

**REPORT**  
**U/s 21 (4)**  
**OF**  
**THE SCHEDULED CASTES AND THE**  
**SCHEDULED TRIBES (PREVENTION**  
**OF ATROCITIES) ACT, 1989,**  
**FOR THE YEAR 2017**



सत्यमेव जयते

**GOVERNMENT OF INDIA**

**MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT**  
**DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT**

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# CHAPTER 1

## INTRODUCTION

### **1.1 THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989 AND THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) RULES, 1995.**

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (No.33 of 1989) (hereinafter referred as ' PoA ' Act) came into force with effect from 30.01.1990. This legislation aims at preventing commission of offences by persons other than Scheduled Castes and Scheduled Tribes against members of Scheduled Castes (SCs) and Scheduled Tribes (STs) and to provide Special Courts for trial of such offences and for relief and rehabilitation of the victims of such offences. The PoA Act extends to whole of India except the State of Jammu and Kashmir. With an objective to deliver members of SCs and STs, a greater justice, the PoA Act has been amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No.1 of 2016), notified in the Gazette of India Extraordinary on 01.01.2016 and enforced with effect from 26.01.2016. The amendments broadly relate to rephrasing and expansion of some of earlier offences and addition of several new offences, addition of certain IPC offences attracting less than ten years of imprisonment committed against members of SCs and STs, as offences punishable under the PoA Act, establishment of Exclusive Special Courts and specification of Exclusive Special Public Prosecutors to exclusively try the offences under the PoA Act to enable expeditious disposal of cases, power of Special Courts and Exclusive Special Courts to take direct cognizance of offence and as far as possible, completion of trial of the case within two months from the date of filing of the charge sheet, addition of chapter on the 'Rights of Victims and Witnesses' and wilful negligence of a public servant in discharging duties for registration of complaints, recording statement of witnesses, conducting investigation and filing charges and any other duties specified in the Act and Rules. The

PoA Act is implemented by the respective State Governments and Union Territory Administrations, which are provided admissible Central assistance under the Centrally Sponsored Scheme for effective implementation of the provisions of the Act.

Main provisions of the PoA Act are as under: -

- (i) Defines offences of atrocities and prescribes punishment therefor, (Section 3).
- (ii) Punishment for wilful neglect of duties by non-SC/ST public servants (Section 4).
- (iii) Establishing an Exclusive Special Court for one or more districts, specifying Court of Session to be a Special Court for speedy trial of offences under the Act. Powers of these Courts to take direct cognizance of offences under the Act, duty of the State Government to establish adequate number of Courts to ensure that cases under the Act are disposed of within a period of two months as far as possible (Section 14).
- (iv) An appeal against judgment of Special Court or an Exclusive Special Court to the High Court (Section 14A).
- (v) Appointment of Exclusive Special Public Prosecutors and Special Public Prosecutors for conducting cases in Exclusive Special Courts and Special Courts (Section 15).
- (vi) Rights of Victims and Witnesses (Section 15A).
- (vii) Preventive action to be taken by the law and order machinery (Section 17).
- (viii) Measures to be taken by State Governments for effective implementation of the Act, including: -
  - a. Adequate facilities including legal aid, to the persons subjected to atrocities to enable them to avail themselves of justice;
  - b. Economic and social rehabilitation of victims of the atrocities;
  - c. Appointment of officers for initiating or exercising supervision over prosecution for contravention of the provisions of the Act; and
  - d. Setting up of Committees at appropriate levels to assist the Government in implementation of the Act;
  - e. Delineation of "Identified Areas"(commonly known as "Atrocity Prone Areas") where members of SC/ST are vulnerable to being subjected to atrocities and adoption of necessary measures to ensure their safety. {Section 21 (2)}.

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 under the PoA Act were notified on 31.03.1995, which, among other things, prescribed minimum scale of relief and

rehabilitation for the affected persons. The prescribed minimum scale of relief and rehabilitation under the Rules has been amended from time to time.

Consequent upon amendments done in the PoA Act, certain amendments had been necessitated in the PoA Rules. Accordingly necessary amendments have been done in the PoA Rules by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, notified in the Gazette of India on 14.04.2016, which broadly relate to provision of relief amount for 47 offences of atrocity, rationalization of the phasing of payment of relief amount to victims for various offences of atrocities, enhancement of relief amount from Rs. 85000/- to Rs. 8,25,000/-, depending upon the nature of the offences, payable of admissible relief amount within seven days, completion of investigation and filing of charge sheet in court within sixty days, to enable timely commencement of prosecution and periodic review of the Scheme for the rights and entitlements of victims and witnesses in accessing justice, by the State, District and Sub-Division Level Vigilance and Monitoring Committees in their respective meetings.

Salient provisions of the PoA Rules notified under the PoA Act are as under: -

- (i) Precautionary and Preventive Measures to be taken by the State Governments regarding offences of atrocities (Rule 3).
- (ii) Investigation of offences under the Act to be done by not below the rank of a DSP level Officer {Rule 7 (1)}.
- (iii) Completion of investigation and filing of charge sheet in court within sixty days and report forwarded to Director General of Police or Commissioner of Police of the State {Rule 7 (2)}.
- (iv) Setting up of the Scheduled Castes and the Scheduled Tribes Protection Cell at State headquarters under the charge of Director General of Police/IG Police (Rule 8).
- (v) Nomination of (a) a Nodal Officer at the State level (not below the rank of a Secretary to the State Government), and (b) a Special Officer at the district level (not below the rank of an Additional District Magistrate) for districts with identified atrocity prone areas to co-ordinate the functioning of DMs, SPs and other concerned officers, at the State and District levels, respectively. (Rule 9 and 10).
- (vi) Provision of relief in cash or kind or both to victims of atrocities as per prescribed norms within seven days. (Rule 12 (4) and Schedule).

- (vii) State Government/Union Territory Administration to provide necessary authorization and powers to the District Magistrate for immediate withdrawal of money from treasury so as to timely provide the relief amount to atrocity victims (Rule 12(4A).
- (viii) State Level Vigilance and Monitoring Committee under the Chief Minister to meet at least twice a year (Rule 16).
- (ix) District Level Vigilance and Monitoring Committees under the District Magistrate to meet at least once every quarter (Rule 17).
- (x) Sub-Divisional Level Vigilance and Monitoring under the Sub-Divisional Magistrate to meet at least once every quarter (Rule 17 A)

## **1.2 RESPONSIBILITY FOR IMPLEMENTATION OF THE PoA ACT**

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

### **Ministry of Home Affairs**

Criminal offences against members of the Scheduled Castes and Scheduled Tribes, including those under the PoA Act.

### **Ministry of Social Justice & Empowerment**

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

### **1.3. REPORT ON THE IMPLEMENTATION OF THE PoA ACT, 1989.**

Section 21 of the PoA Act casts certain duties on the Central and the State Governments to ensure effective implementation of the Act, and reads as follows:-

#### **“21. 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 the effective implementation of this Act.

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

(i) *the provision for adequate facilities, including legal aid to the persons subjected to atrocities to enable them to avail themselves of justice:*

(ii) *the provision for travelling and maintenance expenses to witnesses, including the victims of atrocities, during investigation and trial of offences under this Act;*

(iii) *the provision for the economic and social rehabilitation of the victims of the atrocities;*

(iv) *the appointment of officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act;*

(v) *the setting up of committees at such appropriate levels as the State Government may think fit to assist that Government in formulation or implementation of such measures;*

(vi) *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 provision of this Act;*

(vii) *the identification of the areas where the members of the Scheduled Castes and the Scheduled Tribes are likely to be subjected to atrocities and adoption of such measures so as to ensure safety for such members.*

(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 2017 is being placed on the Table of both the Houses of Parliament, in pursuance of sub-section (4) of the above Section 21.

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# CHAPTER 2

## **STRUCTURES AND MECHANISMS FOR IMPLEMENTATION & MONITORING OF THE PoA ACT, 1989.**

### **I. Special Courts**

In accordance with Section 14 of the PoA Act as amended and enforced with effect from 26.01.2016, for the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, establish an Exclusive Special Court for one or more districts. Further in the districts where less number of cases under the Act is recorded, with the concurrence of the Chief Justice of the High Court specify for such Districts, the Court of Session to be a Special Court to try the offences under the Act. These Courts have powers to take direct cognizance of offences under the Act, and it is the duty of the State Government to establish adequate number of Courts to ensure that cases under the Act are disposed of within a period of two months, as far as possible.

State Governments and Union Territory Administrations of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, NCT of Delhi, and Puducherry have designated District Session Courts as Special Courts.

For ensuring speedy trial of cases under the PoA Act, 157 Exclusive Special Courts, have also been set up by twelve States, as mentioned in the table below:-

<b>S. No.</b>	<b>State</b>	<b>Total Number of Districts in the State</b>	<b>Number of Districts with Exclusive Special Courts</b>
1.	Andhra Pradesh	13	01
2.	Bihar	38	05
3.	Chhattisgarh	27	03
4.	Gujarat	33	16
5.	Jharkhand	24	04
6.	Karnataka	30	08
7.	Madhya Pradesh	52	43
8.	Maharashtra	36	03
9.	Odisha	30	03
10.	Rajasthan	33	25
11.	Tamil Nadu	32	06
12.	Uttar Pradesh	75	40
	<b>Total</b>	<b>423</b>	<b>157</b>

## **II. Special Public Prosecutors**

Section 15 of the PoA Act as amended, provides for appointing or specifying Exclusive Special Public Prosecutors and Special Public Prosecutors for the purpose of conducting cases in Exclusive Special Courts and Special Courts respectively. Accordingly the States/Union Territories, which have set up Exclusive Special Courts and Special Courts, have appointed Exclusive Special Public Prosecutors and Special Public Prosecutors.

## **III. Setting up of (a) SC/ST Protection Cells at State Headquarters, and (b) Special Police Stations for SC/ST**

Rule 8 of the PoA Rules, requires the State Government to set up a SC/ST Protection Cell at the State headquarters under the charge of a DGP, ADGP/IGP and assign to it the following responsibilities:-

- (i) conducting survey of, maintaining public order and tranquility in, and recommending deployment of special police force in identified areas;
- (ii) investigating causes of offences under the Act, restoring feeling of security among SC/ST;

- (iii) liaising with nodal and special officers about law and order situation in identified areas;
- (iv) informing the nodal officer and the concerned District Magistrate about implementation of the rights of victims and witnesses specified under the provisions of Chapter IVA of the PoA Act;
- (v) monitoring investigation of offences and enquiring into willful negligence of public servants;
- (vi) reviewing the position of cases registered under the Act; and
- (vii) submitting a monthly report to the State Government/Nodal Officer about action taken/proposed to be taken in respect of the above.

SC/ST Protection Cells have been set up in the States and Union Territories of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, NCT of Delhi and Puducherry.

Special Police Stations for registration of complaints of offences against members of SCs and STs have also been set up by five States, viz. Bihar, Chhattisgarh, Jharkhand Kerala and Madhya Pradesh. The details are as under:-

<b>S. No.</b>	<b>State</b>	<b>Total Number of Districts</b>	<b>Number of Special Police Stations</b>	<b>Name of District where Special Police Station has been set up</b>
1.	Bihar	38	40	Patna, Nalanda, Rohtas, Bhabhua, Bhojpur, Buxar, Gaya, Jehanabad, Arwal, Nawada, Aurangabad, Saran, Siwan, Gopalganj, Muzaffarpur, Sitamarhi, Sheohar, West Champaran (2), East Champaran, Vaishali, Darbhanga, Madhubani, Samastipur,

				Saharsa, Supal, Madhepura, Purnia, Araria, Kisanganj, Katihar, Bhagalpur (2), Banka, Munger, Lakhisarai, Sheikhpura, Jamui, Khagaria and Begusarai.
2.	Chhattisgarh	27	13	Raipur, Durg, Rajnandgoan, Kabirdham, Mahasumud, Bilaspur, Raigarh, Korba, Janjgit- Champa, Sarguja, Surajpur, Baster and South Baster.
3.	Jharkhand	24	24	Ranchi, Gumla, Simdega, Lohardaga, Chaibasa, Saraikela, Jamsheedpur, Hazaribagh Koderma, Chatra, Giridih, Palamu, Latehar, Garhwa, Dhanbad, Bokaro, Dumka, Godda, Jamtara, Deogarh, Sahebgang Pakur, Ramgarh and Kunti.
4.	Kerala	14	03	Kasargod, Wayanad and Palakkad
5.	Madhya Pradesh	52	51	Gwalior, Shivpuri, Guna, Ashok Nagar, Morena, Sheopur, Bhind, Datia, Ujjain, Mandsore, Neemuch, Ratlam, Dewas, Shajapur, Jabalpur, Katni, Chhindwara, Seoni, Narsinghpur, Mandla, Dindory, Balaghat, Rewa, Satna, Sidhi, Shahdole, Umaria, Anooppur, Hoshangabad, Harda, Raisen, Betul, Bhopal, Sehore, Rajgarh, Vidisha, Indore, Dhar, Jhabua, Khargone, Barwani, Khandwa, Burhanpur, Sagar, Damoh, Panna, Chhatarpur, Tikamgarh, Singruali, Alirajpur and

				Agar Malwa.
	<b>Total</b>	<b>155</b>	<b>131</b>	

#### **IV Nodal Officers**

Rule 9 of the PoA Rules, provides for appointment of Nodal Officers for coordinating functioning of the District Magistrates and Superintendents of Police or other authorized officers.

Such officers have been appointed in the States/UTs of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh, Uttarakhand, West Bengal, Chandigarh, Dadra & Nagar Haveli, NCT of Delhi and Puducherry.

#### **V. Delineation of “Identified Areas” or “atrocities prone areas” and undertaking of consequential steps.**

##### **(i) Identification of atrocities prone areas**

Rule 3(1)(i) of the PoA Rules, provides for identification of atrocities prone areas.

Andhra Pradesh, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Tamil Nadu, Telangana and Andaman and Nicobar Islands have identified the atrocities prone/sensitive areas.

##### **(ii) Appointment of Special Officers**

Rule 10 of the PoA Rules, provides for appointment of a Special Officer not below the rank of an Additional District Magistrate in the identified atrocities prone area, to co-ordinate with the District Magistrate, Superintendent of Police or other officers responsible for implementing the provisions of the Act.

Special Officers have been nominated by Governments of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Kerala, Madhya Pradesh, Mizoram, Odisha, Rajasthan, Tamil Nadu, Telangana, West Bengal and UT Administration of

Andaman & Nicobar Islands Chandigarh, Dadra and Nagar Haveli, NCT of Delhi and Puducherry.

## **VI. State and District Level Vigilance and Monitoring Committees**

Rule 16 and Rule 17 of the PoA Rules, provide for setting up of the State Level Vigilance and Monitoring Committee under the Chairpersonship of the Chief Minister and the District level Vigilance and Monitoring Committees under the Chairpersonship of the District Magistrate to review implementation of the provisions of the PoA Act.

Such Committees have been set up in the States/UTs of Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, NCT of Delhi and Puducherry.

## **VII. 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, Bengaluru, Chandigarh, Chennai, Guwahati, Hyderabad, Kolkata, Lucknow, Patna, Pune and Thiruvananthapuram, with specified jurisdiction to cover States/Union Territories.

## **B. National Commission for Scheduled Tribes (NCST)**

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 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, Bhubaneswar, 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 PoA ACT IN CONJUNCTION WITH THE IPC, DURING 2016**

### **3.1 Atrocities**

Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended by the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment, Act, 2015 (1 of 2016) specifies offences of atrocities against members of Scheduled Castes and Scheduled Tribes by a person not being a member of a Scheduled Caste or a Scheduled Tribe. In the aforesaid amended Act, various offences of atrocities have been rephrased and several new offences also added. Details of Section 3 of the Act are at **Annexure-I**.

This chapter gives statistical data on offences registered under the PoA Act in 2016. Source of all data given herein is the National Crime Records Bureau (NCRB), Ministry of Home Affairs (MHA).

### **3.2 All India figures of cases under PoA Act in conjunction with the IPC registered by the Police and their disposal by the Courts during the year 2014-2016.**

The following table indicates the comparative data in regard to registration of cases under the PoA Act in conjunction with the IPC, their pendency in Courts and conviction rate for the three years 2014, 2015 and 2016.

<b>S.No.</b>	<b>Item</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
1.	Number of cases registered with Police during the year	47124	44839	47338
2.	Percentage of cases pending in Court	85.3	87.3	89.3

3.	Percentage of cases ending in conviction	28.8	25.8	24.9
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### **3.3 State wise registration of offences of atrocities in 2016**

State-wise details of cases registered during 2016 under the PoA Act in conjunction with the IPC, are given in Table 3.1 below. In the table, States and UTs, have been arranged in descending order of the total number of atrocity cases registered in 2016.

