

REPORT
u/s 15 A (4)
OF
THE PROTECTION OF CIVIL RIGHTS
ACT, 1955
FOR THE YEAR 2007



GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND
EMPOWERMENT

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CHAPTER 1

INTRODUCTION

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

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

"17. Abolition of Untouchability

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

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

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

(1) Sections 3 - 7A of the Act define the following as offences if committed on the ground of "untouchability", and lay down punishment for them:

- (i) Prevention from entering public worship places, using sacred water resources (Section 3).
- (ii) Denial of access to any shop, public restaurant, hotel, public entertainment, cremation ground etc. (Section 4).

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

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

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

3. Other provisions:-

- (i) Presumption by courts in certain cases (Section 12).
- (ii) Offences to be cognizable and to be tried summarily. (Section 15).
- (iii) State Governments to take measures for effective implementation of the Act, including:
 - legal aid,
 - setting up Special Courts,
 - setting up of Committees at appropriate levels to assist the State Governments, and
 - identification of untouchability- prone areas and measures for eliminating the practice in such areas (Section 15 A).

1.4 RESPONSIBILITY FOR IMPLEMENTATION OF THE ACT

Responsibility for implementation of the Act primarily lies with State Governments and their subordinate authorities (police and executive magistrate). At the Central level, (as per the Government of India (Allocation of Business) Rules, 1961,) responsibility in regard to implementation of the Act is allocated as under: -

Ministry of Home Affairs

Criminal offences against members of the Scheduled Castes and Scheduled Tribes, including those under the Protection of Civil Rights Act, 1955.

Ministry of Social Justice & Empowerment

Implementation of the Protection of Civil Rights Act, 1955, (in so far as it relates to Scheduled Castes) excluding the administration of criminal justice in regard to offences under the Act.

Ministry of Tribal Affairs

Implementation of the Protection of Civil Rights Act, 1955, (in so far as it relates to Scheduled Tribes) excluding the administration of criminal justice in regard to offences under the Act.

1.5 REPORT ON THE IMPLEMENTATION OF THE PROTECTION OF CIVIL RIGHTS ACT, 1955

Section 15 A of the Act casts certain duties on Central and State Governments to ensure effective implementation of the Act, and reads as follows:-

" 15A Duty of Government to ensure effective implementation of the Act"

(1) Subject to such rules as the Central Government may make in this behalf, the State Government shall take such measures as may be necessary for ensuring that the rights arising from the abolition of "untouchability" are made available to, and are availed of by, the persons subjected to any disability arising out of "untouchability".

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include -

(i) the provision of adequate facilities, including legal aid, to the persons subjected to any disability arising out of "untouchability" to enable them to avail themselves of such rights;

(ii) the appointment of officers for initiating or exercising supervision over prosecution for the contravention of the provisions of this Act;

(iii) the setting up of special courts for the trial of offences under this Act;

(iv) the setting up of Committees at such appropriate levels as the State Government may think fit to assist the State Government in formulating or implementing such measures;

(v) provision for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provisions of this Act.

(vi) the identification of the areas 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.

(3) The Central Government shall take such steps as may be necessary to co-ordinate the measures taken by the State Governments under sub-section (1)

(4) The Central Government shall, every year, place on the Table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this Section.

This Report for the calendar year 2007 is being placed on the Table of both Houses of Parliament in pursuance of sub-section (4) of the above Section 15A.

* * *

CHAPTER 2

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

2.1 Legal Aid

Section 15A(2)(i) of the Protection of Civil Rights Act, 1955, provides for adequate facilities, including legal aid to the persons subjected to any disability arising out of 'untouchability' to enable them to avail themselves of such rights.

State Governments of Assam, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Orissa, Punjab, Uttar Pradesh, West Bengal and UT Administrations of Chandigarh, Daman & Diu, and Puducherry have reported that they are providing legal aid in pursuance of the PCR Act.

2.2 Special Courts

Section 15A(2)(iii) of the Protection of Civil Rights Act, 1955, provides for setting up of special courts for trial of offences under the Act.

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

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

2.3 Committees at appropriate levels

Section 15A(2)(ii) of the Protection of Civil Rights Act, 1955, provides for setting up of Committees at such appropriate levels as the State Governments may think fit to assist them in formulating or implementing measures as may be necessary for ensuring that the rights arising from the abolition of "untouchability" are made available to, and are availed of by, the persons subjected to any disability arising out of "untouchability". The State and District Level Vigilance and Monitoring Committees, which review the implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, wherever required also review action under the Protection of Civil Rights Act, 1955.

Governments of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Nagaland, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and UT Administrations of Dadra & Nagar Haveli, Andaman & Nicobar Islands, Daman & Diu have reported having constituted these Committees.

2.4 Special Police Stations

Special Police Stations for registration of complaints of offences against SCs and STs have been set by the Governments of Bihar, Chhattisgarh and Madhya Pradesh. The details are as under:-

S.No.	Name of States	No. of Spl. Police Stations	Name of District
1.	Bihar	9	Nalanda, Bhojpur, Rohtas, Gaya, Vaishali, Samastipur, Begusarai, Bhagalpur, and Munger
2.	Chhattisgarh	8	Raipur, Durg, Rajnandgoan, Jagadalpur, Dantewada, Bilaspur, Raigarh and Surguja
3.	Madhya Pradesh	48	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 Anuppur.
	Total	65	

2.5 Incentive for inter-caste marriages

Under the Centrally Sponsored Scheme for implementation of the PCR and POA Acts, central assistance to State Governments and Union Territory Administrations is provided towards incentive for inter-caste marriages where one of the spouses belongs to a Scheduled Caste. The incentive amount varies between Rs. 5,000/- in West Bengal and Rs. 100,000/- in Goa. Governments of Andhra Pradesh, Assam, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Sikkim, Uttarakhand, Uttar Pradesh and West Bengal have reported that they are providing incentive for inter-caste marriages.

