to all Police Stations and Circle Officers.

13. MADHAYA PRADESH

LEGAL AID

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

INTER CASTE MARRIAGES

For eradication of untouchability and to promote inter-caste marriages, the State Government is implementing a scheme of inter-caste marriage. In accordance with the provision of the scheme, financial grant of Rs.10,000/- and a certificate is given to a couple, one of whom belongs to a Scheduled Caste or a Scheduled Tribe. During the year 2004-2005, an expenditure of Rs.9.00 lakhs was incurred and 90 couples were covered.

SCHEDULED CASTES WELFARE CELL

The Cell under the charge of the Additional Director General of Police reviews implementation of the Act. 48 Scheduled Caste Welfare Thanas (Anusuchit Jati Kalyan) under the Cell are required to inter-alia register cases relating to untouchability offences. The Thanas are in the Districts of Morena, Bhind, Rajgarh, Panna, Vidisha, Jabalpur, Jhabua, Bhopal, Mandla, Neemuch, Katni, Umaria, Gwalior, Ratlam, Chhindwara, Khargone, Balaghat, Dhar, Seoni, Dewas, Datia, Ujjain, Dindori, Barhanpur, Mandsaur, Damoh, Tikamgarh, Narsinghpur, Sidhi, Sagar, Shivpuri, Chhatarpur, Sheopur, Indore, Harda, Ashok Nagar, Rewa, Sehore, Hoshangabad, Shahdol, Raisen, Betul, Guna, Khandwa, Shajapur, Badwani, Satna, and Anoopur. During the year 2004-2005, an amount of Rs. 1034.15 lakhs was incurred on these Thanas.

COMMITTEES

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

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

PUBLICITY

A. SADBHAWANA SHIVIRS

Sadbhawana Shivirs towards eradication of untouchability were organized in all the districts of the State. During the year 2004-2005 for which an amount of Rs. 12.75 lakhs was disbursed to districts. The Members of Parliament, Members of Legislative Assembly,

Chairperson and Members of Zilla Panchayat, Members of Nagar Panchayat, Gram Panchayat, Members of Scheduled Castes and also persons not belonging to Scheduled Castes participated in the Shivirs in which information relating to provisions of schemes for Welfare of Scheduled Castes / Scheduled Tribes and the Act, was distributed. The community lunch was also organized.

B. AWARD TO PANCHAYATS

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

During the year 2004-2005, an amount of Rs. 1.60 lakhs was disbursed to districts for award to Panchayats.

14. MAHARASHTRA

LEGAL AID

A Legal Aid Cell at District and Taluka Headquarters is required to provide legal assistance to all economically weaker sections of society having annual income below Rs. 6,000/-.

INTER-CASTE MARRIAGES

An incentive of Rs. 15000/- per couple is provided for marriages between Savarna Hindu and Scheduled Castes/ Scheduled Tribes and Vimukta Jaties/ Nomadic Tribes. 50% of the amount is invested in small saving schemes.

During the year 2004 – 2005, an expenditure of Rs. 115.82 lakhs was incurred to cover 769 beneficiaries.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

The Police Department has prepared a list of untouchability prone areas and they keep an observation on these areas. The District wise

information of the number of villages for the calendar year 2004 is given below: -

S.No.	Name of District	Partially Sensitive	Highly Sensitive	Less Sensitive	Total
1	2	3	4	5	6
1.	Mumbai	-	-	-	-
2.	Sindhudurg	-	-	-	-
3.	Thane	-	-	-	-
4.	Raigad	-	-	-	-
5.	Ratnagiri	-	-	-	-
6.	Nasik	-	-	-	-
7.	Dhule	24	-	-	24
8.	Jalgaon	8	15	-	23
9.	Nandurbar	12	-	11	23
10.	Ahmednagar	1	3	-	4
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12.	Satara	-	-	2	2
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14.	Solapur	7	7	2	16
15.	Kolhapur	16	-	-	16
16.	Amravati	-	25	244	269
17.	Yavatamal	55	-	-	55
18.	Buldhana	-	23	107	130
19.	Akola	-	10	14	24
20.	Nagpur	-	30	30	60
21.	Wardha	7	9	-	16
22.	Bhandara	24	-	-	24
23.	Gondia	14	6	-	20
24.	Chandrapur	26	22	-	48
25.	Aurangabad	15	10	5	30
26.	Jalana	-	-	-	-
27.	Beed	21	4	6	31
28.	Parbhani	-	103	-	103
29.	Hingoli	-	-	-	-
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31.	Osmanabad	5	14	12	31
32.	Latur	-	-	41	41
33.	Washim	15	5	6	26
34.	Gadchiroli	13	9	-	22
35.	Mumbai	-	-	-	-