**TABLE- 3.1**

#### **STATE-WISE CASES REGISTERED DURING 2016 UNDER THE PoA ACT, 1989 IN CONJUNCTION WITH THE IPC.**

S. No	State/Union Territory	Number of Cases registered during the year 2016			SC population as per 2011 Census and its % to total population (In lakhs)	ST population as per 2011 Census and its % to total population (In lakhs)	Number of Cases registered per lakh population as per 2011 Census	
		SC	ST	Total	SC	ST	SC	ST
1	2	3	4	5	6	7	8	9
	<b>States</b>							
1.	Uttar Pradesh	10426	4	10430	413.5 (20.7)	11.3 (0.6)	25.2	0.4
2.	Bihar	5701	25	5726	165.6 (15.9)	13.3 (1.3)	34.4	1.9
3.	Rajasthan	5134	1195	6329	122.2 (17.8)	92.3(13.5)	42.0	12.9
4.	Madhya Pradesh	4922	1823	6745	113.4 (15.6)	153.2(21.1)	43.4	11.9
5.	Andhra Pradesh	2335	405	2740	84.5 (17.2)	26.3 (5.4)	27.6	15.4
6.	Karnataka	1866	371	2237	104.7 (17.1)	42.4 (7.0)	17.8	8.7
7.	Odisha	1796	681	2477	71.8 (17.1)	95.9 (22.8)	25.0	7.1
8.	Maharashtra	1736	403	2139	132.7 (11.8)	105.1 (9.4)	13.1	3.8
9.	Telangana	1529	375	1904	54.3 (15.4)	32.9 (9.3)	28.1	11.3
10.	Gujarat	1321	281	1602	40.7 (6.7)	89.1 (14.8)	32.4	3.1
11.	Tamil Nadu	1287	19	1306	144.3 (20.0)	7.9 (1.1)	8.9	2.4
12.	Kerala	810	182	992	30.3 (9.1)	4.8 (1.5)	26.7	37.1
13.	Jharkhand	525	280	805	39.8 (12.1)	86.4 (26.2)	13.2	3.2
14.	Chhattisgarh	243	402	645	32.7 (12.8)	78.2 (30.6)	7.4	5.1
15.	Haryana	639	0	639	51.1(20.2)	Nil	12.5	Nil
16.	West Bengal	119	83	202	214.6(23.5)	52.9 (5.8)	0.6	1.6
17.	Punjab	132	2	134	88.6 (31.9)	Nil	1.5	Nil
18.	Himachal Pradesh	115	2	117	17.2 (25.2)	3.9 (5.7)	6.7	0.5
19.	Uttarakhand	65	3	68	18.9 (18.8)	2.9 (2.9)	3.4	1.0
20.	Goa	10	11	21	0.25 (1.7)	1.4 (10.2)	40.0	7.8
21.	Assam	4	1	5	22.3 (7.2)	38.8 (12.4)	0.2	Nil
22.	Tripura	0	3	3	6.5 (17.8)	11.6 (31.8)	Nil	0.2
23.	Sikkim	1	0	1	0.28 (4.6)	2.0 (33.8)	3.6	Nil

24.	Manipur	2	1	3	0.97 (3.8)	9.0 (35.1)	2.1	0.1
25.	Nagaland	0	0	0	Nil	17.1(86.5)	Nil	Nil
26.	Arunachal Pradesh	0	0	0	Nil	9.5 (68.8)	Nil	Nil
27.	Meghalaya	0	0	0	0.17 (0.6)	25.5 (86.1)	Nil	Nil
28.	Mizoram	0	0	0	0.1 (0.1)	10.3 (94.4)	Nil	Nil
29.	Jammu & Kashmir	<i>PoA Act, 1989 does not extend in the State</i>			9.2 (7.4)	14.9 (11.9)	Nil	Nil
<b>Union Territories</b>								
30.	Delhi	53	2	55	28.1 (16.8)	Nil	1.9	Nil
31.	Andaman & Nicobar Islands	0	6	6	Nil	0.28 (7.5)	Nil	21.4
32.	Dadra & Nagar Haveli	0	2	2	0.06 (1.8)	1.7 (52.0)	Nil	1.2
33.	Puducherry	2	1	3	1.9 (15.7)	Nil	1.1	Nil
34.	Chandigarh	1	0	1	1.9 (18.9)	Nil	0.5	Nil
35.	Daman & Diu	0	0	0	0.06 (2.5)	0.15 (6.3)	Nil	Nil
36.	Lakshadweep	0	1	1	Nil	0.61 (94.8)	Nil	1.6
	<b>Total</b>	<b>40774</b>	<b>6564</b>	<b>47338</b>	-	-	-	-

### **Atrocities against members of Scheduled Castes**

The following table shows the eleven States, cumulatively accounting for 93.3 % (38053) of the total cases (40774) relating to offences of atrocities against members of SCs, registered under the PoA Act in conjunction with the IPC, during the year 2016:

<b>S.No.</b>	<b>State</b>	<b>Cases of offences of atrocities against members of SCs registered under the PoA Act in 2016</b>
1.	Uttar Pradesh	10426
2.	Bihar	5701
3.	Rajasthan	5134
4.	Madhya Pradesh	4922
5.	Andhra Pradesh	2335
6.	Karnataka	1866
7.	Odisha	1796
8.	Maharashtra	1736
9.	Telangana	1529
10.	Gujarat	1321
11.	Tamil Nadu	1287
	<b>Total</b>	<b>38053</b>

### **Atrocities against members of Scheduled Tribes**

The following table shows the eleven States, cumulatively accounting for 97.5% (6398) of the total cases (6564) relating to offences of atrocities against members of STs registered under the PoA Act in conjunction with the IPC, during the year 2016:

<b>S.No.</b>	<b>State</b>	<b>Cases of offences of atrocities against members of STs registered under the PoA Act in 2016</b>
1.	Madhya Pradesh	1823
2.	Rajasthan	1195
3.	Odisha	681
4.	Andhra Pradesh	405
5.	Maharashtra	403
6.	Chhattisgarh	402
7.	Telangana	375
8.	Karnataka	371
9.	Gujarat	281
10.	Jharkhand	280
11.	Kerala	182
	<b>Total</b>	<b>6398</b>

### **3.4 State-wise progress of investigation of cases by the Police in 2016**

Progress of investigation of cases by the police under the PoA Act in conjunction with the IPC, during the year 2016 is given in Table 3.2.

**TABLE - 3.2**

#### **Investigation done by Police during 2016 of Cases registered under the PoA Act in conjunction with the IPC.**

<b>S. No.</b>	<b>Item</b>	<b>Number of Cases</b>			
		<b>Number</b>		<b>Percentage to total</b>	
		<b>SC</b>	<b>ST</b>	<b>SC</b>	<b>ST</b>
1.	Total number of cases, including brought forward cases.	56,221	9,089	-	-
2.	Number of cases in which chargesheet filed in courts	30,999	5,272	55.1	58.0
3.	Number of cases withdrawn by the Government during investigation	16	4	0.1	0.1

4.	Number of cases closed after investigation	6,430	1,092	11.4	12.0
5.	Cases in which charge sheets were not laid but final report as true submitted during the year	2,148	119	3.8	1.3
6.	Number of cases pending with the police at the end of the year.	16,628	2,602	29.6	28.6

From the above, it is seen that 55.1% of the cases relating to Scheduled Castes were charge sheeted in courts during the year and 11.4 % cases were closed after investigation. Likewise 58% of the cases related to Scheduled Tribes were charge sheeted during the year and 12% cases were closed after investigation.

The State/UT wise registration of cases under PoA Act in conjunction with the IPC and the action taken by the Police, is given at **Annexure -II(A) & (B).**

### **3.5 State-wise Progress of Disposal of Cases by Courts in 2016**

The details in regard to disposal of cases by Courts under the PoA Act in conjunction with the IPC, during 2016, are given in table 3.3.

**TABLE-3.3**

#### **Disposal of Cases by Courts during 2016 under the PoA Act in conjunction with the IPC.**

S. No.	Item	Number of Cases			
		Number		Percentage to total	
		SC	ST	SC	ST
1.	Total number of cases, including brought forward cases.	1,44,316	23,344	-	-
2.	Number of cases disposed of by Courts	14,554	2,895	10.1	12.4
(a)	Number of cases ending in conviction	3,752	602	25.8	20.8
(b)	Number of cases ending in acquittal	10,802	2,293	74.2	79.2
3.	Number of cases compounded or withdrawn	462	88	0.3	0.4
4.	Number of cases pending with	1,29,300	20,361	89.6	87.2

	Courts				
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From the above table, it is seen that 10.1% of the total cases relating to Scheduled Castes were disposed of by courts during the year out of which 25.8% ended in conviction. Likewise 12.4% of the total cases relating to Scheduled Tribes were disposed of by courts during the year out of which 20.8% ended in conviction.

The State/UT wise as well as Scheduled Castes and Scheduled Tribes wise details are given at **Annexure – III (A) and (B)**.

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# CHAPTER 4

# **MEASURES TAKEN BY THE GOVERNMENT OF INDIA**

## **4.1 MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT**

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

The PCR Act and the PoA Act are implemented by the respective State Governments and Union Territory Administrations. For effective implementation of the two Acts, Central assistance is provided to them under the Centrally Sponsored Scheme for implementation of the PCR Act and the PoA Act, mainly for following purposes:-

- (i) Strengthening of enforcement and judicial machinery.
- (ii) Relief and Rehabilitation of atrocity victims.
- (iii) Incentive for Inter-Caste Marriages, where one of the spouses is a member of Scheduled Caste.
- (iv) Awareness generation.

The funding pattern of the Scheme is 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 the Union Territory Administrations receive 100% Central assistance. Central assistance of Rs. 355.86 crore was granted to 23 States and 2 UTs during 2017-18, State/UT wise details of which are given at **Annexure-IV**.

The Budget Estimate (BE), Revised Estimate (RE) and Expenditure under the Scheme during 2017-2018 were as under:-

<b><u>Item</u></b>	<b><u>Amount (Rs. In crores)</u></b>
1. BE	300.00
2. RE	300.00
3. Expenditure	355.86

#### **4.1.2 COMMITTEE CONSTITUTED FOR EFFECTIVE COORDINATION TO DEVISE WAYS AND MEANS TO CURB OFFENCES OF UNTOUCHABILITY AND ATROCITIES AGAINST MEMBERS OF SCs and STs AND EFFECTIVE IMPLEMENTATION OF THE PCR & PoA ACTs**

The Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its fourth report 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 PCR Act and the PoA Act, under the Chairpersonship of Union Minister for Social Justice and Empowerment, was set up in 2006. The present composition of the Committee is as under: -

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

	Scheduled Castes	
13.	One non-official representative from amongst Scheduled Tribes	Member
14.	Joint Secretary (SCD), Ministry of Social Justice and Empowerment	Member-Secretary

The Committee up to the end of the year 2017, has held twenty three meetings. Important points which emerged from these meetings relate to:-

- (i) Setting up of **exclusive special courts** for speedy trial of offences under the PoA Act,
- (ii) **Regular conduct of meetings** of the **State and District level Vigilance & Monitoring Committees**, as per Rules 16 and 17 of the PoA Rules,
- (iii) **Identification of atrocity prone areas** as per Section 21(vii) of the PoA Act and Rule 3(i) of the PoA Rules,
- (iv) Prompt action against **defaulting officials** under Section 4 of the PoA Act,
- (v) Invoking relevant provisions of the PoA Rules for **de-notifying defaulting public prosecutors**, and
- (vi) **Reviewing all cases of acquittal**, for appropriate remedial action.

#### **4.1.3 REGIONAL REVIEW MEETINGS WITH STATES/UTS.**

5 Regional Review meetings were held under the Chairpersonship of Hon'ble Minister for Social Justice and Empowerment to review implementation of schemes were held on 22.06.2017 at Ranchi with the States of Bihar, Jharkhand, Odisha and West Bengal, on 07.07.2017 at Chandigarh with States of Haryana, Himachal Pradesh, Jammu and Kashmir, Punjab and UT of Chandigarh, on 13.07.2017 at Ahmedabad with the States of Gujarat, Goa, Maharashtra, Madhya Pradesh,

Rajasthan and UT of Daman and Diu and Dadra and Nagar Haveli, on 29.08.2017 at New Delhi with the States of Chhattisgarh, Uttar Pradesh and NCT of Delhi and on 11.09.2017 with the States of Andhra Pradesh, Karnataka, Kerala, Puducherry, Tamil Nadu, Telangana, and UT of Andaman & Nicobar Islands and Lakshdweep wherein the subject matter of implementation of the PoA Act was also reviewed.

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

The Ministry of Social Justice and Empowerment has been addressing the State Governments/Union Territory Administrations to implement the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989 in letter and spirit. After the amendments were done in the PoA Act and the PoA Rules, the Secretary, Department of Social Justice and Empowerment, Ministry of Social Justice and Empowerment vide D.O. letter dated 19.05.2016 addressed to the Chief Secretaries of concerned States/UTs, inter-alia, mentioned that the amendments done in the PoA Act and the PoA Rules have enlarged the responsibility of the State Governments and Union Territory Administrations towards their effective implementation and that the concerned Departments and Authorities should take immediate required action so that provisions of the PoA Act and PoA Rules as amended are implemented in right earnest. The specific points in this regard for appropriate action on:-

- (i) First Information Report(FIR), investigation, video-recording of proceedings, filing of charge sheet and prosecution,
- (ii) Setting up of Special Courts and Exclusive Special Courts and time lines for disposal of cases,
- (iii) Specification of Special Public Prosecutors and Exclusive Special Public Prosecutors,
- (iv) Protection of victims, their dependents and witnesses,
- (v) Rights of Victims and Witnesses,
- (vi) Willful neglect of duties by public servants not being a member of a SC or a ST,
- (vii) Supervision of Prosecution,
- (viii) Time line for disbursement of relief etc,
- (ix) Sensitization of Officers about provisions of PoA Act and PoA Rules as amended,
- (x) Awareness generation,
- (xi) Publicity of provisions of the PoA Act and PoA Rules as amended

The Hon'ble Union Minister for Social Justice and Empowerment vide D.O. letter dated 13.05.2016 addressed to the Chief Ministers of concerned States/UTs, also requested the concerned Departments to take necessary action in notifying the amended PoA Act and the amended PoA Rules in the State Gazette as well to disseminate information to all concerned agencies and also sensitize police and other Officers about provisions of PoA Act and PoA Rules and to ensure the effective implementation of the Act and Rules.

#### **4.1.5 RADIO PROGRAMME**

Four radio programmes on the theme of removal of untouchability and prevention of atrocities were telecast, under the series sponsored by the Ministry called, "Sanwanti Jayein Jivan Ki Rahen".

#### **4.2 MINISTRY OF HOME AFFAIRS**

The Ministry of Home Affairs has also been advising the States/UTs, from time to time regarding steps that need to be taken to afford a greater measure of protection to members of SCs and STs. These advisories, inter-alia, include sensitization and training of the police personnel/ law enforcement agencies, minimizing delays in investigation of cases of atrocities against SCs/STs and improving the quality of investigation, recruitment of sufficient number of persons belonging to SCs/STs as police personnel, programmes for creating awareness among vulnerable sections of the society and legal recourse open to them, adopting appropriate measures for swift and strict punishment to public servants found guilty of neglect of duty and violence against SCs/STs, setting up of special courts and improving the effectiveness of schemes developed for the welfare and rehabilitation of SCs/STs, who are victims of crime. Through the advisories, the State Governments were also requested to undertake a comprehensive review of the effectiveness of the machinery in tackling the issues of SCs/STs and to take appropriate measures aimed at increasing the responsiveness of the law enforcement/ law and order machinery. Ministry of Home Affairs vide their letter no. 15011/13/2016-SC/ST-W, dated 23.05.2016 also addressed the Chief Secretaries of concerned States/UTs, to take necessary action in complying with the provisions of the amended PoA Act.

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

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: -

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

All India Radio (AIR) Stations have been broadcasting programmes in different formats like talks, interviews of the experts in the field, discussions, spots, slogans etc in a simple and interesting way to catch the attention of the audience on issues concerning 'Eradication of Untouchability'. During the year 2017, 17 such programmes were broadcast by AIR Stations.

#### **4.3.2 PRESS INFORMATION BUREAU**

The Press Information Bureau (PIB) issued press release on the subject of 'Untouchability in India & 'Eradication of Untouchability' and Atrocities on the members of Scheduled Castes.

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# **CHAPTER 5**

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

## **5.1 ANDHRA PRADESH**

### **5.1.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance & Monitoring Committee functions under the Chairpersonship of the Chief Minister to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

District Level Vigilance & Monitoring Committees are functioning in all Districts under the Chairpersonship of the District Collectors, elected Member of Parliament/State Legislative Assembly/Legislative Council, Superintendent of Police and other Official and non-official as Members. During the year 2017, 34 meetings were held in 13 districts of the State.

### **5.1.2 STATE LEVEL SC AND ST PROTECTION CELL**

A SC & ST Protection Cell at State Level is headed by an Inspector General of Police (CID) and functions under the control and supervision of Additional Director General of Police (CID), assisted by DSPs and other supporting staff. A Deputy Superintendent of Police has also been appointed in each of seven regions exclusively to deal the offences of atrocities. Monthly Survey is conducted by senior Police Officers. Whenever serious atrocity cases are reported, they make to spot inspections.

### **5.1.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 430 cases, investigation and filing of the charge sheet was done within

sixty days and that in 498 cases investigation and filing of the charge sheet was done in later than sixty days.

#### **5.1.4 APPOINTMENT OF OFFICER**

##### **A. NODAL OFFICER**

The Director of Social Welfare has been designated as the Nodal Officer under Rule 9 of the PoA Rules, for coordinating the functioning of District Magistrates and Superintendents of Police.

##### **B. SPECIAL OFFICER**

The Joint Collectors of the nine atrocity prone districts have been appointed as Special Officers.