2.6 CONSTITUTIONAL BODIES TO MONITOR SAFEGUARDS PROVIDED FOR SCs AND STs

A. National Commission for Scheduled Castes(NCSC)

The NCSC is a body established under Article 338 of the Constitution. Following provisions of clause(5) of Article 338 lay down certain duties of the Commission, which have a bearing on prevention of atrocities against SCs:-

- (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes;

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

The Commission has Regional Offices/Sub-Offices situated at Agartala, Ahmedabad, Bangalore, Chandigarh, Chennai, Guwahati, Hyderabad, Kolkata, Lucknow, Patna, Pune and Thiruvananthapuram, with specified jurisdiction to cover States/Union Territories. These offices work as the "eyes and ears" of the Commission.

B. National Commission for Scheduled Tribes

The NCST is a body established under Article 338-A of the Constitution. Following provisions of clause(5) of Article 338 -A lay down certain duties of the Commission, which have a bearing on prevention of atrocities against STs:-

(a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;

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

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

The Commission has six Regional offices at Bhopal, Bhubaneshwar, Jaipur, Raipur, Ranchi, and Shillong with specified jurisdiction to cover States/Union Territories.

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CHAPTER 3

ACTION BY THE POLICE AND THE COURTS IN CASES REGISTERED UNDER THE PROTECTION OF CIVIL RIGHTS ACT, 1955, DURING 2007.

3.1 Registration of offences under the PCR Act.

This chapter gives statistical data on offences registered under the Act in 2007. Source of all data given herein is the National Crime Records Bureau (NCRB), Ministry of Home Affairs.

3.2 All India figures of cases under PCR Act registered by the Police and their disposal by Courts during 2005-2007.

The following table indicates the comparative data in regard to registration of cases under the Act, their pendency in Courts and conviction rate for the three years 2005, 2006 and 2007.

S.No.	Item	2005	2006	2007
1.	Number of cases registered with Police during the year	453	454	211
2.	Percentage of cases pending in Court	68.0	80.2	66.5
3.	Percentage of decided cases ending in conviction	20.8	14.1	14.3

3.3 State wise registration of offences of untouchability in 2007

State-wise details of cases registered during 2007 under the Protection of Civil Rights Act, 1955 as per the information furnished by the National Crime Records Bureau (NCRB), Ministry of Home Affairs, are given in Table 3.1 below. In the table, States and UTs have been arranged in descending order of the total number of untouchability cases registered in 2007.

TABLE NO. 3.1

STATE-WISE CASES REGISTERED DURING 2007 UNDER THE PROTECTION OF CIVIL RIGHTS ACT, 1955.

S. No.	State/Union Territory	Number of Cases Reported during 2007 involving		Total
		Scheduled Castes	Scheduled Tribes	
1	2	3	4	5
	States			
1.	Andhra Pradesh	122	3	125
2.	Maharashtra	20	0	20
3.	Karnataka	17	0	17
4.	Uttar Pradesh	8	0	8
5.	Tamil Nadu	6	0	6
6.	Himachal Pradesh	4	0	4
7.	Gujarat	2	0	2
8.	West Bengal	1	1	2
9.	Assam	1	0	1
10.	Jammu & Kashmir	1	0	1
11.	Sikkim	0	1	1
	Union Territory			
12.	Puducherry	24	0	24
	TOTAL	206	5	211

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

3.4 State-wise Progress of Investigation of Cases by the Police in 2007

Progress of investigation of cases by the police under the Protection of Civil Rights Act, 1955 during the year 2007 is given in table 3.2.

TABLE NO. 3.2

Investigation done by Police during 2007 of Cases under the Protection of Civil Rights Act, 1955.

S. No.	Item	Number of Cases			
		Number		Percentage to total	
		SC	ST	SC	ST
1.	Total Number of cases, including brought forward cases	328	37	-	-
2.	Number of cases in which charge sheet filed in the courts	180	2	54.9	5.4
3.	Number of cases closed after investigation	94	24	28.6	64.9
4.	Number of cases pending with the police at the end of the year.	54	11	16.5	29.7

The State-wise registration of cases and action taken by the Police under Protection of Civil Rights Act, 1955, are at [Annexure –I \(A & B\)](#).

From the above, it is seen that 54.9 % of the cases relating to Scheduled Castes were chargesheeted during the year and 28.6% cases were closed after investigation. Similarly, 5.4 % of the cases relating to Scheduled Tribes were chargesheeted during the year and 64.9 % cases were closed after investigation.

3.5 State-wise Progress of Disposal of cases by Courts in 2007

The details in regard to disposal of cases by Courts under the Protection of Civil Rights Act, 1955 during 2007, are given in table 3.3.

TABLE-3.3

Disposal of Cases by Courts during 2007 under the Protection of Civil Rights Act, 1955.

S. No.	Item	Number of Cases			
		Number		Percentage of total	
		SC	ST	SC	ST
1.	Total number of cases, including brought forward cases.	2613	147	-	-
2.	Number of cases disposed of by Courts	548	38	21.0	25.8
(a)	Number of cases ending in conviction	67	7	12.2	18.4
(b)	Number of cases ending in acquittal	481	31	87.8	81.6
3.	Number of cases compounded or withdrawn	334	0	12.8	0.0
4.	Number of cases pending with Courts	1731	109	66.2	74.2

From the above, it is seen that 21% of the total cases relating to Scheduled Castes were disposed of by courts during the year out of which 12.2% ended in conviction. Likewise 25.8% of the total cases relating to Scheduled Tribes were disposed of by courts during the year out of which 18.4% ended in conviction. The State and Union Territory wise as well as Scheduled Castes and Scheduled Tribes wise details are given at [Annexure - II \(A & B\)](#).

CHAPTER 4

MEASURES TAKEN BY THE GOVERNMENT OF INDIA

4.1 PRIME MINISTER'S LETTER DATED 31.05.2007 TO CHIEF MINISTERS

After the Hon'ble Prime Minister chaired a meeting of the Inter-State Council Meeting, on 09.12.2006, to exclusively discuss the subject 'Offences of untouchability against Scheduled Castes and atrocities on Scheduled Castes and Scheduled Tribes', he also wrote to all Chief Ministers on 31.05.2007, requesting them to take concrete measures in the matter.