PCR CELL

A Special PCR Cell under the Home Department is required to visit the places where the untouchability offences take place and investigate the cases registered under the Act and submit the report to the Government.

COMMITTEES

The State Level Vigilance Committee under the Chief Minister reviews implementation of the Act. Likewise, District, Level Vigilance Committee headed by District Magistrate also reviews implementation of the Act.

PUBLICITY

1. PARISHAD

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

2. Participation of Youth

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

a) Eloquence Competition

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

b) Essay Competition

Special District Social Welfare Officers conduct the essay competitions at school and college level every year. The winners are given cash prizes. An expenditure of Rs. 01.53 lakhs was incurred for this competition.

c) Sensitization of Village Workers & Officers

During the year 2004, a programme for sensitization of village level workers and officers was undertaken. One-day workshop was organized at 352 Panchayat Samittee Level. Sarpanch, Secretary and Members of Gram Panchayat, Talathi & Police Patil of village and Police employees of Police Stations attended the workshops. An expenditure of Rs. 42.03 lakhs was incurred on organizing these workshops during the year.

3. A Fort Night Programme on eradication of untouchability is arranged during Dr. Babasaheb Ambedkar Anniversary (14 April to 1st May). During the Samata fortnight, various programmes are arranged by Zilla Parishad in villages of the concerned district.

15. ORISSA

LEGAL AID

Legal aid is provided to persons belonging to Scheduled Castes under the Legal Aid and Advice Scheme, 1981, administered by the Law Department. Besides, the Scheduled Caste and Scheduled Tribe litigants are also given legal aid under legal aid scheme operated by the Scheduled Tribes and Scheduled Castes Development Department to fight cases for establishing their right, titles and possession over the disputed land and also for the cases under the Act. An amount of Rs. 36,000/- for five Scheduled Caste persons and Rs. 60,300/- for three Scheduled Tribe persons was allotted during 2004-2005.

APPOINTMENT OF OFFICERS

The District Human Rights Protection Cell in each of 32 Police Districts is required to inter-alia, deal with cases under the Act. The work of these Cells is monitored and supervised by the Additional Director General of Police HRPC, Cuttack, Orissa.

INTER CASTE MARRIAGES

Cash incentive @ Rs. 3,000/- per couple is provided for inter-caste marriages between caste Hindus and Scheduled Castes for social integration and removal of untouchability. During 2004 - 2005, an amount of Rs. 45,000/- was allotted to 15 couples.

PUBLICITY MEASURES

Copies of the Act translated into Oriya were circulated amongst various Departments and functionaries. Wide publicity was also given by the Information and Public Relations Department through various mass media about evil practice of untouchability and provisions of the Act. During 2004-2005, an amount of Rs.29,475/- was provided for the Publicity Programmes.

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

16. PUNJAB

LEGAL AID

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

PUBLICITY

Wide publicity of the provisions of the Act was made by way of organizing seminars, debates and mass lunch at block level. 350 Seminars were organized under the Act. Publicity of welfare schemes was also done through advertisements in various newspapers. 17,000 folders, booklets got printed on various programmes were distributed free of cost among the masses so that people can avail benefits of schemes. Boards and Hoardings were installed in nine districts of the State, highlighting the provisions of this Act.

INTER-CASTE MARRIAGES

As an incentive for inter-caste marriage, a sum of Rs. 25,000/-is given to each couple where one of the spouse belongs to Scheduled Caste.