#### **5.1.5 IDENTIFICATION OF ATROCITY PRONE AREAS**

The details of identified atrocity prone areas are as under: -

<b>S.No.</b>	<b>Identified District</b>	<b>Specific areas within District, identified as atrocity prone areas</b>
1.	Kadapa District	5
2.	Kurnool District	6
3.	Srikakulam District	1
4.	East Godavari(Kakinada) District	35
	<b>Total</b>	<b>47</b>

#### **5.1.6 SPECIAL COURTS**

The Government of Andhra Pradesh has set up 13 Special Courts in the districts of Chittoor, Guntur, Nellore, Kurnool, Prakasham at Ongole, Kadapa, Krishna, East Godavari, Ananthapur, Srikakulam, Vizianagaram, Visakhapatnam, West Godavari and 1 Exclusive Special Court in Laxmipeta village at Srikakulam.

### **5.1.7 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Special Public Prosecutors and Exclusive Special Public Prosecutors have been appointed to plead the cases in 13 Special Courts and in 1 Exclusive Special Court, as detailed in Para 5.1.6 above.

### **5.1.8 PUBLICITY AND AWARENESS GENERATION**

Sensitization and Training programmes were conducted for field functionaries of Social Welfare, Police and Revenue Departments. The details are as under:-

- Boards depicting on provisions of PoA Act in Police Stations and Tahsildar Offices.
- Media campaign launched against evil practice of untouchability and offences of atrocity PoA Act in AIR, Press and on APSRTC buses.
- Awareness workshops organized by reputed NGOs.
- Kala Jathas by Scheduled Castes cultural troupes on evils of untouchability.
- 'Sanghika Samkshema Sadassulu' were conducted in all Assembly Constituencies.
- All the SDPOs in the State were issued booklets on Guidelines for the investigating officers, in the investigation of cases under the PoA Act as amended.
- All the DSPs of PCR Cells, CID were sensitized in the in-House Training Programmes.
- Basic training for DSPs on the provisions of PoA Act was held including syllabus on training programme for DSPs.

During the year 2017, all officers of all Police units were sensitized and 2081 other officials were sensitized. 162 publicity/awareness programmes were also conducted during the year.

### **5.1.9 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Travelling and maintenance expenses are provided to the victims, their dependents and witnesses in accordance with the PoA Rules. During

the year 2017, 249 persons were provided travelling and maintenance expenses.

#### **5.1.10 ECONOMIC AND SOCIAL REHABILITATION OF VICTIMS OF ATROCIES**

The State Government provides for relief and rehabilitation to the victims of offences of atrocities in accordance with Rule 12 (4) of the PoA Rules. During the year 2017, 1069 persons were provided relief in all 13 districts.

#### **5.1.11 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

In accordance with Rule 12 (4) and 12(4) (A) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, the relief and rehabilitation to the victims of offences of atrocities provided within seven day to 10 persons with authorization by the State Government and in 738 persons were provided later than seven days.

#### **5.1.12 LEGAL AID**

Free legal Aid is given to deserving families belonging to Scheduled Castes and the Scheduled Tribes through Sub-Divisional Level Legal Aid Committee with the Deputy Commissioner of the District as Chairman. There is no income limit fixed for eligibility to provide legal aid to the victims of atrocities. During the year 2017, 1311 persons were provided legal aid.

## **5.2 ARUNACHAL PRADESH**

Arunachal Pradesh is a predominantly a Tribal State and all resources of the State are geared for protection and promotion of the members of Scheduled Tribes and the State does not have any Scheduled Castes population.

### **5.2.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance & Monitoring Committee functions under the Chairpersonship of the Chief Minister to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The Deputy Commissioner of every district has been empowered to constitute the District Level Vigilance & Monitoring Committees as per Rule 17 of the PoA Rules.

## **5.3 ASSAM**

### **5.3.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

State Level Vigilance & Monitoring Committee has been constituted under the Chairpersonship of the Chief Minister to review implementation of the PoA Act.

### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

District Level Vigilance & Monitoring Committees under the Chairpersonship of the District Magistrates have been constituted in 20 Districts to review implementation of the PoA Act.

### **5.3.2 STATE LEVEL SC AND ST PROTECTION CELL**

A SC and ST Protection Cell at State level functions under the supervision of Director General of Police. The Cell consists of Additional Director General of Police (CID), Inspector General of Police (A), Deputy Inspector General of Police (Range) and all Superintendents of Police.

### **5.3.3 APPOINTMENT OF OFFICERS**

#### **A. NODAL OFFICER**

The Director, Welfare of Scheduled Castes, Assam is the Nodal Officer.

#### **B. SPECIAL OFFICER**

There was no instance of atrocity, and no area has been specified as an atrocity prone in the State. However, in accordance with Rule 10 of the PoA Rules, the Additional District Magistrate (Magistracy Branch) in each district has been appointed as a Special Officer.

### **5.3.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no atrocity prone area in the State.

### **5.3.5 SPECIAL COURTS**

33 Special designated Courts have been functioning in the State to try the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

### **5.3.6 PUBLICITY AND AWARENESS GENERATION**

The State level and District level awareness programmes on the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 were organized and leaflets distributed.

### **5.3.7 LEGAL AID**

Free legal aid is given to deserving families belonging to members of Scheduled Castes and Scheduled Tribes through Sub-Division Level Legal Aid Committees.

## **5.4. BIHAR**

### **5.4.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

State Level Vigilance & Monitoring Committee functions under the Chairpersonship of the Chief Minister to review implementation of the Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

District Level Vigilance & Monitoring Committees function under the Chairpersonship of District Collector. During the year 2017, 103 meetings were held in 38 districts of the State to review various aspects of implementation of the PoA Act and the PoA Rules.

#### **SUB DIVISIONAL LEVEL COMMITTEES**

Sub Divisional Level Committees under the Chairpersonship of Sub Divisional Magistrate have been constituted. During the year 2017, 43 meetings were held in 38 Sub Divisions, out of 103 Sub-Divisions.

### **5.4.2 STATE LEVEL SC AND ST PROTECTION CELL**

At State Level, a Scheduled Castes and Scheduled Tribes Cell has been functioning under the charge of Additional Director General of Police, (Weaker Section), with supporting staff.

### **5.4.3 SPECIAL POLICE STATIONS**

40 Special Police Stations are functioning in 38 districts in the State, namely Patna, Nalanda, Rohtas, Bhabhua, Bhojpur, Buxer, Gaya, Jehanabad, Arwal, Nawada, Aurangabad, Saran, Siwan, Gopalganj, Muzaffarpur, Sitamarhi, Sheohar, West Champaran (2), East Champaran, Vaishali, Darbhanga, Madhubani, Samastipur, Saharsa, Supal, Madhepura, Purnia, Araria, Kisanganj, Katihar, Bhagalpur (2), Banka, Munger, Lakhisarai, Sheikhpura, Jamui, Khagaria and Begusarai.

#### **5.4.4 APPOINTMENT OF OFFICERS**

##### **A. NODAL OFFICER**

The Secretary, Home Department, is the Nodal Officer, who from time to time convenes the meetings to review implementation of the PoA Act.

##### **B. SPECIAL OFFICER FOR DISTRICTS HAVING ATROCITY PRONE AREAS**

The Additional District Magistrate, in each district, has been designated as a Special Officer to co-ordinate the functioning with the District Magistrate/ Superintendent of Police or other officers responsible for the implementation of the provisions of the PoA Act and the Rules notified there under.

#### **5.4.5 INVESTIGATION OF THE CASE AND FILING OF CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 1969 cases investigation and filing of the charge sheet was done within sixty days and that in 325 cases investigation and filing of the charge sheet was later than sixty days.

#### **5.4.6 IDENTIFICATION OF ATROCITY PRONE AREAS**

In the State, 33 districts have been identified as sensitive from the point of view of atrocities against members of Scheduled Castes and Scheduled Tribes. These districts are Patna, Nalanda, Rohtas, Bhabhua,

Bhojpur, Buxer, Gaya, Jehanabad, Nawada, Aurangabad, Saran, Siwan, Gopalganj, Muzaffarpur, Sitamarhi, West Champaran (Betia), East Champaran (Motihari), Vaishali, Darbhanga, Madhubani, Samastipur, Saharsa, Madhepura, Purnia, Bhagalpur, Banka, Munger, Sheikhpura, Begusarai, Khagaria, Katihar, Jamui and Araria.

#### **5.4.7 SPECIAL COURTS**

The Court of Additional District Session Judge has been specified as a Special Court under the PoA Act in each district. In addition, five Exclusive Special Courts also function at Patna, Gaya, Bhagalpur, Muzaffarpur and Begusarai Districts.

#### **5.4.8 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Special Public Prosecutors have been appointed in 31 Special Courts and Exclusive Special Public Prosecutors in 5 Exclusive Special Courts, to plead the cases under the PoA Act.

#### **5.4.9 PUBLICITY**

Funds have been allotted to all Districts for Publicity/Awareness by the way of hoardings at District and Block levels for creating awareness.

For creating awareness amongst public, copies of the PoA Act and the PoA Rules were distributed at Panchayat, District and State level.

#### **5.4.10 SENSITISATION OF OFFICERS**

During the year 2017, 40 District Magistrates, 40 Superintendents of Police and 40 Officer In charge of Thanas, 38 Additional District Magistrates, 38 District Welfare Officers were sensitized through video conference in review meeting of Chief Secretary in every month.

#### **5.4.11 RELIEF TO ATROCITY VICTIMS**

During the year 2017, 2976 atrocity victims were provided relief.

#### **5.4.12. TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

The State Government provides travelling and maintenance expenses to the witnesses and victims of atrocity during the investigation before the inquiry officer and to attend the trial in the court. During the year 2017, 542 persons were provided travelling and maintenance expenses.

#### **5.4.13 LEGAL AID**

Free legal aid is given to members of Scheduled Castes and Scheduled Tribes.

## **5.5. CHHATTISGARH**

### **5.5.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee is headed by the Chief Minister, to review the implementation of the PoA Act. During the year 2017, one meeting of the Committee was held.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees are headed by the District Collectors. During the year 2017, 96 meetings were held in 27 districts.

#### **SUB DIVISIONAL LEVEL COMMITTEES**

Sub Divisional level Committees under the Chairpersonship of Sub Divisional Magistrate/Dy. Collector have been constituted. During the year 2017, 83 meetings were held in 74 Sub Divisions.

### **5.5.2 STATE LEVEL SC AND ST PROTECTION CELL**

At State Level, a Scheduled Castes and Scheduled Tribes Protection Cell, in the Police Headquarters has been functioning under the charge of Deputy Inspector General of Police with supporting staff.

### **5.5.3 SPECIAL POLICE STATIONS**

Special Police Stations are functioning in 13 districts namely Raipur, Durg, Rajnandgaon, Kabirdham, Mahasumud, Bilaspur, Raigarh, Korba, Janjgir-Champa, Sarguja, Surajpur, Baster and South Baster Dantewada.

#### **5.5.4 INVESTIGATION OF THE CASE AND FILING OF CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 306 cases investigation and filing of the charge sheet was done within sixty days and that in 322 cases investigation and filing of the charge sheet was done later than sixty days.

#### **5.5.5 APPOINTMENT OF OFFICERS**

##### **A. NODAL OFFICER**

The Secretary, Scheduled Tribes and Scheduled Castes Development Department, is the Nodal Officer, who from time to time convenes the meetings to review implementation of the PoA Act.

##### **B. SPECIAL OFFICER FOR DISTRICT HAVING ATROCITY PRONE AREAS**

There is no identified atrocity prone area in the State. However, Special Officers have been appointed in the Districts of Balod, Baloda Bazar, Korba, Mungeli, Korea, North Baster Kanker, South Baster Dantewada as per Rule 10 of the PoA Rules.

#### **5.5.6 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no identified atrocity prone area in the State.

#### **5.5.7 SPECIAL COURTS**

Three Exclusive Special Courts are functioning in the districts of Mahasmand, Dhamtari and Kondagaon. In the twenty one districts of Raipur, Durg, Baloda Bazar, Rajnandgaon, Kabirdham, Balod, Bemetara, Bilaspur, Raigarh, Janjgir-Champa, Korba, Mungeli, Sarguja, Jashpur, Surajpur, Balrampur, Korea, Baster, Kanker, Dantewada and Kondagaon for trial of cases of offences of atrocities under the PoA Act, District Session Courts have been designated as Special Courts.

### **5.5.8 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Special Public Prosecutors have been appointed in 21 Special Courts and Exclusive Special Public Prosecutors appointed in 3 Exclusive Special Courts, to plead the cases under the PoA Act.

### **5.5.9 ACTION TAKEN TO RECOGNISE/REWARD PERSONS**

In recognition of exemplary work done in the field of prevention of atrocities and removal of untouchability, seven persons were given Shield, cash award and an appreciation certificate.

### **5.5.10 LEGAL AID**

Legal aid is provided to members of Scheduled Castes and Scheduled Tribes in rural areas in the cases which relate to disputes of land, offences of atrocities and where trial is pending in the Session Courts. During the year 2017, 570 such persons were provided legal aid in 21 districts.

### **5.5.11 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

The State Government provides travelling and maintenance expenses to the witnesses and victims of atrocity during the investigation before the inquiry officer and to attend the trial in the court. During the year 2017, 732 persons were provided travelling and maintenance expenses in Durg, Rajnandgaon, Dhamtari, Kabirdham, Gariyaband, Balod, Baloda Bazar, Bilaspur, Raigarh, Korba, Sarguja, Jashpur, Korea, Baster and South Baster Dantewada districts.

### **5.5.12 RELIEF AND REHABILITATION**

During the year 2017, 626 atrocity victims were provided relief and rehabilitation in 25 districts.

#### **5.5.13 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, of 189 cases which ended in acquittal, appeals against acquittals were filed in 18 cases in superior courts.

#### **5.5.14 PUBLICITY AND AWARENESS GENERATION**

During the year 2017, 297 Police Officers, 31073 other Officers were sensitized and 88 publicity awareness programmes were conducted.

### **5.6 GOA**

### **5.6.1 COMMITTEE**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee under the Chairpersonship of Chief Minister has been constituted to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees are functioning under the Chairpersonship of the District Magistrate, North Goa and South Goa to review cases of atrocities under the PoA Act. During the year 2017, two meetings were held.

#### **SUB DIVISIONAL LEVEL COMMITTEES**

Sub Divisional level Committees under the Chairpersonship of Sub Divisional Magistrate/Dy. Collector have been constituted.

### **5.6.2 APPOINTMENT OF OFFICERS**

#### **NODAL OFFICER**

The Additional Secretary, Department of Personnel is the Nodal Officer and coordinates the functioning of the District Magistrate and Superintendent of Police and other officers, responsible for implementing provisions of the PoA Act.

### **5.6.3 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no specific area where member of SC/ST are likely to be subjected to offences of atrocities.

### **5.6.4 SPECIAL COURTS**

The State Government has designated District and Session Courts at Panaji and Margoa (North & South Goa) as Special Courts for the speedy trial of cases under the PoA Act.

#### **5.6.5 SPECIFICATION OF SPECIAL PUBLIC PROSECUTOR AND EXCLUSIVE SPECIAL PUBLIC PROSECUTOR**

Two Special Public Prosecutors were appointed for conducting PoA Act related cases in the Special Courts in the North Goa District and South Goa District.

#### **5.6.6 SENSITIZATION OF OFFICERS**

All the SDPOs and In-charge of Police Stations were sensitized in respect of provisions of the PoA Act.

#### **5.6.7 LEGAL AID**

The State Government has formulated a scheme to provide Free Legal Aid to members of Scheduled Castes and Scheduled Tribes without any economic criteria.

### **5.7 GUJARAT**

## **5.7.1 COMMITTEES**

### **A. HIGH LEVEL COMMITTEE**

A High Level Committee under the Chairpersonship of the Chief Minister reviews implementation of the PoA Act. The Ministers of Finance, Revenue, Social Justice and Empowerment, some Members of Parliament, State Legislature and Senior Government Officers are members of the Committee. The Committee's last meeting was held on 23.01.2017.

### **B. STATE LEVEL COMMITTEE**

A State Level Committee under the Chairpersonship of the Principal Secretary-in-charge of Social Justice & Empowerment Department reviews the reports of the Vigilance Officers of the three Vigilance Squads. The Committee consists of Home Secretary, Legal Secretary and Special Inspector General of Police etc. During the year 2017, two meetings of the State level Committee were held on 11.07.2017 and 16.07.2017.

### **C. DISTRICT LEVEL VIGILANCE & MONITORING COMMITTEE**

At district level, a District Vigilance and Monitoring Committee under the Chairpersonship of the District Collector of the respective district reviews implementation of the PoA Act. The Committee consists of District Panchayat President, Chairperson of District Social Justice Committee, District Development Officer, District Superintendent of Police, Government Public Prosecutor, Members of Parliament and Members of Legislative Assembly and prominent Social Workers of respective Districts. During the year 2017, 148 meetings of the Committees were held.

### **D. PRANT LEVEL COMMITTEE**

Prant Level Committees have been set up at every Prant under the Chairpersonship of Sub-Divisional Magistrate to review implementation of the PoA Act. The Chairperson of Prant Social Justice Committees, Public Prosecutor, Police Inspector and Sub Inspector of the Prant are members of the Committee. During the year 2017, the Committee held 710 meetings.

## **E. CITY LEVEL COMMITTEE**

Under the Chairpersonship of the Police Commissioner, City Level Committees have also been set up to review implementation of the PoA Act. Government Public Prosecutor, Municipal Commissioner and Scheduled Caste/ Scheduled Tribe Members of Municipal Corporation are members of these Committees. During the year 2017, the Committee held 24 meetings.