4.2. MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

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

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

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

The funding pattern of the Scheme is as such that over and above the committed liability of respective State Governments, the expenditure is shared between Centre and States on 50:50 basis and UT Administrations receive 100%

central assistance. A total of Rs. 39.1 crore was given to 19 States and 4 UTs during 2007-08, State/UT wise details of which are given below: -

S. No.	State/UT	Component wise CA Released(Rs. in lakhs)								
		Special Cells & Spl. Police Stations	Exclusive special courts	Relief to victims of atrocities.	Cash incentive for inter-caste marriages, Awareness generation, publicity etc.	Total	Committed liability	CA on 50:50 basis	Previous years' unspent balance(-)/Arrears(+)	C.A released
1.	Andhra Pradesh	163.0	805.7	255.0	300.0	1523.7	903.6	310.1	(+) 0.4	310.5
2.	Assam	0	0	0	10.0	10.0	0	5.0	(+) 4.5	9.5
3.	Bihar	0	0	40.0	10.0	50.0	0	25.0	(+) 1.6	26.6
4.	Chhattisgarh	0	0	110.0	16.2	126.2	0	63.1	(-) 9.8	53.3
5.	Goa	0	0	0	8.0	8.0	0	4.0	(+) 0.5	4.5
6.	Gujarat	556.9	21.0	161.8	21.3	761.0	532.3	114.4	(+) 6.2	120.6
7.	Haryana	0	0	112.0	85.0	197.0	0	98.5	(-) 0.7	97.8
8.	Himachal Pradesh			10.0	83.7	93.7	0	46.9	(+) 85.7	132.6
9.	Karnataka	572.1	0	704.0	542.5	1818.6	522.8	647.9	(+) 16.5	664.4
10.	Kerala	12.0	0	15.0	164.0	191.0	18.4	86.3	(+) 12.6	98.9
11.	Madhya Pradesh	1241.0	950.5	1060.0	348.0	3599.5	1579.2	1010.2	(-) 154.1	856.1
12.	Maharashtra	951.3	0	165.0	637.2	1753.5	863.9	444.8	(-) 47.5	397.3
13.	Orissa	0	0	88.1	11.7	99.8	0	49.9	(-) 0.2	49.7
14.	Punjab	0	0	40.0	120.0	160.0	0	80.0	(-) 20.0	60.0
15.	Rajasthan	0	0	400.0	30.0	430.0	0	215.0	(+) 64.3	279.3
16.	Sikkim	0	0	0	4.0	4.0	0	2.0	(-) 0.1	1.9
17.	Tamil Nadu	0	0	0	70.0	70.0	0	35.0	0	35.0
18.	Uttar Pradesh	3.0	0	1600.0	120.0	1723.0	2.70	860.1	(-) 306.2	553.9
19.	Uttarakhand	10.0	0	29.0	1.0	40.0	0	20.0	(-) 15.5	4.5
20.	D & N Haveli	54.0	0	1.0	0	55.0	0	55.0	(+) 41.0	96.0
21.	Daman & Diu	4.0	0	0	0	4.0	0	4.0	(-) 0.1	3.9
22.	Delhi	0	0	0	10.6	10.6	0	10.6	(-) 1.4	9.2
23.	Puducherry	42.4	0	0	0	42.4	0	42.4	(-) 1.6	40.8
	Total	2889.8	950.5	4790.9	2593.2	12771	4422.9	4230.2		3906.3

BE, RE and Expenditure under the Scheme during 2007-2008 were as under:-

<u>Item</u>	<u>Amount (Rs. In crores)</u>
1. BE	40
2. RE	40
3. Expenditure	39.1

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

The Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its fourth report (Year 2006-2007) had, inter-alia, recommended that Ministry of Social Justice and Empowerment, Ministry of Home Affairs, National Commission for Scheduled Castes and National Commission for Scheduled Tribes should meet regularly to devise ways and means to curb offences and ensure effective administration of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. In pursuance of this recommendation, a Committee for effective coordination to devise ways and means to curb offences of untouchability and atrocities against Scheduled Castes / Scheduled Tribes and effective implementation of the Protection of Civil rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was set up under the Chairpersonship of Hon'ble Minister for Social Justice and Empowerment vide Office Memorandum No. 111012/1/2005-PCR (DESK), dated 29.03.2006. The composition of the Committee is given below: -

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

Names of nominated Non-official SC/ST Members are as under:-

SC

1. Shri K.B.Krishna Murthy
2. Shri Chandrabhan Prasad

ST

1. Smt. Elizabeth Laiflang

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

The Committee had held three meetings during 2006 and 2007, the details are given in the table below:-

Meeting	Date	Place	Participating States/UTs
First	18.09.2006	New Delhi	None
Second	15.01.2007	Jaipur	Assam, Bihar, Haryana and Rajasthan.
Third	11.08.2007	Mumbai	Karnataka, Madhya Pradesh, and Maharashtra.

4.2.3 MEETING OF SECRETARIES OF SOCIAL WELFARE / SCHEDULED CASTES & SCHEDULED TRIBES DEVELOPMENT DEPARTMENTS OF STATES /UTS.

Implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was *inter-alia* reviewed in the meeting of the Secretaries of Social Welfare/Scheduled Caste and Scheduled Tribes Development Department of State Governments and Union Territory Administrations, which was held on 14-15 June, 2007, in New Delhi.

4.2.4. ADVISORIES TO THE STATE GOVERNMENTS / UNION TERRITORY ADMINISTRATIONS

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

The Secretary, Ministry of Social Justice & Empowerment had addressed a d.o. letter dated **27.02.2007** to the Secretary, DOPT, and Chief Secretaries wherein it was *inter-alia*, suggested that the training institutes for various services through their controlling Departments may be advised to prepare a capsule for organizing workshops/seminars for sensitization of the trainee officers with regard to the provisions of the PCR and POA

Further as a follow up of the Inter-State Council Meeting held on **09.12.2006** on the subject matter of offences of untouchability against Scheduled Castes and atrocities on Scheduled Castes and Scheduled Tribes, the Hon'ble Minister (SJ&E) has addressed letters dated **24.04.2007** and **09.8.2007** to the Chief Ministers suggesting therein specific measures as detailed below:-