17. RAJASTHAN

LEGAL AID

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

During the calendar year 2004, 1218 Scheduled Castes and 1825 Scheduled Tribes were benefited of legal services in the State.

INTER CASTE MARRIAGES

An incentive amount of Rs. 5,000/- is admissible to an inter-caste married couple, which is deposited in their Bank account.

APPOINTMENT OF OFFICERS

A Civil Rights Cell is functioning in the Police Headquarters under the supervision of Inspector General of Police (HR), C.I.D. (C.B.). Apart from this Cell, 21 Special Cells are also working in the State under the supervision of Deputy Superintendent of Police for investigation of cases under the Act.

18. TAMIL NADU

SPECIAL COURTS

Four Special Courts at Madurai, Trichy, Thanjavur and Tirunelveli take up trial cases under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Besides this, eleven designated courts also try offences under these two Acts.

PCR CELL

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

2. For collection of statistical information under the Act, a statistical unit consisting of 1 Statistical Inspector is attached to each mobile squad and assisted by the staff of PCR units.

3. The Additional Director General of Police, Social Justice CID and the Deputy Inspector General of Police, Human Rights, Social Justice CID Chennai monitor the enforcement of the Protection of Civil Rights Act, 1955 and also supervise the functioning of the PCR Mobile squads. The Director General of Police, Social Justice CID has been provided with necessary staff. Seven Supervisory squads also exist, each headed by a Deputy Superintendent of Police with the supporting staff, at Chennai, Trichy, Madurai, Villupuram, Thanjavur, Ramanthapuram and Thirunelveli.

SURVEYS

Survey has been a regular feature in Tamil Nadu. A post of Statistical Inspector has been specially created in the PCR Units in all the Districts / Commissionerates for this purpose. To supervise the survey works, two posts (an Economist and a Sociologist) exist in the office of the Additional Director General of Police, Social Justice CID, Chennai.

2. 180 Villages have been identified as atrocity / dormant atrocity prone Villages. In these Villages, every year, a survey is conducted to check availability of basic amenities like.

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

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 the registration of cases but a survey of those villages is also conducted.

4. Lack of basic amenities and other grievances are listed out and a report is sent to the District Collector for necessary action.

PUBLICITY & TRAINING PROGRAMMES FOR SENSITISING POLICE

The provisions of the Act have been incorporated in the curriculum of the Police Training College to familiarize the police personnel during their training period. Periodical training classes are also conducted in the Police Training College throughout the year for all ranks.

The Social Justice, CID, Chennai with the cooperation of ANITRA, a Non-Governmental Organization organized workshops at Madurai, Tirunelveli, Trichy and Salem during the reported period. The benefits of the welfare schemes were also highlighted in addition to safeguards under the Protection of Civil Rights Act, 1955 and the Scheduled castes and the scheduled Tribes (Prevention of Atrocities) Act, 1989.

Adequate numbers of Tamil version of the Protection of Civil Rights Act, 1955 were printed and distributed to all Public Prosecutors, members of Vigilance and Monitoring Committee, Non-Governmental Organizations and PCR Wings in Tamil Nadu.

19. TRIPURA

APPOINTMENT OF OFFICERS

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

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

PUBLICITY

In the State, wide publicity to the provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was given through hoardings during the year.

20. UTTARANCHAL

LEGAL AID

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

OTHER MEASURES

Though no specific area has been identified as untouchability prone area in Uttaranchal but the District Administration remains vigilant and as and when an incident occurs, immediate action is taken. The State Government has also given directions to all Districts Collectors and District Superintendents of Police that provisions of the Act should be effectively implemented and the social integration should be promoted in various functions, meetings, village meetings etc.

21. UTTAR PRADESH

LEGAL AID

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

APPOINTMENT OF OFFICERS

For effective implementation of the Act, a Special Investigation Cell is functioning under the charge of an Additional Director General of Police. This Cell comprises of an Inspector General of Police, Deputy Inspector General of Police, Superintendent of Police, Additional Superintendent of Police and nine Deputy Superintendents of Police. Besides this Cell, a Special Investigation Cell functions in 20 Districts of Uttar Pradesh.