### **5.7.2 STATE LEVEL SC AND ST PROTECTION CELL**

The SC and ST Protection Cell is working in the office of the Director General of Police, under the control of the Additional Director General of Police and assisted by one Dy. Inspector General of Police, one Dy. Superintendent of Police and other supporting staff. At district level, it is headed by a Deputy Superintendent of Police with supporting staff. 40 such Deputy Superintendent of Police looks after the work in 36 Districts and 4 Police Commissionerates.

At the Secretariat level, the Principal Secretary looks after the implementation of the PoA Act, while at the Directorate level, the Director looks after the work. A Special Cell called 'Nagrik Cell' is functioning in the Directorate and Dy. Director looks after the Cell. Three Regional Vigilance Officers are also working at Vadodara, Ahmedabad and Rajkot to look after incidents of atrocities within their jurisdiction.

### **5.7.3 INVESTIGATION OF THE CASE AND FILING OF CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 918 cases, investigation and filing of the charge sheet was done within sixty days and that in 268 cases investigation and filing of the charge sheet was done later than sixty days.

### **5.7.4 SPECIAL COURTS AND EXCLUSIVE SPECIAL COURTS**

Session Courts in all Districts have been specified as Special Courts. Besides, 16 Exclusive Special Courts in the districts of Ahmedabad (Rural), Anand, Banaskantha, Bharuch, Bhavnagar, Junagadh, Jamnagar, Gandhinagar, Bhuj, Mehsana, Patan, Rajkot, Surat, Surendranagar, Vadodara and Ahmedabad (City) and Special Courts in Navsari, Narmda, Porbandar, Geer Somnath, Aravalli and Dahod are also functioning to deal with cases under the PoA Act.

#### **5.7.5 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

27 Special Public Prosecutors have been appointed for 33 Special Courts and 16 Exclusive Special Public Prosecutors have been appointed for 16 Exclusive Special Courts, for conducting cases under the PoA Act.

#### **5.7.6 APPOINTMENT OF OFFICERS**

##### **A. NODAL OFFICER AT STATE LEVEL**

Principal Secretary, Social Justice & Empowerment is the Nodal Officer in accordance with Rule 9 of the PoA Rules.

##### **B. SPECIAL OFFICERS**

Three Regional Vigilance Officers have been nominated as Special Officers in accordance with Rule 10 of the PoA Rules, 1995 in the identified atrocity prone areas.

#### **5.7.7 IDENTIFICATION OF ATORCITIY PRONE AREAS**

11 districts have been identified as sensitive from the point of occurrence of offences of atrocities: -

1. Mehsana
2. Ahmedabad (Rural)
3. Junagadh

4. Kutch
5. Banaskantha
6. Kheda
7. Amreli
8. Rajkot (Rural)
9. Surendranagar
10. Vadodara (Rural)
11. Bharuch

#### **5.7.8 PUBLICITY AND AWARENESS GENERATION**

For wide publicity of the provisions of the PoA Act, printed booklets, both in Gujarati and English, have been circulated among the authorities, Village Panchayats, Social Workers and Voluntary Organizations. During the year 2017, five publicity/awareness programmes were held and 8321 police officials/officers were sensitized.

#### **5.7.9 EFFORTS FOR INVOLVING NON-GOVERNMENT ORGANIZATIONS**

Non-Governmental Organizations, Volunteers and the prominent leaders in the field are invited for active participation in the District Shibirs, State level Seminars and Workshops. Besides, the Government has set up Awareness Centres with help of Non-Governmental Organizations.

#### **5.7.10 ECONOMIC AND SOCIAL REHABILITATION**

The State Government provides prescribed relief amount etc to the atrocity victims. During the year 2017, the relief amount was given to 1515 persons belonging to Scheduled Castes in 33 districts.

#### **5.7.11 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, as against 1651 cases which ended in acquittal, appeals against acquittals were filed in 153 cases in superior courts.

## **5.8 HARYANA**

### **5.8.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

A State Level Vigilance and Monitoring Committee under the Chairpersonship of the Chief Minister held two meeting during the year 2017 to reviews implementation status of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in the State.

## **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

At the District level, a District Level Vigilance Monitoring Committee functions under the Chairpersonship of the District Magistrates. During the year 2017, the Committees held 52 meetings in 21 districts.

## **SUB DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEE**

At the Sub Divisional Level, a Sub-Divisional Level Vigilance and Monitoring Committee functions under the Chairpersonship of the Sub-Divisional Magistrate (Civil). During the year 2017, the Committees held 72 meetings in 22 districts. These Committees reviews implementation status of the PoA Act.

### **5.8.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Scheduled Castes and Scheduled Tribes Protection Cell under the direct supervision of Additional Director General of Police/Inspector General of Police has been set up at Police Headquarters, to deal with crimes against weaker sections of the society. A Special Cell has also been created in every district under the supervision of Superintendent of Police to ensure speedy investigation of cases of atrocities against members of Scheduled Castes.

### **5.8.3 APPOINTMENT OF OFFICERS**

#### **A. NODAL OFFICER AT STATE LEVEL**

An Additional Chief Secretary in Government of Haryana has been appointed as the Nodal Officer in accordance with Rule 9 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995.

#### **B. SPECIAL OFFICER**

There is no atrocity prone area in the State. However, as per Rule 10 of the PoA Rules, 1995, the District Magistrates of all the districts in the State have been designated as Special Officer.

#### **5.8.4 SPECIAL COURTS**

The Courts of District Session Judge and Additional Session Judge in each district has been designated as a Special Court to try offences under the PoA Act and Special Public Prosecutors have also been appointed for taking up the cases under the PoA Act.

#### **5.8.5 PUBLICITY AND AWARENESS GENERATION**

For wide publicity of the provisions of the PoA Act, advertisements were published from time to time in daily newspapers. For awareness of the provisions of the PoA Act amongst general public, several debates and seminars were organized in which Government Officers, Police Officers and Non-Governmental Organizations participated. Police Officers were also sensitized about provisions of the PoA Act. Special courses were regularly organized in the Haryana Police Academy to further equip police officers with better understanding about provisions of the PoA Act. Provisions of the PoA Act as amended have also been included in the syllabi of all basic and promotional courses for the trainees in Haryana Police Academy. During the year 2017, 116 debates and seminars were organized.

#### **5.8.6 RELIEF MEASURES**

Financial assistance is provided to the victims of atrocities, as per Rule 12 (4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 as amended. During the year 2017, relief amount was given to 486 persons.

#### **5.8.7 LEGAL AID**

Legal aid is provided to the Scheduled Caste persons in cases relating to practice of untouchability, denial of access to temples, wells and other public places, disputes relating to women and for ensuring reservation in services. Assistance is also provided for expenditure incurred on witnesses and payment of court fees. During the year, 2017, such legal aid was given to 46 beneficiaries.

#### **5.8.8 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Travelling and maintenance expenses were provided to the victims of atrocities and witnesses, as per the provisions of the PoA Rules, 1995.

#### **5.8.9 CONTIGENCY PLAN**

The State Government has formulated a Contingency Plan as required as per Rule 15 of the PoA Rules.

## **5.9 HIMACHAL PRADESH**

### **5.9.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

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

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Committees have also been functioning under the Chairpersonship of District Magistrate in each District. During the year 2017, 22 meetings were held in 12 districts.

### **5.9.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Special Cell has been set up at the State CID Headquarters, Shimla to monitor the offences of atrocities under the PoA Act. The Cell is functioning under the direct supervision of the Director General of Police. The Cell consists of Additional Director General of Police (CID), Inspector General of Police (Law & Order) and Superintendent of Police (CID/Crime).

### **5.9.3 INVESTIGATION OF THE CASE AND FILING OF CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 42 cases, investigation and filing of the charge sheet was done within sixty days and that in 45 cases investigation and filing of the charge sheet was done later than sixty days.

#### **5.9.4 APPOINTMENT OF OFFICER**

##### **A. NODAL OFFICER**

The Additional Chief Secretary/Principal Secretary, Social Justice and Empowerment Department, Government of Himachal Pradesh has been appointed as the Nodal Officer.

##### **B. SPECIAL OFFICER**

There is no atrocity prone area in the State. However, as required under Rule 10 of the PoA Rules, 1995, all the Additional District Magistrates of the concerned districts have been appointed as Special Officers.

#### **5.9.5 IDENTIFICATION OF ATORCITIY PRONE AREAS**

There is no identified atrocity prone in the State where the members of Scheduled Castes and Scheduled Tribes are likely to be subjected to atrocities.

#### **5.9.6 SPECIAL COURTS**

All the Courts of District and Session Judges in every district in the State have been designated as Special Courts to try offence under the PoA Act.

#### **5.9.7 SPECIAL PUBLIC PROSECUTORS**

All the Public Prosecutors (District Attorneys) attached with the Court of District and Session Judges have been designated as Special Public Prosecutors to conduct cases of offence under the PoA Act, within their respective jurisdiction.

### **5.9.8 PUBLICITY**

The State Government has taken the following steps to generate awareness among general masses and to sensitize the various Government functionaries:

- (i) 33 Awareness Camps were organized at District/ Sub Division/Tehsil/ Block and Gram Panchayat level for general public,
- (ii) Special training on the provisions of PoA Act was imparted to police officers/officials at Police Training Centre, Daroh, District Kangra,
- (iii) Two awareness programmes were conducted by the Police Department to sensitize the police officers.
- (iv) 35 Police Officers and 2369 other Officers were sensitized.

### **5.9.9 LEGAL AID**

Himachal Pradesh State Legal Services Authority is providing legal aid services to SCs/STs, women and children.

### **5.9.10 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

The State Government re-notified the rates of travelling and maintenance expenses and transport facilities to the victims of atrocities and their dependents/witnesses for visiting investigating officer or any other Executive Magistrate as per Notification dated 12.3.2018. During the year 2017, one person was given such travelling expenses.

### **5.9.11 RELIEF MEASURES**

Relief was provided to 62 atrocity victims as per prescribed norms.

### **5.9.12 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, as against 31 cases which ended in acquittal, appeals against acquittals were filed in 6 cases in superior courts.

## **5.10. JHARKHAND**

### **5.10.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

State Level Vigilance and Monitoring Committee has been constituted under the Chairpersonship of the Chief Minister to review the implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

At District Level, Committee functions under the Chairpersonship of the District Collector. During the year 2017, 96 meetings were held in 24 districts of the State.

### **5.10.2 STATE LEVEL SC AND 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 PoA Act. The Cell is headed by the Inspector General of Police, CID, Jharkhand. A Special Cell has also been set up in every district.

### **5.10.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in no cases, investigation and filing of the charge sheet was done within sixty days and that in 523 cases investigation and filing of the charge sheet was done later than sixty days.

#### **5.10.4 APPOINTMENT OF OFFICERS**

##### **A. NODAL OFFICER**

The Secretary, SC/ST/OBC & Minorities Welfare Department, Government of Jharkhand has been appointed as the Nodal Officer.

##### **B. SPECIAL OFFICER FOR DISTRICTS HAVING ATROCITY PRONE AREAS**

The Additional Collectors/Additional District Magistrates of all twenty four districts have been appointed as Special Officers.

#### **5.10.5 SPECIAL POLICE STATIONS**

Special Police Stations are functioning in 24 districts in the State, viz. Ranchi, Gumla, Simdega, Lohardaga, Chaibasa, Saraikela, Jamshedpur, Hazaribagh, Koderma, Chatra, Giridih, Palamu, Latehar, Garhwa, Dhanbad, Bokaro, Dumka, Godda, Jamtara, Deogarh, Sahebgang, Pakur, Khunti and Ramgarh.

#### **5.10.6 IDENTIFICATION OF ATROCITY PRONE AREAS**

In the State, no area has been identified as an atrocity prone area.

#### **5.10.7 SPECIAL COURTS AND EXCLUSIVE SPECIAL COURTS**

The Special Courts have been set up in 20 districts viz. Gumla, Simdega, Lohardaga, Chaibasa, Saraikela, Jamshedpur, Koderma, Chatra, Giridih, Palamu, Latehar, Garhwa, Bokaro, Dumka, Godda, Jamtara, Sahebgang, Pakur, Ramgarh and Khunti. Besides, four Exclusive Special Courts have been set up in the districts of Ranchi, Hazaribagh, Dhanbad and Deogher for trial of cases under the PoA Act.

#### **5.10.8 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

20 Special Public Prosecutors have been appointed for 20 Special Courts and 4 Exclusive Special Public Prosecutors have been appointed for 4 Exclusive Special Courts, for conducting cases under the PoA Act.

#### **5.10.9 PERIODIC SURVEY**

28 Periodic surveys were conducted in 24 districts of the State.

#### **5.10.10. PUBLICITY AND SENSITISATION OF OFFICERS**

For creating awareness amongst public, 36 publicity/awareness programmes were organized. During the year 2017, 786 Police officials and 208 other officials were also sensitized.

#### **5.10.11 RELIEF TO ATROCITY VICTIMS**

During the year 2017, 523 atrocity victims were provided relief and rehabilitation.

#### **5.10.12 LEGAL AID**

Legal aid and other facilities were provided subjected to atrocities to enable them to avail themselves of justice.

#### **5.10.13 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Traveling and maintenance expenses to victims of atrocities and witnesses were provided in accordance with the PoA Rules, 1995.

## **5.11 KARNATAKA**

### **5.11.1 COMMITTEE**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

A State Level Vigilance and Monitoring Committee under the Chairpersonship of the Chief Minister reviews implementation of the PoA Act. During the year 2017, one meeting of this Committee was held.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

District Level Committees have also been functioning under the Chairpersonship of the District Magistrate in each District to review implementation of the PoA Act. During the year 2017, 110 meetings were held in 30 districts.

#### **SUB-DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEES**

The Sub-Divisional Vigilance and Monitoring Committees have also been constituted under the Chairpersonship of Sub-Divisional Magistrate to review implementation of the PoA Act. During the year 2017, 107 meetings were held in 51 Sub-Divisions.

### **5.11.2 STATE LEVEL SC AND ST PROTECTION CELL**

The Civil Rights Enforcement Cell is functioning since 1975. Subsequently the Cell was re-designated as Directorate of Civil Rights Enforcement and is headed by an Additional Director General of Police. The Directorate comprises of seven regional offices at Mysore, Mangalore, Belgaum, Davanagere, Gulbarga and Bangalore, under the charge of a Superintendent of Police. Four district units at Kolar, Tumkur, Bagalkot and Bijapur districts are also functioning under the supervision of Deputy Superintendent of Police.

### **5.11.3 APPOINTMENT OF OFFICERS**

## **NODAL OFFICER**

The Principal Secretary, Social Welfare Department, Government of Karnataka has been appointed as the Nodal Officer.

### **5.11.4 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 1360 cases investigation and filing of the charge sheet was done within sixty days and that in 433 cases investigation and filing of the charge sheet was later than sixty days.

### **5.11.5 SPECIAL COURTS AND EXCLUSIVE SPECIAL COURTS**

For the purpose of speedy trial of cases under the PoA Act, the District Sessions Courts have been designated as Special Courts in 22 districts. Besides, eight Exclusive Special Courts for trial of offences under the PoA Act are functioning at Belagavi, Vijapura, Kalaburagi, Kolar, Mysuru, Raichur, Ramnagar and Tumkuru districts.

### **5.11.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Twenty two Special Public Prosecutors were specified for conducting cases in the twenty two designated Special Courts. Further eight Exclusive Special Public Prosecutors were specified for conduct the cases in eight Exclusive Special Courts.

### **5.11.7 IDENTIFICATION OF ATROCITY PRONE AREAS**

The Government of Karnataka has identified following atrocity prone areas in the State: -

<b>S. No.</b>	<b>Identified Districts</b>	<b>Specific areas within District identified as 'atrocitiy prone' areas</b>
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1.	Bangalore (U)	-
2.	Bangalore (R)	-
3.	Belagavi	-
4.	Ballari	-
5.	Vijapura	-
6.	Bidar	-
7.	Bagalkot	-
8.	Chikballapur	-
9.	Chikkamagaluru	-
10.	Chitradurga	-
11.	Chamaraja Nagar	-
12.	Dharwad	
13.	Dakshina Kannada	
14.	Davanagere	
15.	Gadag	
16.	Kalaburagi	-
17.	Haveri	-
18.	Hassan	-
19.	Kolar	-
20.	Koppal	-
21	Kodagu	(1) Virajpet Taluka Srimangala (2) Somwarpeth Taluka, Hebbal
22	Mandya	-
23	Mysuru	Nanjangud Taluka Kudiapura village, Hunsur Taluka Tripalpura and Hosurugate village Priyapatna Taluka Rajanbeligali Mysurue Taluka Madagalli village
24	Raichur	-
25	Ramanagar	-
26	Shimoga	-
27	Tumakuru	-
28	Udupi	-
29	Uttara Kannada	-
30	Yadgir	Yadagiri Taluk Gajarkot

#### **5.11.8 PUBLICITY AND SENSITISATION OF OFFICERS**

During the year 2017, 833 publicity and awareness programmes were conducted. 639 Police officials and 14101 other officials were also sensitized.

#### **5.11.9 LEGAL AID**

The Karnataka Legal Services Authority extends free services to the members of weaker sections including member of Scheduled Castes and Scheduled Tribes whose annual income is below Rs. 25,000/-. The main objective is to provide free legal aid and advice to the eligible persons through State Legal Services Authority, High Court Legal Services Committee, District Legal Services Authority and Taluk Legal Services Committee. During the year 2017, 764 persons were provided legal aid.