- (i) Printing and distribution of booklets/leaflets in Hindi and local languages highlighting the theme of combating untouchability and atrocities.
- (ii) Mass Awareness programmes to be organized for general public and particularly in schools and colleges with the involvement of office bearers of Panchayats and Urban Local Bodies.
- (iii) Special campaigns in print media on the occasion of Independence Day, Republic Day, Sant Ravi Das Jayanti, Maharishi Valmiki Jayanti, Gandhi Jayanti, Babu Jagjivan Ram Jayanti, Dr. B.R. Ambedkar Jayanti etc.
- (iv) Training of constabulary and police officers of police station level, both at induction stage and in refresher courses, about the sensitivity of the issue and related legal provisions.
- (v) To finance research studies for identifying the forms and causes of untouchability and measures required for its eradication.
- (vi) Identification of atrocity prone areas as an on going process with clearly drawn up parameters for identification of exact locations/pockets within the Districts in a focused manner.
- (vii) Identification of reputed and empathetic NGOs in identified areas, which can play a lead role in getting the cases of atrocities registered and in their regular follow up. These NGOs will also counsel the victims and offer them support and legal aid to withstand pressures.
- (viii) Effective implementation of land reforms, redressal of land disputes involving SCs/STs on priority basis and stringent enforcement of Minimum Wages Act in atrocity prone areas.
- (ix) To evolve a special package for development of identified atrocity prone/sensitive areas. The package may include appropriate income generating beneficiary oriented schemes. Promotion of Self Help

Groups, especially for women, as well as up gradation of infrastructure facilities like link roads.

- (x) Review of cases, which are pending disposal for over one year in courts so as to ensure award of exemplary punishment.
- (xi) Each case of acquittal to be thoroughly examined and in cases of apparent lapses on part of investigating agencies, appropriate disciplinary action to be taken apart from filing of appeal.
- (xii) Adequate flow of resources from the outlays earmarked by State Governments for Scheduled Caste Sub Plan (SCSP) to ensure provision of basic minimum services i.e. health, education, infrastructural facilities such as link roads, irrigation, and drinking water.
- (xiii) Priority to be given to key infrastructural facilities such as construction of roads to the nearest police station and linkage of roads to highways, out of Special Central Assistance funds released by the Ministry.
- (xiv) Beneficiaries from identified atrocity prone areas to be covered on priority basis under beneficiary oriented income generating Schemes of National Scheduled Caste Finance & Development Corporation and National Safai Karmchari Finance & Development Corporation.
- (xv) Special efforts to be made to spread elementary legal literacy among women about their rights and provisions of legal aid available. For this purpose formation of Self Help Groups should be promoted and reputed NGOs be involved.
- (xvi) As a majority of SC population are wage labourers, the Minimum Wages Act be strictly enforced.
- (xvii) Expanding the coverage of social security under the proposed Unorganized Workers Social Security Scheme of the Ministry of Labour & Employment.
- (xviii) The Vigilance and Monitoring Committees, in association with State Commissions for Scheduled Castes, to particularly review cases pertaining to dispossession of lands owned by SCs as well as instances where pattas have been issued but actual possession of land has not been given.

4.2.5 RADIO PROGRAMME

A programme on the theme of removal of untouchability and prevention of atrocities was telecast on 14.10.2007, under the series sponsored by the Ministry called, "Sanwarti Jayein Jivan Ki Rahen".

4.3. MINISTRY OF HOME AFFAIRS

The Secretary, Ministry of Home Affairs addressed a d.o.letter No. 24024/04/2005-SC/ST-W, dated 23.04.2007 to the Chief Secretaries suggesting therein specific measures as under:-

- (i) Need for developing and strengthening the monitoring mechanism for timely transmission and receiving of inputs and information relating to atrocities committed on SCs and STs at the district and State Government levels, so that effective preventive and enforcement action can be ensured.
- (ii) Stringent action in cases of willful default on the part of the concerned officers in the discharge of their duties as per the provisions of the Act.
- (iii) Instituting a mechanism for monitoring and reviewing investigation and prosecution of cases at a senior level for bringing about improvements in prosecution and achieving higher conviction rate.
- (iv) Sensitization of the police personnel upto grass-root level about the importance of firm action against persons committing atrocities.

4.4 MINISTRY OF LAW & JUSTICE (DEPARTMENT OF LEGAL AFFAIRS)

LEGAL AID

Article 39A of the Constitution of India provides for free legal aid to the poor and weaker sections of the Society and ensures justice for all. Articles 14 and 22 (10) of the Constitution also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on the basis of equal opportunity to all. In 1987, the Legal Services Authority Act was enacted by the Parliament which came into force on 9th November, 1995 with an object to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the Society on the basis of equal opportunity.

Members of the Scheduled Castes and Scheduled Tribes are entitled to get Free Legal Services under Section 12 of the Legal Services Authorities Act, 1987.

Free Legal Services under the above Act include:

(1) Payment of court fee, process fees and all other charges payable or incurred in connection with any legal proceedings;

(2) Providing Advocates in legal proceedings;

(3) Obtaining and supply of certified copies of orders and other documents in legal proceedings;

(4) Preparation of appeal, paper work including printing and translation of documents in legal proceedings.

4.5. MINISTRY OF INFORMATION AND BROADCASTING

The offences of atrocities against Scheduled Castes tend to be an extreme manifestation of caste based hatred and untouchability. The Ministry of Information & Broadcasting through its units has been propagating the objective of removal of untouchability and caste based prejudices in the society. The work done by various Units of the Ministry is indicated as under:-

4.5.1 ALL INDIA RADIO (AIR)

All India Radio (AIR) broadcasts programmes on issues concerning 'Eradication of Untouchability', from time to time.

4.5.2 DOORDARSHAN

Various Doordarshan Kendras telecast programmes to give wide publicity to the PCR Act, 1955.

4.5.3 SONG & DRAMA DIVISION

The Song & Drama Division has been utilizing folk and traditional forms to raise awareness about removal of Untouchability, especially targeting rural and semi-urban populace.

CHAPTER 5

MEASURES TAKEN BY STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATIONS

5.1. ANDHRA PRADESH

Committees

State and District level Vigilance and Monitoring Committee

A State Level Vigilance & Monitoring Committee is functioning.

The District Level Vigilance & Monitoring Committees are also functioning in all Districts under the Chairpersonship of the District Collectors.

State Level SC and ST Protection Cell

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

Publicity

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

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

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

Special Courts

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

Inter-Caste Marriages

An amount of Rs. 10,000/- per couple is provided as an incentive to inter-caste married couples, of which one of the spouses belongs to Scheduled Castes. During the year 2007-2008, an amount of Rs. 108.64 lakh was incurred. 1086 inter-caste married couples received incentive amount.