COMMITTEES

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

SPECIAL COURTS

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

22. WEST BENGAL

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

PUBLICITY

Publicity was given through Panchayats and leaflets.

23. ANDAMAN AND NICOBAR ISLANDS

There is complete communal harmony in the Andaman and Nicobar Islands, irrespective of caste, creed and religion. There is no specific area in the Islands wherein members of Scheduled Castes are exclusively residing. Further, no case under the Act was registered in the Union Territory during the period.

24. CHANDIGARH ADMINISTRATION

LEGAL AID

Rules for providing legal aid to Scheduled Castes have been formulated and necessary budgetary provision has also been made. However, no expenditure was incurred during the calendar year 2004, as no case was received for legal aid.

INTER CASTE MARRIAGES

An incentive amount of Rs. 5,000/- is provided to an inter-caste married couple under the Scheme. However, no case was received during the calendar year 2004.

SPECIAL COURTS

The Court of Additional Session Judge, Chandigarh has been specified as Special Court to try the offences under the Act in Chandigarh. No case has been registered during the year 2004.

PCR CELL

The PCR Cell is working effectively in Chandigarh.

PUBLICITY

Chandigarh Administration undertakes publicity measures to create awareness among the public about eradication of evil practice of untouchability.

25. DADRA AND NAGAR HAVELI

LEGAL AID

Under the Legal Aid Scheme, Scheduled Castes and Scheduled Tribes can obtain legal aid for contesting cases of offences of atrocities.

COMMITTEES

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

26. DAMAN & DIU

LEGAL AID

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

PROTECTION OF CIVIL RIGHTS CELL

The PCR Cell attends to the work relating to the Act.

27. DELHI

LEGAL AID

During the calendar year 2004, no applications were received for financial assistance under the Act

PROTECTION OF CIVIL RIGHTS CELL AND COMMITTEES

Due to a less number of cases registered in the National Capital Territory (NCT) of Delhi under the Act, the Government of National Capital Territory of Delhi has not set up any PCR Cell and Committees.

28. PONDICHERRY

LEGAL AID

Legal Aid is provided to where cases are registered by the PCR Cell based on the complaints. The affected persons, therefore, need not engage lawyers to conduct their cases in courts for claiming compensation.

SPECIAL COURTS

The Judicial Magistrates of three Regions of the Union Territory namely Pondicherry, Karaikal and Yanam try the offences under the Act.

PCR CELL

The PCR Cell is functioning directly under the control of Supdt. of Police in the three enclaves of the Union Territory of Pondicherry namely Pondicherry, Karaikal and Yanam. The Cell is registering cases under the Protection of Civil Rights Act, 1955. In addition to the investigation and prosecution of criminal cases under the Act, the Officers of the Cell also make enquiries on complaints and undertake other activities such as collection of intelligence about the atrocities, ill treatment and practice of untouchability both in Urban and Rural areas. They also visit rural and urban areas.

The cases registered under the Protection of Civil Rights Act, 1955, are investigated by Inspector and Sub-Inspector of Police under the supervision of the Superintendent of Police (PCR Cell), Pondicherry. The Assistant Public Prosecutor conducts the cases in the appropriate Courts in all the above Regions.

The Inspector General of Police, Pondicherry reviews the working of the provisions of the Protection of Civil Rights Act, 1955 during the monthly crime meetings.

The Secretary (Welfare) also conducts quarterly reviews meetings to review the progress of the cases registered under the Act.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

In the Union Territory, no untouchability prone area has been identified. However, preventive measures are being continued in all the villages where persons belonging to Scheduled Caste and Scheduled Tribe are residing.

The PCR Cell circulates leaflets detailing the rights of the Scheduled Castes / Scheduled Tribes members as well as penal provisions of the Protection of Civil Rights Act, 1955.

29. OTHER STATES

No case was reportedly registered under the Act during the year 2004 in the States of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Lakshadweep.

ANNUAL REPORT
ON
THE PROTECTION OF CIVIL RIGHTS ACT,
1955 FOR THE YEAR 2004



GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
NEW DELHI

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