#### **5.11.10 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Travelling and Maintenance expenses were provided to the victims of atrocities as well as to witnesses. During the year 2017, 374 persons were provided such expenses.

#### **5.11.11 ECONOMIC & SOCIAL REHABILITATION**

During the year 2017, 2451 atrocity victims were provided relief and rehabilitation.

#### **5.11.12 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, out of 983 cases which ended in acquittal, appeals in 13 cases were filed in superior courts against acquittals.

## **5.12 KERALA**

### **5.12.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

A State Level Vigilance and Monitoring Committee functions under the Chairpersonship of the Chief Minister, to review implementation of the PoA Act. During 2017, one meeting of the Committees was held on 12.10.2017.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees under the Chairpersonship of District Collectors review implementation of the PoA Act. During 2017, 54 meetings of these Committees were held in 14 districts.

### **5.12.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Special Cell at the State Police Head Quarters functions under the supervision of the Additional Director General of Police and the Cell keeps a watch over handling of cases under the Act. It also monitors cases registered under the PoA Act as well as petitions presented by the members of Scheduled Castes and Scheduled Tribes.

### **5.12.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 127 cases investigation and filing of the charge sheet was done within sixty days and that in 401 cases investigation and filing of the charge sheet was done later than sixty days.

### **5.12.4 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

In accordance with Rule 12 (4) and 12(4) (A) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2017, the relief and rehabilitation to the victims of offences of atrocities was provided within seven day to 2 persons and in 152 persons relief was provided later than seven days.

#### **5.12.5 APPOINTMENT OF OFFICER**

##### **NODAL OFFICER**

The Principal Secretary, Scheduled Tribes Development Department has been appointed as the Nodal Officer.

##### **SPECIAL OFFICER**

The Special Officer has been appointed in the districts of Kasargod and Thiruvananthapuram (Rural) in accordance with the Rule 10 of the PoA Rules.

#### **5.12.6 IDENTIFICATION OF ATROCITY PRONE AREAS**

Kasargod and Thiruvananthapuram (Rural) districts have been identified as atrocity prone area.

#### **5.12.7 SPECIAL COURTS**

The Sessions Courts in the State have been designated as Special Courts.

#### **5.12.8 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Special Public Prosecutors have been specified for conducting cases in the designated Special Courts.

#### **5.12.9 SPECIAL MOBILE SQUADS/SPECIAL POLICE STATIONS**

Three Mobile Squads have been set up in Kasargod, Wayanad and Palakkad, districts.

#### **5.12.10 PUBLICITY AND SENSITISATION OF OFFICERS**

During the year 2017, 154 publicity/awareness programmes were conducted and 397 Police officers and 7690 other officers were sensitized.

#### **5.12.11 LEGAL AID**

During the year 2017, 132 persons belonging to Scheduled Caste and Scheduled Tribe availed of the legal aid.

#### **5.12.12 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Travelling and Dearness Allowance, Maintenance and Transport expenses were provided to the victims of atrocities as well as witnesses. During the year 2017, 169 Scheduled Castes and Scheduled Tribes persons were provided such expenses.

#### **5.12.13 ECONOMIC AND SOCIAL REHABILITATION**

During the year 2017, 509 Scheduled Castes and Scheduled Tribes atrocity victims were provided relief.

**5.12.14 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, of 245 cases which ended in acquittal, appeal against acquittal was filed in nine cases in superior court.

## **5.13 MADHYA PRADESH**

### **5.13.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

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

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

At the district level, District Level Vigilance and Monitoring Committees have been functioning under the Chairpersonship of the District Magistrate in each District to review implementation of the PoA Act. During the year 2017, 162 meetings were held in 51 districts.

### **5.13.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Cell under the charge of the Additional Director General of Police reviews implementation of the PoA Act. 51 Scheduled Caste Welfare (Anusuchit Jati Kalyan) Thanas under the Cell are required to, *inter-alia*, register cases of offences of atrocities.

### **5.13.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In 7429 cases, investigation and filing of charge sheet was done within sixty days and in 782 cases investigation and filing of charge sheet was done in later than sixty days.

### **5.13.4 APPOINTMENT OF OFFICERS**

#### **A. NODAL OFFICER AT THE STATE LEVEL**

A Secretary level officer has been nominated as a Nodal Officer under Rule 9 of the PoA Rules.

## **B. SPECIAL OFFICER FOR DISTRICTS HAVING ATROCITY PRONE AREAS**

Under Rule 10 of the PoA Rules, at the district level, an officer of the rank of Additional District Magistrate is the Special Officer in thirteen districts namely Bhopal, Vidisha, Bhind, Morena, Seopur, Dewas, Shajapur, Ratlam, Gwalior, Shivpuri, Chhatarpur, Raisen and Betul.

### **5.13.5 SPECIAL POLICE STATIONS**

Special Police Stations are functioning in 51 Districts namely Gwalior, Shivpuri, Guna, Ashok Nagar, Morena, Sheopur, Bhind, Datia, Ujjain, Mandso, Neemuch, Ratlam, Dewas, Shajapur, Jabalpur, Katni, Chhindwara, Seoni, Narsinghpur, Mandla, Dindory, Balghat, Rewa, Satna, Sidhi, Shahdole, Umaria, Anoopur, Hoshangabad, Harda, Raisen, Betul, Bhopal, Sehore, Rajgarh, Vidisha, Indore, Dhar, Jhabua, Khargone, Barwani, Khandwa, Burhanpur, Sagar, Damoh, Panna, Chhatarpur, Tikamgarh, Singru, Alirajpur and Agar Malwa, to investigate offences of atrocities against members of Scheduled Castes and Scheduled Tribes.

### **5.13.6 IDENTIFICATION OF ATROCITY PRONE AREAS**

In the State, 13 districts have been identified, where members of SCs and STs are likely to be subjected to atrocities.

<b>S. No.</b>	<b>Districts</b>	<b>S. No.</b>	<b>Police Stations</b>	<b>Number of Village/ Mohalla</b>
1.	Bhopal	1	Khajuri Sadak	01. Bairagarh Kala
	<b>Total</b>		<b>1</b>	<b>01</b>
2.	Vidisha	1	Kotwali	01. Mohangiri
		2	Kotwali	02. Lohangi Mohalla
	<b>Total</b>		<b>2</b>	<b>02</b>
3.	Bhind	1	Dehat	01. Mahaveer Nagar, BTI Road
	<b>Total</b>		<b>1</b>	<b>01</b>
4.	Morena	1	Station Road Thana	01. Tussipura
		2	Station Road Thana	02. Subhash Nagar
		3	Kotwali	03. Gopalpura
		4	Ambah	04. Pootha Vadfara
	<b>Total</b>		<b>4</b>	<b>04</b>
5.	Seopur	1	Karahal	01. Karahal
	<b>Total</b>		<b>1</b>	<b>01</b>
6.	Dewas	1	Kannod	01. Kannod
		2	Khategaon	02. Bagda

		3	Khategaon	03. Sandalpur
		4	Khategaon	04. Kanabugurga
		5	Khategaon	05. Badibarecha
		6	Khategaon	06. Gannora
		7	Satwas	07. Bhandaria
		8	Bagli	08. Ismailkhedi
		9	Bagli	09. Kamalpur
		10	Bagli	10. Punjapura
		11	Bagli	11. Karnavad
		12	Bagli	12. Mankundi
		13	Bagli	13. Khajuria
		14	Sonkachh	14. Chhayanmena
		15	Pipalrawa	15. Pipalrawa
		16	Pipalrawa	16. Surjana
		17	Pipalrawa	17. Deharipeth
	<b>Total</b>		<b>17</b>	<b>17</b>
7.	Shajapur	1	Sujalpur Mandi	01. Mandi Sujalpur
	<b>Total</b>		<b>1</b>	<b>01</b>
8.	Ratlam	1	Alot	01. Alot
		2	Namli	02. Namli
	<b>Total</b>		<b>2</b>	<b>02</b>
9.	Gwalior	1	Hajira	01. Hajira Chauraha
	<b>Total</b>		<b>1</b>	<b>01</b>
10.	Shivpuri	1	Kotwali	01. Lalmati Fatehpur
		2	Narwar	02. Magroni
	<b>Total</b>		<b>2</b>	<b>02</b>
11.	Chhatarpur	1	Maharajpur	01. Kasba Maharajpur
		2	Maharajpur	02. Maharajpur
	<b>Total</b>		<b>2</b>	<b>02</b>
12.	Raisen	1	Obedullah ganj	01. Arjun Nagar
	<b>Total</b>		<b>1</b>	<b>01</b>
13.	Betul	1	Betul	01. Sadar
		2	Betul	02. Hamlapur
		3	Betul	03. Kothi Bajar
		4	Betul	04. Ganj
		5	Betul	05. Tikari
		6	Betul	06. Sarani
		7	Betul	07. Pathakheda
		8	Betul	08. Shobhapur
	<b>Total</b>		<b>8</b>	<b>08</b>
<b>Grand total 1 to 13</b>			<b>42</b>	<b>42</b>

### 5.13.7 SPECIAL COURTS AND EXCLUSIVE SPECIAL COURTS

Apart from seven Special Courts at Anoopur, Ashok Nagar, Umaria, Dindorie, Burhanpur, Alirajpur and Singruli, 43 Exclusive Special Courts are functioning at Gwalior, Shivpuri, Guna, Morena, Sheopur, Bhind, Datia, Ujjain, Mandso, Neemach, Ratlam, Dewas, Shajapur, Jabalpur, Katni, Chindwara, Seoni, Narsinghpur, Mandla, Balaghat, Rewa, Satna, Sidhi, Shahdole, Hoshangabad, Harda, Raisen, Betul, Bhopal, Sehore, Rajgarh, Videsha, Indore, Dhar, Jhabua, Khargone, Barwani, Khandwa, Sagar, Damoh, Panna, Chhatarpur and Tikamgarh.

#### **5.13.8 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

At present seven Special Public Prosecutors have been specified in the seven designated Special Courts and forty three Exclusive Special Public Prosecutors have also been specified in 43 Exclusive Special Courts, to conduct the cases of offence of atrocities under the PoA Act.

#### **5.13.9 AWARENESS GENERATION**

During the year 2017, 161 Seminars, 47 Sadhbhavna Shivirs, 308 Janjagran Shivirs and 41 Adarsh Gram Panchayat Purashkars were organized and 6078 Police officials and 33274 other officials were also sensitized.

#### **5.13.10 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

As per the provision of Section 21{(2) (ii)} of the PoA Act and Rule 11 of the PoA Rules, the State Government provides travelling and maintenance allowance to the witnesses and victims of offences of atrocities. During the year 2017, an expenditure of Rs. 35.99 lakh was incurred to provide such allowance to 10454 SC/ST persons.

#### **5.13.11 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

During the year 2017, an expenditure of Rs. 8708.59 lakh was incurred to provide relief and rehabilitation to 8872 SC/ST atrocity victims.

## **5.14 MAHARASHTRA**

### **5.14.1 COMMITTEES**

## **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

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

## **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees function under the Chairpersonship of the respective District Magistrates and review implementation of the PoA Act. Similarly Divisional Vigilance and Monitoring Committees meet every quarter and review the cases of atrocities. During the year 2017, 374 district level meetings were held in 36 Districts and 19 meetings were held at Divisional level.

## **SUB-DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEES**

The Sub-Divisional Vigilance and Monitoring Committees have also been constituted under the Chairpersonship of Sub-Divisional Magistrate to review implementation of the PoA Act. During the year 2017, 29 meetings were held in 10 Sub-Divisions.

### **5.14.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Special Cell is functioning at the State Police Headquarters under the supervision of Special Inspector General of Police with supporting staff comprising of Superintendent of Police, Deputy Superintendent of Police, Inspector, Sub Inspector, Assistant Police Inspector, Head Constables and Police Constables etc. PCR unit has also been functioning in 36 districts of the State.

Special machinery is also functioning in the Social Justice Department. Special District Social Welfare Officers at all the district places are required to implement the programmes to rehabilitate the victims of atrocities as per provisions of the PoA Act and the PoA Rules.

### **5.14.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In 226 cases, investigation and filing of charge sheet was done within sixty days and in 626 cases investigation and filing of charge sheet was done in later than sixty days.

### **5.14.4 NODAL OFFICER**

A Secretary level officer has been nominated as the Nodal Officer as per Rule 9 of the PoA Rules.

### **5.14.5 IDENTIFICATION OF ATROCITY PRONE AREAS**

Dhule, Bhandara, and Gadchiroli districts have been identified as atrocity prone area.

### **5.14.6 SPECIAL COURTS**

In each district, the Court of Session has been specified as a Special Court to try the cases of offences of atrocities under the PoA Act. Three exclusive Special Courts have been functioning at Nagpur, Aurangabad and Mumbai (Thane).

### **5.14.7 PUBLICITY MEASURES**

During the year 2017, 125 publicity and awareness programmes were conducted. 805 police officials and 2049 other officials were also sensitized.

### **5.14.8 LEGAL AID**

During the year 2017, 1145 number of persons subjected to atrocities were provided Legal Aid.

### **5.14.9 RELIEF MEASURES**

During the year 2017, 1808 atrocity victims were given relief.

### **5.14.10 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

In accordance with Rule 12 (4) and 12(4) (A) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, the relief and rehabilitation to the victims of offences of atrocities provided within seven day to 6 persons with authorization by the State Government and in 738 persons were provided later than seven days.

#### **5.14.11 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

As per the provision of Rule 11 of the PoA Rules, the State Government provides travelling and maintenance allowance to the witnesses and victims of offences of atrocities. During the year 2017, 43 persons belonging to Scheduled Castes and Scheduled Tribes were provided such expenses.

#### **5.14.12 PERODIC SURVEYS**

During the year 2017, 27 periodic surveys were conducted in Gadchiroli district.

#### **5.14.13 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, 2049 cases ended in acquittal and appeals against acquittals were filed in 94 cases in superior courts against acquittals.

## **5.14 MEGHALAYA**

### **5.15.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

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

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance & Monitoring Committees have been constituted in all districts of the State, under the Chairpersonship of the District Magistrate to review implementation of the PoA Act.

#### **SUB-DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEES**

The Sub-Divisional Vigilance and Monitoring Committees have also been constituted in 7 Districts under the Chairpersonship of Sub-Divisional Magistrate.

### **5.15.2 STATE LEVEL SC AND ST PROTECTION CELL**

The Scheduled Castes and Scheduled Tribes Protection Cell has been set up at the State Police Headquarters under the supervision of Deputy Inspector General of Police (CID) with supporting staff comprising of Special Superintendent of Police (CID).

### **5.15.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In no case, investigation and filing of charge sheet was done within sixty days and in one case investigation and filing of charge sheet was done in later than sixty days.

#### **5.15.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

No area has been identified as atrocity prone where the members of Scheduled castes are likely to be subjected to atrocities.

#### **5.15.5 SPECIAL COURTS**

The Courts of District and Sessions in Shillong, Jowai, Tura, Nongpoh, Nongstoin and Willimnagar have been specified as Special Courts to try cases under the PoA Act.

#### **5.15.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTOR AND EXCLUSIVE SPECIAL PUBLIC PROSECUTOR**

Special Public Prosecutors have been appointed, to try cases under the PoA Act in Special Courts.

## **5.16 MIZORAM**

### **5.16.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

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

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance & Monitoring Committees have been constituted in all districts of the State, under the Chairpersonship of the District Magistrate to review implementation of the PoA Act.

### **5.16.2 STATE LEVEL SC AND ST PROTECTION CELL**

The Scheduled Castes and Scheduled Tribes Protection Cell has been set up at the State Police Headquarters under the supervision of Additional Director General of Police/Deputy Inspector General of Police (CID) with supporting staff comprising of Special Superintendent of Police (CID) and Superintendent of Police (Aizawl).

### **5.16.3 IDENTIFICATION OF ATROCITY PRONE AREAS**

No area has been identified as atrocity prone where the members of Scheduled Castes are likely to be subjected to atrocities.

### **5.16.4 SPECIAL OFFICER**

There is no identified atrocity prone area in the State. However, the Sub-Divisional Police Officer (SDPO) of the eleven districts have been appointed as Special Officers.

### **5.16.5 SPECIAL COURTS**

The Third Court of the Additional District Sessions Judge of Aizawl has been specified as Special Courts, to try cases under the PoA Act, for whole of Aizawl, Judicial District comprising of Aizawl, Kalasib, Mamit, Champhai and Serchhip Administrative districts. Further, Court of the Additional District Sessions Judge of Lunglei has been specified as Special Courts, to try cases under the PoA Act, for whole of Lunglei Judicial District comprising of Lunglei, Lawngtlai and Siaha.

### **5.16.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTOR AND EXCLUSIVE SPECIAL PUBLIC PROSECUTOR**

Additional Public Prosecutors have been appointed, to try cases under the PoA Act in Special Courts.

## **5.17 ODISHA**

### **5.17.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

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

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

District Level Vigilance and Monitoring Committees have also been functioning under the Chairpersonship of District Magistrate in all the districts to review implementation of the PoA, Act. During the year 2017, 37 meetings were held in 36 districts.

#### **SUB DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEE**

Sub Divisional Level Vigilance and Monitoring Committees have been constituted in 12 districts. During the year 2017, 7 meetings of Sub-Divisional Committees were held.