5.2. ARUNACHAL PRADESH

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

5.3. ASSAM

Committees

State and District level Vigilance and Monitoring Committee

A State Level Vigilance & Monitoring Committee under the Chairpersonship of Chief Minister reviews the implementation of the provisions of the Act. The Minister for Welfare of Plain Tribes & Backward Classes, Members of Parliament, Members of Legislative Assembly belonging to SC and ST, Chief Secretary, Commissioner and Secretary, Home Department and Director, National Commission for Scheduled Castes and Scheduled Tribes are members of the Committee. The Commissioner and Secretary, WPT & BC Department is Convener of the Committee. At the Sub-Divisional level there is a Sub-Divisional

Welfare Board consisting SC/ST member which looks after the welfare programmes for SC/ST.

State Level SC and ST Protection Cell

There is a SC & ST Protection Cell functioning under the supervision of Director General of Police at State level for implementation of the Protection of Civil Rights Act, 1955.

Publicity

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

Special Courts

18 Special Courts have been functioning in all districts.

Inter-Caste Marriages

To encourage such marriages where one of the spouse is a member of a Scheduled Caste and other from general community, an incentive amount is provided. During the year 2007-08, an incentive of Rs. 10,000/- per couple was provided to 100 couples.

Legal Aid

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

5.4. BIHAR

State Level SC and ST Protection Cell

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

Special Police Stations

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

Publicity

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

5.5 CHHATTISGARH

Awareness Generation

For awareness generation, Sadbhawana Shibirs were organized.

Inter-Caste Marriages

An incentive amount of Rs. 6000/- and a gold medal to a couple is provided for promoting such inter-caste marriages where one of them is a member of a Scheduled Caste.

Legal Aid

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

5.6. GOA

Inter-Caste Marriages

The State Government is providing incentives for inter caste marriages. From the year 2007, the incentive amount has been increased from 25,000/- to 1.00 lakh.

Legal Aid

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

5.7. GUJARAT

Committees

High Level Committee

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

State Level Committee

A State Level Committee under the Chairpersonship of the Secretary in charge of Social Justice and Empowerment Department, reviews the reports of Officers of the Vigilance Squads. The Committee consists of Home Secretary, Legal Secretary, Special Inspector General of Police and other officers. In the year 2007, meetings of State Level Committee were held on 19.03.2007 and 31.07.2007.

District Level Vigilance and Monitoring Committee

At District level, a District Level Vigilance Committee under the Chairpersonship of District Collector of respective District is functioning to conduct quarterly review of implementation of the Act. The Committee consists of District Panchayat President, Chairperson of District Social Justice Committee, District Development Officer, District Superintendent of Police, District Government Public Prosecutor, Members of Parliament/ Members of Legislative Assembly and prominent Social Workers of respective districts. During the year 2007, 100 meetings were held.

Taluka Level Vigilance Committee

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

City Level Vigilance Committee

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

State Level SC and ST Protection Cell

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

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

Publicity

During the year 2007, 1 Seminar, 25 District level Workshops and 223 Taluka level Shibirs for removal of untouchability were arranged. For wide publicity of the Act, printed booklets, both in Gujarati and English, were circulated among the authorities/non-officials and village panchayat, social workers and voluntary organizations.

Inter-Caste Marriages

An incentive of Rs. 50,000/- is provided (Rs. 25,000/- in the form of National Saving Certificate and Rs. 25,000/- in cash for purchase of household kit) for the marriages between non-Scheduled Castes and Scheduled Castes. An amount of Rs. 136.00 lakh was incurred to provide incentive to 272 couples

Legal Aid

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

5.8. HARYANA Committees

State and District Level Committee

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

State Level SC and ST Protection Cell

A Special Cell is functioning in Police Headquarters, Panchkula to deal with crime against weaker sections of the society. The Cell is functioning under the direct supervision of the Addl. Director General of Police. A special Cell is also functioning under the Superintendent of Police in every District to ensure investigation of cases under the Act.

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

Inter-Caste Marriages

An incentive amount of Rs.25,000/- (40% in cash and 60% in the form of fixed deposit for six years in the joint account) is provided to an inter-caste marriage couple, where one of the spouse belongs to a Scheduled Caste. During the calendar year 2007, an expenditure of Rs.27.50 lakh was incurred for the benefit of 64 such couples.

Legal Aid

Assistance for legal aid is provided for cases pertaining to offences of untouchability, mutation of land records, abduction and kidnapping of girls and women and cases pertaining to reservations meant for Scheduled Castes. Expenses towards witnesses and court fees are also met under the scheme. There is no income ceiling to avail of the legal aid. During the calendar year 2007, an amount of Rs.12,000/- was utilized benefiting 24 persons.

Award to Panchayats

The Village Panchayats are provided grant of Rs. 50000/- as an encouragement and recognition of their work, inter-alia, relating to eradication of

untouchability. During the calendar year 2007, an expenditure of Rs.3.40 lakh was incurred on 68 such Panchayats.

5.9. HIMACHAL PRADESH

Committees

State and District Level Committee

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

State Level SC and ST Protection Cell

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

Publicity

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

Inter-Caste Marriages

An incentive amount of Rs. 25,000/- per couple is provided when one of the spouses is a member of Scheduled Caste. During the year 2007, an expenditure of Rs. 65.76 lakh was incurred towards providing incentives to 315 couples.

Legal Aid

The State Legal Board provides free assistance for legal matters to a person whose annual income does not exceed Rs. 50,000/-, but there is no income ceiling for Scheduled Castes and Scheduled Tribes. The free legal aid includes expenses towards litigation as well as Travelling Allowance /Dearness Allowance to witnesses.

5.10. JHARKHAND

Committees

State and District level Vigilance and Monitoring Committee

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

State Level SC/ST Protection Cell

A Special Scheduled Castes and Scheduled Tribes Protection Cell has been constituted under the Crime Investigation Branch of the Police Department to monitor investigation of offences under the Act. The Cell is headed by the Inspector General of Police, CID, Jharkhand.

Publicity

Instructions were issued to the Tribal Welfare Commissioner to ensure publicity through the Deputy Commissioners.