### **5.17.2 STATE LEVEL SC AND ST PROTECTION CELL**

The Government of Odisha has constituted Scheduled Castes and Scheduled Tribes Protection Cell under the charge of Additional Director General of Police, Human Rights Protection Cell (HRPC) in the State Police Headquarters at Cuttack in accordance with Rule 8 of the PoA Rules. The State Government has also constituted District Human Right Protection Cells to deal with atrocities against members of Scheduled Castes and Scheduled Tribes.

### **5.17.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In 115 cases, investigation and filing of charge sheet was done within sixty days and in 812 cases investigation and filing of charge sheet was done in later than sixty days.

#### **5.17.4 SPECIFICATION AN APPROPRIATE SCHEME TO ENSURE IMPLEMENTATION OF THE RIGHTS AND ENTITLEMENTS OF VICTIMS AND WITNESSES IN ACCESSING JUSTICE**

Towards implementing provision of Section 15(A) (ii) of the PoA Act, following steps have been taken by the State Government.

- Copy of recorded FIR is being provided to the complaint in free of cost in all Police Stations of Odisha.
- District Magistrate/Collector looks into the matter for providing immediate relief in cash or kind to the atrocity victims or their dependents.
- Police provides necessary protection to the atrocity victims and their dependents.
- Police is providing information about the rights of atrocity victim at the time of making complaint and registering FIR.
- Police is providing protection to the witnesses of victims from intimidation and harassment.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and PoA Rules, 2016 have been widely circulated with instruction to strictly implement of PoA Act.
- Necessary precautions are being taken at the time of medical examination.
- Information regarding relief amount are being provided to atrocity victim or their dependents and associates organization or individuals.
- Information in respect of dates, place of investigation and trial are being provided by police to atrocities victim or their dependent or associated organization or individuals.
- Adequate briefing on the case and preparation for trial to atrocity victim or their dependents or associates or individual are being given by police along with provision of legal aid for the said purpose.

- Necessary assistance for execution of rights of atrocity victims their dependent or associated organizations or individuals is being provided by police at every stage of proceedings under the Act.

### **5.17.5 APPOINTMENT OF OFFICERS**

#### **A. NODAL OFFICER**

The Secretary, Scheduled Tribes and Scheduled Castes Development Department has been nominated as a Nodal Officer as per Rule 9 of the PoA Rules.

#### **B. SPECIAL OFFICER FOR DISTRICTS HAVING ATROCITY PRONE AREAS**

The Additional District Magistrates of the concerned districts are the Special Officers as per Rule 10 of the PoA, Rules.

### **5.17.6 IDENTIFICATION OF ATROCITY PRONE AREAS**

The Home Department of the State has identified following atrocity prone areas in the State: -

<b>S.No.</b>	<b>District</b>	<b>Atrocity Prone Areas</b>
1.	Angul	Angul (Pallahara, Chhendipada, Jarapada Police Stations areas).
2.	Bhadrak	Bhadrak (Bhadrak town, Rural (Sadar), Naikanidihi, Dhusuri, Bansada Police Station areas).
3.	Boudh	Boudh (Boudh, Baunsuni, Manamudna, Kantamal, Purunakatak, Harbhanga, Police Stations areas).
4.	Balasore	Balasore (Balasore Town, Khantapara, Industrial Areas, Oupada, Singla, Sadar Police stations areas).
5.	Cuttack	Cuttack (Baramba, Niali, Govindpur Police Stations areas).
6.	Dhenkanal	Dhenkanal (Sadar, Gondia Police Stations areas).
7.	Deogarh	Deogarh (Entire Deogarh District in all the 4 Police Stations areas)

8.	Kandhamal	Kandhamal (Entire Kandhamal District is the atrocity prone area as intimated by the S.P.Kandhamal).
9.	Kalahandi	Kalahandi (Dharmagarh, Junagarh, Jaipatna, Koksara, Sadar, Kegaon and Bhawanipatna Town Police Stations areas).
10.	Khurda	Khurda (badagada, Lingaraj, Baliana, Balugaon, Banapur, Jankia, Balipatna, Khandagiri Police Stations areas).
11.	Keonjhar	Keonjhar (Keonjhar Town, Sadar, Patna, Ghasipura, Ghatagaon, Anandapur, Champua, Joda, Barbil Police Stations. Areas).
12.	Mayurbhanj	Mayurbhanj (Baripada Town, Bangripose, Khunta, Udala, Thakurmunda, Karanjia, Jharpokharia, Rasagovindapur, Barsahi, Police Stations areas)
13.	Nuapada	Nuapada (Sinapali Block area)
14.	Puri	Puri (Sadar, Town, Sea-Beach, Chandrapur, Satyabadi, Brahmagiri, Delang, Kanas, Pipili, Gop, Balanga, Nimapada-krushnaparsad Police Stations Areas)
15.	Sonepur	Sonepur (Sonepur, Birmaharajpur Police Stations areas).
16.	Sundergarh	Sundergarh (Sundergarh Town, Sadar, Lephripada, Hemgiri, Bisra, Rajgangpur and Sector-19 Police Stations areas)

#### **5.17.7 SPECIAL COURTS**

Ninety two District and Sessions Courts and Additional District and Sessions Courts have been designated as Special Courts, for the trial of the offences under the PoA, Act. Three Exclusive Special Courts at Cuttack, Bolangir and Balasore have also been set up.

### **5.17.8 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS/ EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

At present twenty nine Special Public Prosecutors have specified in the ninety two designated Special Courts and three Exclusive Special Public Prosecutors have also been specified in three Exclusive Special Courts, to conduct the cases of offence of atrocities under the PoA Act.

### **5.17.9 PUBLICITY AND AWARENESS GENERATION**

The field Officers of the Scheduled Castes and the Scheduled Tribes Development Department usually contact the villagers in course of their field visits for creating awareness and gathering their problems if any. The ST and SC Development Department through its Research and Training Institute (SCSTR&TI) has been entrusted to generate awareness among SCs and STs about their entitlements, if any atrocities are committed to them and various measures taken for them for better implementation of the Act to prevent them from atrocities. The Government has also been circulating IEC materials among different communities in villages to make them aware of the provisions of the PoA Act. The Government through NGOs has also been trying to generate awareness and sensitize SCs and STs communities about the provisions of the PoA Act and types of atrocities committed against them. The Government has translated the PoA Act and PoA Rules in all tribal languages and has circulated throughout the State. Further Radio jingles, short documentary film/Audio-visual spots have also been broadcasted/transmitted/telecasted to generate awareness among the general public.

During the year 2017, 399 Publicity and awareness programmes were conducted. 42 police officials and 357 other officials were also sensitized.

### **5.17.10 LEGAL AID**

Legal Aid is given to persons belonging to Scheduled Castes under the Legal Aid and Advice Scheme, 1981, which is administered by the Law Department. Besides that the Scheduled Castes/Scheduled Tribes litigants are also given legal aid under a Scheme in operation by the Scheduled Tribes and Scheduled Castes Development Department to

fight-out cases to establish their right, title, interest and possession over the disputed land.

In order to provide legal aid to SC and ST litigants, 390 Legal Aid Cells have been opened. So far 421 Legal Retainers/Advocates have been engaged in different Legal Aid Cells. During the year 2017, 601 members of Scheduled Castes and Scheduled Tribes were provided Legal Aid.

#### **5.17.11 RELIEF MEASURES**

During the year 2017, 1163 victims of atrocities were provided relief amount.

#### **5.17.12 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

In accordance with Rule 12 (4) and 12(4) (A) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, the relief and rehabilitation to the victims of offences of atrocities provided within seven day to none of persons with authorization by the State Government and in 585 persons were provided later than seven days.

#### **5.17.13 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

The Government of Odisha has revised maintenance expenses to the witnesses and victims of offences of atrocities from Rs.20/- to 100/- for Diet expenses and from Rs.50/- to Rs. 200/- for maintenance expenses. During the year 2017, 95 persons were provided such travelling maintenance expense.

#### **5.17.14 IMPLEMENTATION OF PLAN FOR EFFECTIVELY IMPLEMENTING PROVISION OF THE ACT AND ITS NOTIFICATION IN THE STATE GAZETTE**

- Copies of Gazette Notification of Government of India regarding the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No. 1 of 2016) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016 have been circulated to all concerned vide ST and ST Development

Department letter dated 20.03.2016 and 18.06.2016 with a request for its proper implementation. These amended Act and Rules have also been republished in Odisha Gazette Notification dated 2.4.2016 and 09.08.2016 respectively and the said notifications have also been circulated to all concerned vide letter dated 29.11.2016 with instructions for its proper implementation.

- SCs and STs Protection Cell, HRPC, Odisha has issued letter dated 10.8.2016 addressed to all concerned District Superintendent of Police including DCP for strict implementation of amended PoA Act and Rules as well as spreading public awareness in the respective districts.
- SCs and STs Protection Cell, HRPC, Odisha vide letter dated 17.9.2016 has also issued to all SSP including DCP and SRP Roulkela with a request to prominently display the salient features in all Police Stations/prominent places and take steps to be sensitization of the Police Personnel for proper implementation of the said Act and Rules.
- SCs and STs Protection Cell, HRPC, Odisha vide letter dated 13.6.2016 issued to Commissioner of Police and all IGPs/ DIGs had requested for organizing one day training programme in their respective ranges.

#### **5.17.15 REVIEW OF PERFORMANCE OF PUBLIC PROSECUTORS**

During the year 2017, Director Public Prosecution, along with District Magistrate and Superintendent of Police has conducted review of the performance of the Special Public Prosecutors. Director, Public Prosecutions also holds joint review meetings with the District Magistrate to review the performance of the Special Public Prosecutor as per the Rules.

## **5.18 PUNJAB**

### **5.18.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee set up under Chairpersonship of the Chief Minister, reviews implementation of the PoA, Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

Likewise the Districts level Vigilance and Monitoring Committees review implementation of the PoA, Act at the District level. During the year 2017, 17 meetings were held in 11 districts.

#### **SUB DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEE**

Sub Divisional Level Vigilance and Monitoring Committees have also been constituted and during the year 2017, 11 meetings of the Sub-Divisional Level Vigilance and Monitoring Committees were held to review implementation of the PoA Act.

### **5.18.2 STATE LEVEL SC/ST PROTECTION CELL**

A special SC/ST Cell headed by the Superintendent of Police with supporting staff under the control of Director, Bureau of Investigation (Additional Director General of Police (Crime) is functioning at the Police Headquarters. The SC/ST Cells are also functioning at the district level under the control of Senior Superintendent of Police, to reviews cases of offences of atrocities against members of Scheduled Castes.

### **5.18.3 APPOINTMENT OFFICER**

## **NODAL OFFICER**

Secretary/Principal Secretary, Department of Welfare of Scheduled Castes & Backward Classes and Minorities, has been nominated as a Nodal Officer as per Rule 9 of the PoA Rules.

### **5.18.4 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

During the year 2017, in 11 cases, investigation and filing of charge sheet was done within sixty days and that in 35 cases investigation and filing of charge sheet was done later than sixty days.

### **5.18.5 SPECIAL COURTS**

Special Courts are functioning under the senior most Additional Session Judge, to try the offences under the PoA Act. 17 Special courts are functioning in the districts of Amritsar, Bathinda, Ferozepur, Faridkot, Fatehgarh Sahib, Gurdaspur, Hoshiarpur, Jalandhar, Kapurthala, Ludhiana, Mansa, Moga, Mukatsar Sahib, Shahid Bhagat Singh Nagar, Patiala, Roopnagar and Sangrur.

### **5.18.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS**

In the State all the Public Prosecutors have been specified as Special Public Prosecutors, to conduct the cases of offence of atrocities under the PoA Act.

### **5.18.7 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no atrocity prone area in the State where the members of Scheduled Castes are likely to be subjected to atrocities.

### **5.18.8 PUBLICITY**

During the year 2017, seminars and mass lunch at Block/District/State level were organized. Boards have been installed at prominent public places, highlighting the provisions of the PoA Act. Copies of the PoA, Act have also been translated in regional language and distributed among the masses free of cost.

Inputs of the PoA Act have been provided during the basic training of newly recruited Deputy Superintendent of Police, Sub-Inspectors and Constables. The PoA Act also forms an integral part of the syllabus of all promotional courses conducted at Punjab Police Academy, Phillaur. In addition, special workshops on PoA Act have also been organized in the Punjab Police Academy for Gazetted and Non-Gazetted officers.

#### **5.18.9 LEGAL AID**

Under Rule 12 of the Punjab Legal Service Authority Act, 1987, free legal aid is provided to the members of Scheduled Castes. During the year 2016, legal aid was provided to 12 Scheduled Castes persons.

#### **5.18.10 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Travelling and maintenance expenses to victims of atrocities and witnesses are provided as per the PoA Rules. During the year 2017, five persons were provided legal aid.

#### **5.18.11 RELIEF TO ATROCITY VICTIMS**

During the year 2017, relief amount was provided to 49 atrocities victims.

#### **5.18.12 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, 44 cases ended in acquittal and appeals against acquittals were filed in 4 cases in superior courts against acquittals.

#### **5.18.13 CONTINGENCY PLAN**

State Government has prepared a model contingency plan as per Rule 15 of the PoA, Rules, to provide immediate required relief and rehabilitation to the victims of atrocities.

## **5.19 RAJASTHAN**

### **5.19.1 COMMITTEES**

#### **STATE LEVEL VIGLIANCE AND MONITORING COMMITTEE.**

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

#### **DISTRICT LEVEL VIGLIANCE AND MONITORING COMMITTEE**

The District Vigilance and Monitoring Committees also review implementation of the PoA, Act. During the year 2017, 149 meetings were held in 33 districts.

### **5.19.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Civil Rights Cell is functioning in the Police Headquarters. This Cell has been entrusted, inter-alia, with the task of prevention of offences of atrocities. The Cell is headed by Superintendent of Police and works under the supervision of Additional Director General of Police (Civil Rights) with Deputy Inspector General of Police (Civil Rights) and other staff. Further 36 SC/ST Cells have been set up, which are headed by a Deputy Superintendent of Police and entrusted with the task to deal with offences of atrocities. Enquiries/investigation are also conducted by the District Magistrate, Superintendent of Police and Deputy Superintendent of Police.

### **5.19.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

During the year 2017, 1617 cases were charge sheeted in the court within sixty days. Likewise, 1274 cases charge sheeted later than sixty days.

### **5.19.4 APPOINTMENT OF OFFICERS**

**A. NODAL OFFICER**

A senior Officer has been nominated as a Nodal Officer as per Rule 9 of the PoA Rules.

**B. SPECIAL OFFICER FOR DISTRICTS HAVING ATROCITY PRONE AREAS**

The Additional District Magistrates of the concerned districts have been appointed as the Special Officers under Rule 10 of the PoA, Rules.

**5.19.5 IDENTIFICATION OF ATROCITY PRONE AREAS**

13 districts have been identified as atrocity prone in the State namely Jaipur Rural, Alwar, Ganganagar, Bharatpur, Sikar, Barmer, Pali, Nagaur, Ajmer, Dholpur, Bhilwara, Hanumangarh and Swaimadhampur.

**5.19.6 SPECIAL COURTS**

Out of total 33 Districts of the State, Exclusive Special Courts have been set up in 25 districts viz. Jaipur, Ajmer, Kota, Jodhpur, Udaipur, Bikaner, Pali, Merta (Nagaur), Alwar, Chittorgarh, Dausa, Ganganagar, Jhalawar, Sawai Madhopur, Baran, Tonk, Bhilwara, Barmer, Bharatpur, Bundi, Dholpur, Hanumangarh, Jhunjhunu, Karouli and Sirohi. In the remaining 8 districts, namely Banswara, Churu, Dungarpur, Jaisalmer, Jalore, Rajsamand, Sikar and Pratapgarh, Courts of District and Session Judge have been specified as Special Courts to try offences under the Act.

**5.19.7 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Twenty five Special Public Prosecutors were specified to conduct the cases in 25 designated Special Courts.

**5.19.8 PUBLICITY**

Basic Training, Promotion Cadre Courses and Specialized Courses were conducted. During the year 2017, 2718 police officials were also sensitized about the provisions of the PoA Act and the PoA, Rules.

#### **5.19.9 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

In accordance with Rule 11 of the PoA Rules, travelling allowance, daily allowance, maintenance expenses were provided to the victims of atrocities, their dependents and witnesses.

#### **5.19.10 RELIEF MEASURES**

In accordance with Rule 12 (4) and Rule 12(4A) of the PoA, Rules, 1995 members of Scheduled Castes and Scheduled Tribes are provided relief. During the year 2017, 3648 persons were provided relief to atrocities victims later than seven days.

#### **5.19.11 LEGAL AID**

Free legal aid is provided to the members of Scheduled Castes and Scheduled Tribes. During the year 2017, legal aid was provided to 1136 persons.

#### **5.19.12 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, of 993 cases which ended in acquittal, appeals against acquittals were filed in 16 cases in superior courts.

## **5.20 SIKKIM**

### **5.20.1 COMMITTEES**

#### **STATE LEVEL VIGLIANCE AND MONITORING COMMITTEE.**

State level Vigilance and Monitoring Committee has been constituted to review the implementation of the PoA Act.

#### **DISTRICT LEVEL VIGLIANCE AND MONITORING COMMITTEE**

District level Vigilance and Monitoring Committees have been constituted to review implementation of the PoA Act.

### **5.20.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Scheduled Castes and Scheduled Tribes Protection Cell has been set up under the supervision of SSP/CID.

### **5.20.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in no case investigation and filing of the charge sheeted was done within sixty days and that in two cases investigation and filing of the charge sheeted was done later than sixty days.

### **5.20.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no atrocity prone area in the State where members of Scheduled Castes and Scheduled Tribes are subjected to atrocities.

### **5.20.5 SPECIAL COURTS**

District and Session Courts in the State have been designated as Special Courts to try the cases under the PoA Act.

#### **5.20.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Two Special Public Prosecutors were specified to conduct the cases in designated Special Courts.

#### **5.20.7 PUBLICITY AND AWARENESS GENERATION**

Provisions of the PoA Act were translated into Lingua Franca and widely circulated among the Panchayats, Collectorate Offices, NGOs and members of Scheduled Castes and Scheduled Tribes. Besides, provisions of the PoA Act were also displayed by a way of hoardings at public places like Courts, Police Stations, District and Sub-Divisional Headquarters etc.

#### **5.20.8 LEGAL AID**

The State Government has implemented the Legal Services Authorities Act in the State to provide legal aid to the victims of offences of all crimes including atrocities on members of Scheduled Castes and Scheduled Tribes, to enable them to avail justice. During the year 2017, two persons was provided legal aid.

#### **5.20.9 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

In accordance with Rule 11 of the PoA Rules, travelling allowance, daily allowance and maintenance expense were provided to the victims of atrocities, their dependents and witnesses. During the year 2017, 2 persons were provided such facilities.

### **5.21 TAMIL NADU**

#### **5.21.1 COMMITTEES**

#### **STATE LEVEL VIGLIANCE AND MONITORING COMMITTEE.**

A State Level Vigilance and Monitoring Committee under the Chairmanship of the Chief Minister has been reconstituted, to review implementation of the PoA Act.

### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees have been constituted under the Chairpersonship of the District Collector to review implementation of the PoA, Act, relief and rehabilitation facilities provided to the atrocity victims and discuss other matters concerned with prosecution of cases. During the year 2017, 86 meetings of these committees were held in 32 districts.

### **SUB DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEE**

Sub Divisional Level Vigilance and Monitoring Committees in all the Revenue Divisions in the Districts have been constituted. Strict instructions have been issued to the District authorities for the early formation of Committees in all the Revenue Divisions and to conduct the meetings regularly. During the year 2017, 13 meetings were held.

### **5.21.2 STATE LEVEL SC AND ST PROTECTION CELL**

The Additional Director General of Police and Assistant Inspector General of Police, Social Justice & Human Rights, monitor enforcement of the PoA Act, and supervise functioning of the Social Justice and Human Rights Units.

The PoA Act is enforced through 38 Social Justice and Human Rights Units located at each of 38 district headquarters. Further, there are mobile squads, which work for prevention and detection of cases of atrocity. For collection of statistical information under the Act, a Statistical Unit consisting of one Statistical Inspector is attached to each Unit. The Inspector (Statistics) is assisted by the Staff of Social Justice and Human Rights Units. The Inspector General of Police, Social Justice & Human Rights Chennai monitors implementation of the PoA Act also supervises the functioning of the Social Justice and Human Rights Units.

### **5.21.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 243 cases, investigation and filing of the charge sheeted was done within sixty days and that in 454 cases, investigation and filing of the charge sheeted was done later than sixty days.

### **5.21.4 SPECIFICATION AN APPROPRIATE SCHEME TO ENSURE IMPLEMENTATION OF THE RIGHTS AND ENTITLEMENTS OF VICTIMS AND WITNESSES IN ACCESSING JUSTICE**

The provisions contained in Chapter IV A and Sub section 11 of Section 15 A of the PoA Act as amended have been translated in Tamil Nadu and circulated to all the officers concerned vide Government letter dated 13.04.2017 with a request to follow the provisions scrupulously, so as to ensure that the members of the Scheduled Castes/Scheduled Tribes get the justice promptly. The said Chapter IV-A of amended PoA Act has also been included in the preparation of Plan as per amended PoA Rules, 2016.

### **5.21.5 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

In accordance with Section 21 (iii) of the PoA Act and Rule 12 (4) and 12(4) (A) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, the relief and rehabilitation to the victims of offences of atrocities was provided within seven day to 3 persons and in 285 persons provided later than seven days. The State Government has given authorization to the District Magistrate for immediate withdrawal of money from treasury so as to timely provide relief amount to atrocity victims.

### **5.21.6 APPOINTMENT OF OFFICERS**

#### **A. NODAL OFFICER**

The Secretary, Adi Dravidar and Tribal Welfare Department has been appointed as the Nodal Officer for coordinating functioning of the District Magistrates, Superintendents of Police and other officers authorized for implementation of provisions of the PoA Act.

## **B. SPECIAL OFFICER**

In accordance with Rule 10 of PoA Rules, 1995, Collectors in each of the concerned district have been appointed as Special Officers.

### **5.21.7 IDENTIFICATION OF ATROCITY PRONE AREAS**

The Social Justice and Human Rights Wing in Tamil Nadu has identified 211 villages in 31 districts as 'Atrocity prone'. In 7 Commissionerates, 12 villages were identified as 'atrocity prone' for the year 2017.

The villages are surveyed by the Staff of Social Justice and Human Rights Units in the districts and cases brought to the notice of Superintendent of Police and District Collector for taking precautionary and preventive measures to avoid any untoward incidents/clashes between the Scheduled Castes and non Scheduled Castes.

### **5.21.8 SPECIAL COURTS**

Six Exclusive Special Courts have been set up for speedy disposal of cases under the PoA Act, and are functioning at the following District Headquarters:-

<b>S. No.</b>	<b>Name of the head quarters</b>	<b>Jurisdiction over the Districts</b>
1.	Trichy	Trichy Police District and Trichy.
2.	Thanjavur	Thanjavur, Nagapattinam and Thiruvarur.
3.	Madurai	Madurai Commissionerate and Madurai.
4.	Thirunelveli	Thirunelveli Police District, Thirunelveli. Thoothukudi and Kanyakumari.
5.	Villupuram	Villupuram and Cuddalore.

6.	Sivagangai	Sivagangai and Ramanathapuram.
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These six courts cover twelve districts and three Commissionerate. In the remaining districts, the existing Sessions Courts have been designated as Special Courts, to try the cases under the PoA Act.

#### **5.21.9 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Twenty Special Public Prosecutors were specified to conduct the cases in designated Special Courts and thirteen Exclusive Special Public Prosecutors were specified in Six Exclusive Special Courts.

#### **5.21.10 PUBLICITY AND AWARENESS GENERATION**

Refresher training courses for investigating officers were conducted regularly by Police Training College and Tamil Nadu Police Academy and a separate capsule course was designed for the purpose of creating awareness among officers with regard to the provisions of PoA Act as amended. During the year 2017, around 1500 Police Officers were imparted training on the salient features of the PoA Act. The Government also took steps to conduct training programme for the Revenue Officials and officers concerned in implementing the PoA Act and PoA Rules. During 2017, 614 Officers were sensitized on the PoA Act and PoA Rules.

The communal harmony week has been conducted in the last week of January, 2017.

#### **5.21.11 ECONOMIC AND SOCIAL REHABILITATION**

In accordance with Rule 12 (4) of the PoA Rules, the admissible relief amount is provided to the victims of atrocities. During the year 2017, 2067 atrocity victims belonging to Scheduled Castes and Scheduled Tribes were provided relief.

#### **5.21.12 TRAVELLING AND MAINTENANCE EXPENSES**

Travelling and maintenance allowance is provided to the victims, their dependents and witnesses in accordance with the PoA, Rules. During the year 2017, 1260 persons were provided travelling and maintenance expenses.

#### **5.21.13 LEGAL AID**

All cases requesting for free legal aid are brought under the Free Legal Aid Scheme, implemented through the Tamil Nadu Legal Service Authority.

#### **5.21.14 ACTION TAKEN TO RECOGNISE/REWARD PERSONS**

“Dr. B.R.Ambedkar Award” is given annually to the persons who have done exemplary work for the Socio-Economic Development of the Scheduled castes and Scheduled Tribes people. A sum of Rs. 1.00 lakh and a gold medal is awarded to the eligible person every year. During the year 2017, one Retired Head master was selected for the Award.

## **5.22 TELANGANA**

### **5.22.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

State Level Vigilance and Monitoring Committee has been constituted to review the implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

District Level Vigilance and Monitoring Committees are functioning in all Districts under the Chairpersonship of the District Collectors. During the year 2017, 33 meetings were held in 10 districts of the State.

### **5.22.2 STATE LEVEL SC AND ST PROTECTION CELL**

A SC and ST Protection Cell at the State Level is headed by an Inspector General of Police (CID) and functions under the control and supervision of Additional Director General of Police (CID). There are a total of 28 Police Units in the State i.e. 9 Commissionerate, 18 Police District and 1 Railway Police District. The cases of atrocities against member of Scheduled Castes and Scheduled Tribes are registered by these 28 Police Units. Further, there are 8 Regional offices of Crime Investigation Department located at Warangal, Khammam, Cyberabad, Sangareddy, Nizamabad, Mahabubnagar and Nalgonda Districts. The Deputy Superintendents of Police at Regional offices also take up enquiries referred by Additional Director General of Police, CID, Office of PCR Cell at CID, Hyderabad.

### **5.22.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in 192 cases, investigation and filing of the charge sheeted was done within sixty days and that in 1709 cases investigation and filing of the charge sheeted was done later than sixty days.

#### **5.22.4 APPOINTMENT OF OFFICER**

##### **A. NODAL OFFICER**

The Director, Scheduled Castes Development Department has been designated as the Nodal officer under Rule 9 of the PoA Rules, for coordinating the functioning of District Magistrates and Superintendents of Police.

##### **B. SPECIAL OFFICER**

The Joint Collectors have been appointed as Special Officers, in the districts which have atrocity prone areas.

#### **5.22.5 IDENTIFICATION OF ATROCITY PRONE AREAS**

The details of identified atrocity prone areas are as under: -

<b>S.No.</b>	<b>Identified District</b>	<b>Number of villages in the District, identified as atrocity prone.</b>
1.	CP Cyberabad	57
2.	CP Karimnagar	50
3.	CP Nizamabda	30
4.	CP R.Konda (Yadadri)	05
5.	CP R.Gundam	35
6.	CP Siddipeta	22
7.	Adilabad	04
8.	Bhadradi (Kothagudem)	30
9.	Bhupalapally (A.J. Shankar)	29
10.	Jagityal	14
11.	Jogulamba Gadwal	15
12.	Kamareddy	05
13.	Komarbheem Asifabad	13
14.	Mahabubabad	23

15.	Medak	36
16.	Nagarkurnool	04
17.	Nirmal	11
18.	Vikarabad	63
19.	Wanaparthy	08
	<b>Total</b>	<b>454</b>

#### **5.22.6 SPECIAL COURTS**

The Government of Telangana has specified Session Courts in 10 Districts as Special Courts, namely in the districts of Secunderabad, Mahabubnagar, Medak at Sanga Reddy, Karimnagar, Nizamabad, Khammam, Warangal, Nalgonda, Ranga Reddy and Adilabad.

#### **5.22.7 SPECIAL PUBLIC PROSECUTORS**

As per the Section 15 of the PoA Act, 10 Special Public Prosecutor in 10 Special Courts has been appointed to conduct trial of cases under the PoA Act.

#### **5.22.8 AWARENESS GENERATION**

Sensitization and Training programmes were conducted on a regular scale in the Police Academy and in the District Training Centres for Police and Prosecuting Officers. The MCR HRD Institute, Jubilee Hills is the premier training institute for all levels of officers in the State. A capsule on provisions of the PCR Act and the PoA Act is included in the training programme imparted by the institute. Awareness programme were held for field functionaries of Social Welfare, Police and Revenue Departments. Boards on prominent provisions of the PoA Act were displayed in Police Stations and Mandal Revenue Offices. Media campaign was launched in AIR, Press and TSRTC buses. Awareness workshops were organized by reputed NGOs. A compendium of instructions and a handbook on guidelines to the Police Officers was circulated to concerned Officers. Training programme have been conducted on a regular basis in the RBVRR TS Police Academy for all ranks and with special emphasis to Direct Recruit DySPs, promoted DySPs and they would subsequently

investigate the PoA cases. Refresher courses were conducted to update the IOs on amendments of PoA Act.

#### **5.22.9 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Travelling and maintenance expenses are provided to the victims, their dependents and witnesses in accordance with the PoA Rules.

#### **5.22.10 RELIEF AND REHABILITATION**

The State Government provides relief and rehabilitation to the victims of offences of atrocities in accordance with Rule 12 (4) of the PoA Rules. During the year 2017, 1243 victims of atrocities were provided relief.

#### **5.22.11 LEGAL AID**

The District Collector is the competent authority in the District to grant legal aid.

## **5.23 TRIPURA**

### **5.23.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee has been constituted under the Chairpersonship of the Chief Minister.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

District Level Vigilance and Monitoring Committees have been constituted under the Chairpersonship of the District Magistrates.

#### **SUB DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEE**

Sub Divisional Level Vigilance and Monitoring Committees in all the Sub Divisions in the Districts have been constituted. During the year 2017, 7 meetings were held.

### **5.23.2 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In accordance with Rule 7(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, in none of the case, investigation and filing of the charge sheeted was done within sixty days and in 2 cases investigation and filing of the charge sheeted was done within sixty days.

### **5.23.3 STATE LEVEL SC AND ST PROTECTION CELL**

The Cell is functioning in the Police Headquarters of the State.

#### **5.23.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no specific atrocity prone area in the State.

#### **5.23.5 SPECIAL COURTS**

The State Government with the concurrence of the Chief Justice of the Guwahati High Court has specified the District & Session Judge, West Tripura District, Agartala, Gomati, District, Udaipur, South Tripura District, Belonia, Unakoti, District Kaiashahar, North Tripura District, Dharmanagar and Additional District Session Judges, Khowai, Sonamura, and Kamalpur under Unakoti District as a Special Court for the trial of offences under the PoA Act.

#### **5.23.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Eight Special Public Prosecutors were specified to conduct concerned cases in the designated Special Courts.

#### **5.23.7 PUBLICITY AND AWARENESS GENERATION**

During the year 2017, 2 awareness programmes were conducted and two police officers were sensitized.

#### **5.23.8 ECONOMIC AND SOCIAL REHABILITATION**

In accordance with PoA Rules, 1995 as amended, relief was provided to victims of atrocities. During the year 2017, one atrocity victim was provided relief.

#### **5.23.9 LEGAL AID**

In the State of Tripura, legal aid to Scheduled Castes is provided under the Legal Services Authorities Act, 1987.

## **5.24. UTTAR PRADESH**

### **5.24.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee has been constituted under the Chairpersonship of the Chief Minister, to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees have been constituted in every District under the Chairpersonship of the District Magistrate, to review implementation of the PoA Act. During the year 2017, 120 meetings were held in 53 districts.

### **5.24.2 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. A Special Investigation Cell has also been set up in all Districts. 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 23% of Thanas have Sub-Inspectors/Inspectors from among SC/ST. The Deputy Superintendent of Police is the investigating officer.

A Cell has also been functioning in Social Welfare Department, under the supervision of Secretary, Social Welfare with supporting staff, which looks after the redressal of grievances under the PCR and PoA Acts.

### **5.24.3 APPOINTMENT OF OFFICER**

#### **NODAL OFFICER**

The Special Secretary, Social Welfare Department has been nominated as the Nodal Officer for coordinating functioning of the District Magistrates, Superintendents of Police and other officers authorized for implementation of provisions of the PoA Act.

### **5.24.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

No atrocity prone areas have been identified in the State.

### **5.24.5 EXCLUSIVE SPECIAL COURT**

40 Exclusive Special Courts in the Districts of Farrukhabad, Unnao, Basti, Banda, Etawah, Hamirpur, Gonda, Kanpur Nagar, Badaun, Sultanpur, Barabanki, Bulandsahar, Gorakhpur, Varansi, Pilibhit, Etah, Deoria, Jhansi, Faizabad, Agra, Kanpur Rural, Bairach, Lucknow, Jalaun (Urai), Meerut, Gaziabad, Siddarth Nagar, Mirzapur, Chandoli, Balrampur, Fatehpur, Gazipur, Mainpuri, Kannauj, Bareilly, Gautam Buddha Nagar, Hardoi, Shravasti, Bagpat and Jyotiba Phule Nagar, have been set up to conduct trial of offences under the PoA Act. Apart from this, in the remaining 35 districts, Additional District and Session Judge Courts have been designated as Special Courts, to try offences of atrocities under the PoA Act.

### **5.24.6 PUBLICITY**

Workshops were organized for bringing awareness about the PoA Act and the PoA Rules as amended from time to time. Special Enquiry Cell has published a Handbook on the PoA Act and the PoA Rules as amended and distributed to all thanas in the districts of State. Posters and booklets were also distributed and hoardings/banners were displayed in the districts. Police Officers/officials were also sensitized. Besides, training was also imparted to the police officials in refresher course at Moradabad Training College. The syllabus on the PoA Act as amended has also been

included in the training courses for police officials of various training institutes.

#### **5.24.7 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES**

Travelling and maintenance expenses to witnesses including victims of atrocities were provided as per PoA Rules, 1995. During the year 2017, 744 persons were provided travelling and maintenance expenses.