Inter-Caste Marriages

Incentive for inter-caste-marriage, where one of the spouse is a Scheduled Castes, is being provided. A provision of Rs. 50,000/- has been made in this regard.

Special Courts

Special courts have been functioning in all districts of the State.

Legal Aid

Circular was issued to all the districts to provide legal aid to affected SCs without any financial limit on their income under the Act.

5.11. KARNATAKA

Committees

State and District level Vigilance and Monitoring Committee

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.

State Level SC and ST Protection 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.

Publicity

Seminars are held under the auspices of the Directorate of Civil Rights Enforcement and the Inspector General of Police. Training is imparted to Police Officers to educate and sensitize them on the need to enforce provisions under the Act. Eminent people are invited to address the seminars. The Government is also encouraging SC/ST and OBCs personalities who work for the Welfare of SC/ST upliftment in social, educational and cultural fields to 10 eminent persons awarding Dr. B.R.Ambekar and Babu Jagjeevan Ram award of Rs. 25,000/- each cash and felicitated by honouring them with a shawl and memento.

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.

Inter-Caste Marriages

An incentive amount of Rs. 50,000/- per couple is provided to a couple for inter - caste marriage, where one of the spouse is a member of Scheduled Caste. An amount of Rs. 522.44 lakhs was incurred covering 1045 couples.

Legal Aid

The Karnataka Legal Aid Services Authority provides free legal assistance to weaker sections including Scheduled Castes and Scheduled Tribes persons whose annual income is below Rs. 25,000/-.

5.12. MADHYA PRADESH

Committees

State and District Level Committee

A State Level Committee under the Chairpersonship of the Chief Minister reviews implementation of the Act. The Members of the Committee are Members of Legislative Assembly, Non-officials, Social Workers, Secretaries of Departments 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. The Members of the Committee are, elected Members of Parliament and Legislative Assembly of the District, District Superintendent of Police, three Gazetted Officers belonging to SC/ST, three members belonging to SC/ST, five non-officials amongst SC/ST and three such persons who are associated with NGOs, and others.

State level SC and ST Protection Cell

At the State level a Cell under the charge of the Additional Director General of Police is functioning to reviews implementation of the Act. A Protection of Civil Rights Cell is also functioning in the Directorate of Scheduled Caste Welfare under the charge of Additional Director to monitor the cases of PCR and POA Acts.

Special Police Stations

The Cell under the charge of the Additional Director General of Police reviews implementation of the Act. 48 Scheduled Caste Welfare (Anusuchit Jati

Kalyan) Stations under the Cell are required to *inter-alia* register cases relating to untouchability offences.48 Scheduled Caste Welfare (Anusuchit Jati Kalyan) Stations under the Cell are required to *inter-alia* register cases relating to untouchability offences. The Police Stations are in the Districts of Morena, Bhind, Rajgarh, Panna, Vidisha, Jabalpur, Jhabua, Bhopal, Mandla, Neemuch, Katni, 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 Anuppur. During the year 2007-08 an amount of Rs. 1134.00 lakh was incurred on these Police Stations.

Identification of Untouchability Prone Areas

The State Government has identified untouchability prone areas. These areas identified on the basis of cases registered under the PCR and POA Acts. The details are as under:-

S.No.	Districts	Thana	Village/ Mohalla /City/Town
1.	Bhopal	Bairasia	Bairasia Town
2.	Rajgarh	Kotwali	Kotwali Town
		Byavara	Byavara
		Narsinghgarh	Narsinghgarh
3.	Vidisha	Rural	Rural
		Kotwali	Vidisha Town
		Basoida	Basoida Town
4.	Hosangabad	Kotwali	Town
		Piparia	Piparia Town
		Itarsi	Itarsi Town
		Seoni Malwa	Seoni Malwa Town
		Babai	Babai Town
		Wankhadi	Village Wankhadi
		Pathrota	Village Pathrota
5.	Raisen	Kotwali	Town Kotwali
		Begamganj	Town Begamganj
		Silwani	Town Sultanpur
		Bareli	Town Bareli
		Udaipura	Town Udaipura
6.	Betul	Kotwali	Sadar
		Kotwali	Tikri
		Kotwali	Indira Colony

7.		Amala	Hodkhi
	Harda	Kotwali	Harda Town
8.	Seoni	Kotwali	Urban Area
9.	Gwalior	Dabra	Dabra Town
		Murar	Kumarpura
10.	Shivpuri	Karera	Village Karera
		Indar	Village Indar
		Rural	Purana Shivpuri Town
		Vairath	Village Dalwas
11.	Guna	Kotwali	Bude Balaji
		Kotwali	Sriram Colony
12.	Ashok Nagar	Kotwali	Shankar Colony
		Ishagarh	Village Ishagarh
		Bahadurpur	Village Bahadurpur
		Chanderi	Village Chanderi
13.	Morena	Kotwali	Gopalpura
		Kotwali	Duttpura
		Kotwali	Uttampura
		Civil Lines	Joura Khurd
		Ambah	Ambah Town
		Bamour	Bamour Town
		Sumawali	Village Sumawali
		Joura	Joura Town
		Kelaras	Kelaras Town
		Sabalgarh	Sabalgarh Town
14.	Sheopur	Kotwali	Gandhi Nagar
		Karahal	Karahal Town
15.	Satna	Jaitwas	Jaitwas Town
		Rampur	Amber
16.	Tikamgarh	Kotwali	Aston
		Kotwali	Paharitulwan
		Badgaon	Kankerwaha
		Badgaon	Antoura

		Badgaon	Bhela
		Badgaon	Amarpur
		Baldevgarh	Chanderi
		Kundila	Hirapur
		Khargapur	Phuterchak
		Jatara	Shah
		Lighoura	Satguwa
		Lighoura	Margawa
		Degouda	Dhamna
		Palera	Lahrbugurg
17.	Badwani	Kotwali	Badwani Town
		Sendhwa	Sendhwa Town
18.	Dindori	Kotwali	Dindori Town
		Samnapur	Samnapur Town
19.	Ujjain	Mahindpur	Mahindpur Town
		Badnagar	Badnagar Town
		Ingoria	Jahangirpur
		Nagda	Nagda Town
		Khachrod	Khachrod Town
20.	Dewas	Kotwali	Nai Abadi
		Industrial Area	Etawa
		Sonkuch	Sonkuch Town
		Pipalrawa	Pipalrawa Town
21.	Shajapur	Kotwali	Shajapur Town
22.	Mandsore	Kamdinagar	Indra Nagar
		Sitamou	Village Lduna
23.	Nimuch	Cannt	Nimuch Town
		Manara	Manara Town

Inter-Caste Marriages

To promote inter-caste marriages, an incentive amount of Rs.50,000/- and a certificate is given to a couple one of which belongs to a Scheduled Caste or a Scheduled Tribe. Previously the incentive amount was Rs.10,000/-. During the year 2007-08, an expenditure of Rs.29.50 lakh was incurred and 96 couples were covered.

Legal Aid

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

Publicity

A. Sadbhavana Shivirs

Sadbhawana Shivirs towards eradication of untouchability were organized in all the districts of the State. During the year 2007-2008 for which an amount of Rs. 14.40 lakhs was incurred.. 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. During the year 2007-08, 48 such Sadbhavana Shivirs were organized.

B. Awards 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. 1,00,000/-.

During the year 2007-2008, an amount of Rs. 48.00 lakh was disbursed to districts for award to Panchayats.

5.13. MAHARASHTRA

Committees

State and District Level Committee

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

State Level SC and ST Protection Cell

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

Special machinery under the Social Justice Department has been created in addition to regular departmental set up. The Cell is functioning in the Directorate of Social Welfare, Pune. The Cell is headed by the Deputy Director (PCR) with supporting staff.

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 2007 is given below: -

S. No.	Name of District	No. of Villages			
		Partially sensitive	High sensitive	Less sensitive	Total
1.	Dhule	25	0	0	25
2.	Jalgaon	4	15	4	23
3.	Nandurbar	5	0	0	5
4.	Ahmednagar	20	3	0	23
5.	Satara	0	0	2	2
6.	Sangli	12	2	59	73
7.	Solapur	27	0	0	27
8.	Kolhapur	27	0	0	27
9.	Amravati	54	14	0	68
10.	Yavamal	146	46	0	192

11.	Buldhana	0	21	111	132
12.	Akola	0	10	14	24
13.	Bhandara	5	2	0	7
14.	Gondia	92	20	97	209
15.	Chandrapur	22	26	0	48
16.	Jalana	1	6	7	14
17.	Beed	17	0	0	17
18.	Parabhani	15	0	0	15
19.	Osmanabad	9	9	31	49
20.	Latur	20	0	0	20
21.	Wasim	12	3	10	25
22.	Gadchiroli	10	12	0	22
	Total	534	191	335	1060

Publicity

1. Parishad

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

2. Participation of Youth

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

a) Eloquence Competition

Such competitions through schools and colleges are organized by Special District Social Welfare Officers in every year. The winners are encouraged by giving them cash prizes. The expenditure of Rs. 1.75 lakh was incurred for this competition.

b) Essay Competition

Special District Social Welfare Officers conduct essay competitions at school and college level every year. The winners are given cash prizes. The expenditure of Rs. 1.75 lakh was incurred for this competition.

c) **Workshop and Seminar**

During the year 2007, a programme for sensitization of village level workers and officers was undertaken. One-day workshop was organized at 352 Panchayat level Samittees. Sarpanch, Secretary and Members of Gram Panchayat, Talathi and Police Patil of village and Police employees of Police Stations attended the workshops. An expenditure of Rs. 43.29 lakh was incurred on organizing 352 workshops during the year.

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

Inter-Caste marriages

An incentive of Rs. 15,000/- (Rs.7000/- in cash, Rs.400/- for utensil, Rs.100/- for ceremony expenses and Rs. 7500/- small saving scheme in joint account) per couple is provided for marriages between Savarna Hindu and Scheduled Castes/ Scheduled Tribes and Vimukta Jaties/ Nomadic Tribes. During the year 2007-08, an expenditure of Rs. 140.00 lakh was incurred to cover 933 such couples.

Legal Aid

Free Legal Aid Cell at District and Taluka Headquarters provides legal assistance to all economically weaker sections of society having annual income below 6,000/-

5.14. ORISSA

Committees

State and District Level Committee

A State Level High Power Vigilance & Monitoring Committee under the Chairpersonship of the Chief Minister reviews implementation of the Act.

Likewise, the District Level Vigilance and Monitoring Committees have been functioning in all the districts to review the incidents of atrocities and implementation of the Act. The meetings are held regularly.

State Level SC and ST Protection Cell

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.

Special Courts

Districts and Session Judges and Additional District and Session Judges have been specified as Special Courts to try offences under the Act.

Publicity

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

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

Further for sensitization of the police personnel and elected representatives about the provisions of the POA Act, all Collectors /Superintendents of Police have been requested to conduct workshops/training camps at the district level. A State level workshop training programme was held during the year by the Scheduled Caste & Scheduled Tribes Research and Training Institute. Rs.60,425/- has been released during the year for this purpose.

Inter-Caste Marriages

Cash incentive of Rs. 10,000/- per couple is provided for inter-caste marriages between caste Hindus and Scheduled Castes for social integration and removal of untouchability. During 2006–07, an amount of Rs. 6.82 lakh was provided to 85 couples.

Legal Aid

Legal aid is provided to persons belonging to Scheduled Castes under the Legal Aid and Advice Scheme, 1981, administered by the Law Department. Besides, the Scheduled Caste and Scheduled Tribe litigants are also given legal aid under legal aid scheme operated by the Scheduled Tribes and Scheduled Castes Development Department to fight cases for establishing their right, titles and possession over the disputed land and also for the cases under the Act. An expenditure of Rs. 1.57 lakh was incurred during 2007-08 under the Legal Aid Scheme.

5.15. PUNJAB

Publicity

Wide publicity of the provisions of the Act was made by way of organizing seminars, debates and mass lunch at State, District and block level. 450 seminars were organized. Publicity of welfare schemes was also done through advertisements in various newspapers. Folders and booklets printed on various programmes were distributed free of cost among the masses so that people can avail benefits of schemes. Boards and hoardings were also installed highlighting provisions of the Act.

Inter-Caste Marriages

As an incentive for inter-caste marriage, a sum of Rs. 25,000/- is given to each couple where one of the spouses belongs to a Scheduled Caste. Proposal to increase incentive amount from Rs. 25,000/- to Rs.50,000/- per couple is under active consideration.

Legal Aid

Free legal aid is provided by Punjab Legal Services Authority to the members of Scheduled Castes irrespective of their income to file and defend a case. During the year, 336 Scheduled Castes persons were provided free legal aid.

5.16. RAJASTHAN

State Level SC and ST Protection Cell

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

21 SC/ST Cells have been set up in 18 Districts. The Cells are headed by a Deputy Superintendent of Police they have been entrusted with the task to deal with cases of untouchability

Identification of untouchability Prone Areas

Following 18 districts have been identified as untouchability prone areas in the State.

- (1) Jaipur
- (2) Bhilwara
- (3) Alwar
- (4) Jalore
- (5) Kota
- (6) Sirohi
- (7) Jhalawar
- (8) Udaipur
- (9) Sriganganagar
- (10) Tonk
- (11) Bharatpur
- (12) Sawai Madhopur
- (13) Pali
- (14) Nagaur
- (15) Chittorgarh
- (16) Dholpur
- (17) Churu
- (18) Hanumangarh

Inter-Caste Marriages

For eradication of untouchability financial assistance of Rs.50000/- was provided to inter caste married couples. During the year, an expenditure of Rs. 14.25 lakh was incurred on 33 couples.

5.17. SIKKIM

Inter-Caste Marriages

Incentive of Rs.20,000/- was provided to inter caste married couples. During the year, an expenditure of Rs. 3.80 lakh was incurred on 19 couples.

5.18. TAMIL NADU

State Level SC and ST Protection Cell

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

Publicity and Awareness Generation

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

The Social Justice and Human Rights Wing organized Social Justice Tea Parties and awareness campaign jointly in association with representatives of Panchayat, political parties, FOPs, NGOs and others through out the State to eradicate the evil practice of two tumbler system. Members of Scheduled Castes and other community have participated in the tea parties, sinking all their differences without any caste feelings. These tea parties were given wide

publicity in all newspapers and thus paved way for greater awareness among the various sections of the society.

Special Courts

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

Periodic survey

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. 239 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.

5.19. 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.

Publicity

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

Special Courts

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

5.20. UTTARAKHAND

Committees

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

State Level SC and ST Protection Cell

Special Inquiry Cell has been set up in each district under the supervision of Superintendent of Police for prompt action.

Special Courts

Special Courts are functioning at Nainital and Haridwar district. In rest of the Districts, the District and Session Courts have been designated as Special Courts for trial of cases under the Act.

Inter-Caste Marriages

Under the inter-caste/inter-religious marriages, an incentive is provided to married couple. During the year 2007-08, an amount of Rs.2.10 lakh was given to 21 couples.

Legal Aid

The concerned District authorities provide free legal aid to SC/ST in all Districts of the State.

5.21. UTTAR PRADESH

Committees

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

State Level SC and ST Protection Cell

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

Special Court

40 Special Courts have been set up in the States for trial of cases under the Act.

Legal Aid

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

5.22. WEST BENGAL

State and District level Vigilance and Monitoring Committee

A State Level Vigilance and Monitoring Committee and District Level Vigilance and Monitoring Committee are functioning.

State level SC/ST Protection Cell

The State Government has constituted a SC & ST Protection Cell under the charge of DG/IG of Police, West Bengal. The Cell is head by Inspector General of Police.

Publicity

Various programmes are organized involving elected members of the three tier Panchayat Bodies to arrange awareness as regards provision of the Act among the general people through them.

A workshop-cum-seminar was held at Writers Building with representatives of different departments on implementation of provisions of PCR and POA Acts.

Inter-Caste Marriages

An incentive amount of Rs. 5,000/- is provided to an inter-caste married couple.

Legal aid

Legal Aid is provided to the people living below poverty line.

5.23. ANDAMAN AND NICOBAR ISLANDS

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

5.24. CHANDIGARH ADMINISTRATION

Publicity

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

untouchability. Chandigarh Administration also displays slides in all the cinema halls on the eradication of evil practice of untouchability.

Special Courts

The Court of Additional Session Judge, Chandigarh has been specified as a Special Court to try the offences under the Act in Chandigarh. No case was, however, registered during the year 2007.

Inter-Caste Marriages

An incentive amount of Rs. 25,000/- is provided to an inter-caste married couple under the Scheme. Eight couples were benefitted during the year 2007.

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 2007, as no case was received for legal aid.

5.25. DADRA & NAGAR HAVELI

State Level SC and ST Protection Cell

SC/ST Cell has been set up and functioning in UT of Dadra and Nagar Haveli. The main function of the Cell is to inquire into the complaints pertaining to an offence committed against SC/ST and registered the case against the accused person and ensure the investigation under the Act.

Special Courts

The Sessions Court of Dadra and Nagar Haveli has been designated as Special Court under the Act.

5.26. NCT OF DELHI

Committee

No Committee has been set up under the Act.

State Level SC and ST Protection Cell

The Scheduled Castes and Scheduled Tribes Protection Cell has been set up in the Police Headquarters under the supervision of Deputy Commissioner of Police (Crime Branch) of Delhi Police.

Publicity

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

5.27. LAKSHADWEEP

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

5.28. PUDUCHERRY

State level SC/ST Protection Cell

The PCR Cell is functioning directly under the control of Superintendent of Police in the three enclaves of the Union Territory of Puducherry namely Puducherry, 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.

Special Courts

The Court of Chief Judicial Magistrate has been designated as a Special Court for the whole of Puducherry to try offences under the Act. The Judicial Magistrates of the two Regions of the Union Territory, namely Karaikal and Yanam also try the offences under the Act.

Inter-Caste Marriages

An incentive is provided to an inter-caste married couple. During the year 2007-08, an expenditure of Rs.4.20 lakh was incurred on 29 couples.

Legal Aid

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

5.29. OTHER STATES

Detailed write-up in respect of State Governments of Jammu and Kashmir, Mizoram, Nagaland, may be treated as Nil. The requisite information has not been received from State Governments of Kerala, Manipur, Meghalaya and Union Territory Administration of Daman and Diu despite repeated reminders.

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