#### **5.24.8 ECONOMIC AND SOCIAL REHABILITATION**

Financial assistance was provided to the victims of offences of atrocities in accordance with the provisions of the PoA Rules. During the year 2017, 11426 persons were provided relief.

#### **5.24.9 LEGAL AID**

The concerned District authorities provide free legal aid in all Districts of the State. During the year 2017, 6078 persons were provided such legal aid.

## **5.25. UTTARAKHAND**

### **5.25.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Committee has been constituted under the Chairpersonship of the Chief Minister, to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Committees have been constituted under the Chairpersonship of the concerned District Magistrate, to review implementation of the PoA Act. During the year 2017, 7 meetings were held in 7 districts.

### **5.25.2 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. The cases of offences of atrocities against members of Scheduled Castes and Scheduled Tribes were regularly reviewed and whenever any case was reported, the same was immediately registered under the PoA Act. These cases were investigated by the Deputy Superintendent of Police.

### **5.25.3 APPOINTMENT OF OFFICER**

#### **NODAL OFFICER**

The Secretary, Social Welfare Department has been appointed as the Nodal Officer for coordinating functioning of the District Magistrates, Superintendents of Police and other officers authorized for implementation of provisions of the PoA Act.

#### **5.25.4 SPECIFICATION AN APPROPRIATE SCHEME TO ENSURE IMPLEMENTATION OF THE RIGHTS AND ENTITLEMENTS OF VICTIMS AND WITNESSES IN ACCESSING JUSTICE**

Towards implementing provision of Section 15(A) (ii) of the PoA Act, following steps have been taken by the State Government.

- Copy of recorded FIR is being provided free of cost to the complainant.
- Visit and spot inspections to the place of occurrence of atrocity and are under taken and the District Magistrate/Collector looks into the matter for providing immediate relief to the atrocity victims or their dependents.
- Police protection is provided to the atrocity victims and their dependents.

#### **5.25.5 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In 64 cases, investigation and filing of charge sheet was done within sixty days and in 10 cases investigation and filing of charge sheet was done in later than sixty day.

#### **5.25.6 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

As per the Section 21(2) (iii) of the PoA Act and Rule 12 (4) of the PoA Rules, as amended, none of case in which relief amount was paid to concerned person within seven days.

#### **5.25.7 SPECIAL COURTS**

In each of the districts, the District and Session Courts have been designated as Special Courts, for trial of cases of offences under the PoA Act.

#### **5.25.8 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

Special Public Prosecutors were specified to conduct the cases in designated Special Courts.

#### **5.25.9 IDENTIFICATION OF ATROCITY PRONE AREAS**

No atrocity prone areas have been identified in the State.

#### **5.25.10 PUBLICITY AND AWARENESS GENERATION**

For awareness of the provisions of the PoA Act, workshops were organized. Police officers were also sensitized and training was given to them from time to time.

#### **5.25.11 ECONOMIC AND SOCIAL REHABILITATION**

Financial assistance is provided to the victims of offences of atrocities in accordance with the provisions of the PoA Rules. During the year 2017, 14 persons were provided relief.

#### **5.25.12 TRAVELLING AND MAINTENANCE EXPENSES**

Travelling and maintenance allowance is provided to the victims, their dependents and witnesses in accordance with the PoA Rules.

#### **5.25.13 LEGAL AID**

The concerned District authorities provide free legal aid to members of SC/ST, in all Districts of the State. During the year 2017, two persons were provided such legal aid.

## **5.26 WEST BENGAL**

### **5.26.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee is functioning. During the year 2017, the Committee held one meeting on 16.5.2017.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees are functioning. During the year 2017, 43 meetings of these Committees were held in 19 districts.

#### **SUB-DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEE**

The Sub-Divisional Level Vigilance and Monitoring Committees are also functioning. During the year 2017, 71 meetings were held in 19 districts.

### **5.26.2 STATE LEVEL SC AND ST PROTECTION CELL**

The State Government has set up a Scheduled Castes and Scheduled Tribes Protection Cell at the State level under the supervision of the Inspector General of Police.

### **5.26.3 SPECIFICATION OF APPROPRIATE SCHEME TO ENSURE IMPLEMENTATION OF THE RIGHTS AND ENTITLEMENTS OF VICTIMS AND WITNESSES IN ACCESSING JUSTICE**

The Backward Classes Welfare Department, Government of West Bengal had circulated a copy of the amended PoA Act to all Districts for compliance and the same was also incorporated in the awareness generation /sensitization programme undertaken by the Department. In order to ensure the rights of victims and witnesses, as well as to meet the requirement for implementation of provision specified in Sub-Section 10 of Section 15A, a sum of Rs. 5000/- was allotted to each district. The District Magistrates were also instructed to provide immediate relief, protection etc to victims and their dependents and witnesses and to take due steps in order to ensure the Rights of Victims and Witnesses.

#### **5.26.4 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

Charge sheet was framed within sixty days in each of the case registered under the PoA Act.

#### **5.26.5 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

Relief amount was sanctioned to all 48 victims within seven days as mentioned in the Section 21(2) (iii) of the PoA Act and Rule 12(4) and Rule 12 (4A) of the PoA Rules, 1995 as amended. All District Magistrates have been authorized for immediate withdrawal of money from the treasury.

#### **5.26.6 APPOINTMENT OF OFFICER**

##### **A. NODAL OFFICER**

In accordance with Rule 9 of the PoA, Rules 1995, the Principal Secretary, Backward Classes Welfare Department has been nominated as a Nodal Officer for coordinating the functions of the District Magistrate and the Superintendent of Police.

##### **B. SPECIAL OFFICER**

No district in the State has been identified as an atrocity prone area. However, in accordance with the provision of Rule 10 of the PoA, Rules 1995, the Additional District Magistrates of all districts, except Howrah district have been appointed as Special Officers.

#### **5.26.7 IDENTIFICATION OF ATROCITY PRONE AREAS**

No area in any district of the State has been identified as atrocity prone area.

#### **5.26.8 SPECIAL COURTS**

The Courts of first Additional Session Courts have been designated as Special Courts in each district except Kolkata and newly created districts of Pachim Burdwan, Jhargram and Kalimpong, for trial of offences under the PoA Act. Exclusive Special Courts have not been set up in the State as no need was felt to do so.

### **5.26.9 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS**

First Additional Session Court has been designated as a Special Court in all the Districts except Kolkata and newly created districts of Pachim Burdwan, Jhargram and Kalimpong for trial of cases of offences of atrocities under the PoA Act. In all districts, Special Public Prosecutors have been appointed to conduct the cases of atrocities on SCs and STs in the Special Court.

### **5.26.10 PUBLICITY**

For spreading awareness, flex boards displaying the provisions of the PoA Act were installed in Block Headquarters and conspicuous places. Printed handbills containing provisions of the PoA Act were also printed and distributed to generate awareness. During the year 2017, 64 publicity and awareness programmes were conducted. 1000 Police personnels and 6392 other officers were also sensitized.

### **5.26.11 ECONOMIC AND SOCIAL REHABILITATION**

During the year 2017, 103 victims of atrocities were provided relief.

### **5.26.12 LEGAL AID**

Legal Aid is provided to the people living below poverty line, and to members of Scheduled Castes and Scheduled Tribes. During the year 2017, 26 persons were provided legal aid.

## **5.27 ANDAMAN & NICOBAR ADMINISTRATION**

### **5.27.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee under the Chairpersonship of Lt. Governor has been constituted to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEES**

The District Level Vigilance and Monitoring Committees have been constituted to review implementation of the PoA Act. During the year 2017, three meetings of the Committees were held.

#### **SUB DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEES**

Sub Divisional Level Vigilance and Monitoring Committees have been constituted in Diglipur, Mayabunder, Nancowry and Car Nicobar sub-divisions except South Andaman.

### **5.27.2 STATE LEVEL SC AND ST PROTECTION CELL**

A Special Cell consisting of Director General of Police, Inspector General of Police, Superintendent of Police of all districts and Director (TW) has been constituted by the Administration and is functioning to look into the cases of atrocities against members of Scheduled Tribes.

### **5.27.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In two cases, investigation and filing of charge sheet was done in later than sixty days.

#### **5.27.4 APPOINTMENT OF OFFICER**

##### **A. INVESTIGATING OFFICER**

Cases registered under the PoA Act are investigated by a Police Officer of the rank of Deputy Superintendent of Police and above.

##### **B. SPECIAL OFFICER**

The Additional District Magistrate, Port Blair and the Project Officer, ITDP Car Nicobar has been designated as Special Officer in respect of Andaman and Nicobar District respectively.

#### **5.27.5 IDENTIFICATION OF ATROCITY PRONE AREAS**

The details of identified atrocity prone areas are as under: -

<b>Identified District</b>	<b>Specific areas within the District, identified as atrocity prone.</b>
North & Middle Andaman District	Kadamtala, Rangat, Baratang

#### **5.27.6 SPECIAL COURTS**

The Court of District and Session Judge, Andaman & Nicobar Islands has been designated as a Special Court to try offences of atrocities against members of Scheduled Tribes.

#### **5.27.7 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS**

Special Public Prosecutor has been specified for conducting cases of offences of atrocities in the Special Court.

### **5.27.8 PUBLICITY AND AWARENESS**

Andaman Nicobar Tribal Research Institute (ANTRI) is carrying out study/research work on various aspects of tribal life and also conducting workshops for the staff posted in PVTG areas. During the year 2017, 10 Publicity and awareness programmes were conducted and 10 police officials were sensitized.

### **5.27.9 LEGAL AID**

Legal aid and other facilities were provided by the Judicial Court/A & N Administration as and when required.

### **5.27.10 TRAVELLING AND MAINTENANCE EXPENSES**

Travelling and maintenance expenses are being provided by the Judicial Court/A & N Administration as and when required. In case of atrocities against Particularly Vulnerable Tribes (PVTGs), travelling and maintenance expenses were provided by AAJVS an autonomous body under A & N Administration, constituted for the welfare and protection of PVTGs. During the year 2017, in two cases such travelling and maintenance expenses were provided.

## **5.28 CHANDIGARH ADMINISTRATION**

### **5.28.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

A Vigilance & Monitoring Committee is functioning to review implementation of the PoA Act under the Chairmanship of the Secretary, Social Welfare, Chandigarh Administration.

### **5.28.2 SC AND ST PROTECTION CELL**

The Union Territory Administration has set up a Scheduled Castes and Scheduled Tribes Protection Cell under the supervision of the Inspector General of Police.

### **5.28.3 APPOINTMENT OF OFFICER**

#### **A. NODAL OFFICER AT STATE LEVEL**

In accordance with Rule 9 of the PoA, Rule, the Secretary, Social Welfare Department has been appointed as a Nodal Officer for coordinating the functions of the District Magistrate and the Superintendent of Police.

#### **B. SPECIAL OFFICER**

There is no atrocity prone area in the UT, even though, in accordance with Rule 10 of the PoA, Rule, the Director, Social Welfare Department has been nominated as a Special Officer.

### **5.28.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no atrocity prone area in the Union Territory.

#### **5.28.5 SPECIAL COURTS**

The Court of First Additional Session Judge, Chandigarh has been specified as a Special Court to try the offences under the PoA, Act.

#### **5.28.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS AND EXCLUSIVE SPECIAL PUBLIC PROSECUTORS**

The District Attorney, Chandigarh has been specified as the Public Prosecutor for the purpose of conducting cases in the Special Court.

#### **5.28.7 PUBLICITY AND AWARENESS GENERATION**

Two training programmes were conducted by the Police Department; UT Administration of Chandigarh for awareness of the police officials/personnel's which was held at Police Line Recruitment Training Centre, Chandigarh on 28.3.2017 and 3.4.2017 to sensitize the police officers of the rank of ASI and Head Constable which was attended 28 ASI and 105 Head Constables.

Awareness camps were organized by the Social Welfare Department for publicity and awareness among masses about various provisions of the Act.

#### **5.28.8 LEGAL AID**

Rules for providing legal aid to Scheduled Castes have been formulated and notified in Chandigarh.

## **5.29 DADRA AND NAGAR HAVELI**

### **5.29.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

A Vigilance and Monitoring Committee at the Union Territory Level is functioning to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees under the Chairpersonship of District Collectors review implementation of the Act.

### **5.29.2 SC & ST PROTECTION CELL**

The SC and ST Protection Cell has been functioning in the UT of Dadra and Nagar Haveli.

### **5.29.3 APPOINTMENT OF OFFICER**

#### **A. NODAL OFFICER AT STATE LEVEL**

In accordance with Rule 9 of the PoA Rules, the Secretary, Social Welfare Department has been appointed as a Nodal Officer for coordinating the functions of the District Collector and the Superintendent of Police.

#### **B. SPECIAL OFFICER**

There is no atrocity prone area in the UT, even though, in accordance with Rule 10 of the PoA, Rule, a Special Officer has been nominated.

#### **5.29.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no atrocity prone area in the Union Territory.

#### **5.29.5 SPECIAL COURTS**

The District and Session Court, Dadra & Nagar Haveli has been designated as a Special Court, for trial of cases under the PoA Act.

#### **5.29.6 PUBLIC PROSECUTOR**

The Public Prosecutor of the District and Session Court has been appointed to deal with cases under the PoA Act.

#### **5.29.7 PUBLICITY**

Banners and hoardings on the provisions of the PoA Act have been displayed at public places and police personnel of all ranks were sensitized.

## **5.30 NATIONAL CAPITAL TERRITORY OF DELHI**

### **5.30.1 COMMITTEE**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

A State Level Vigilance and Monitoring Committee under the Chairpersonship of the Chief Minister is functioning.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees have been constituted in all the Districts.

### **5.30.2 STATE LEVEL SC AND ST PROTECTION CELL**

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

### **5.30.3 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS**

In 4 cases, investigation and filing of charge sheet was done within sixty days and in 20 cases investigation and filing of charge sheet was done in later than sixty days.

### **5.30.4 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

As per the Section 21(2) (iii) of the PoA Act and Rule 12 (4) of the PoA Rules, as amended, 22 cases in which relief amount was paid to concerned person later than seven days.

### **5.30.5 APPOINTMENT OF OFFICER**

#### **A. NODAL OFFICER AT THE STATE LEVEL**

The Secretary, Department of Welfare of SC/ST/OBC and Minorities has been nominated as a Nodal Officer.

#### **B. SPECIAL OFFICER FOR DISTRICTS HAVING ATROCITY PRONE AREAS**

Although there is no atrocity prone area identified in the UT, even then eleven Additional Districts Magistrates have been appointed as Special Officers.

### **5.30.6 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no atrocity prone area in the Union Territory.

### **5.30.7 SPECIAL COURT**

Eleven Special Courts have been specified as Special Courts for trial of the offences under the PoA, Act.

### **5.30.8 APPEALS FILED IN SUPERIOR COURTS IN CASES WHICH ENDED IN ACQUITTAL**

During the year 2017, of 15 cases which ended in acquittal, appeals against acquittals were filed in 2 cases in superior courts.

### **5.30.9 PUBLICITY AND AWARENESS GENERATION**

For creating awareness amongst public, 35 publicity/awareness programmes were organized. The provisions of the PoA Act and PoA Rules were displayed in every Police Station for the general public. During the year 2017, 4725 police officials were sensitized.

### **5.30.10 ECONOMIC AND SOCIAL REHABILITATION**

During the year 2017, twenty two victims of atrocities were provided relief.

### **5.31 LAKSHAWDEEP**

The entire indigenous population of the Union Territory has been classified as Scheduled Tribes and in terms of religious classification, the entire indigenous population is Muslim. There have been no offences of atrocities in the Union Territory and as such setting up of Special Police Stations and Special Courts was not felt necessary. Thus, the information for the year 2017 may be treated as 'Nil'.

## **5.32 PUDUCHERRY**

### **5.32.1 COMMITTEES**

#### **STATE LEVEL VIGILANCE AND MONITORING COMMITTEE**

The State Level Vigilance and Monitoring Committee in the Union Territory of Puducherry under the Chairpersonship of the Chief Minister has been constituted to review implementation of the PoA Act. During the year 2017, one meeting of the Committee was held.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

Action is being taken to constitute the District Level Vigilance and Monitoring Committees.

### **5.32.2 STATE LEVEL SC AND ST PROTECTION CELL**

The PCR Cell is functioning under the direct supervision of the Superintendent of Police in three enclaves of the Union Territory of Puducherry, namely Karaikal, Puducherry and Yanam. Senior Superintendent of Police (Crime & Investigation) and Director General of Police, Puducherry are closely monitoring functioning of the PCR Cell. The staff members of PCR Cell are frequently visiting rural and urban areas and explaining the provisions of PoA Act to the public and to avoid any hardship to members of Scheduled Castes and Scheduled Tribes.

### **5.32.3 APPOINTMENT OF OFFICERS**

#### **A. NODAL OFFICER**

The Director, Adi-Dravidar and Tribal Welfare Department has been nominated as a Nodal Officer.

**B. SPECIAL OFFICER FOR DISTRICT HAVING ATROCITY PRONE AREAS**

Although there is no atrocity prone area identified in the UT, yet the Director, Adi-Dravidar Department, Puducherry, Sub-Collector, Karaikal and Regional Administrator, Mahe and Yaam have been appointed as Special Officers.

**5.32.4 IDENTIFICATION OF ATROCITY PRONE AREAS**

There is no atrocity prone area in all the regions of the Union Territory of Puducherry.

**5.32.5 SPECIAL COURTS**

The Second Additional Session Court, Puducherry has been designated as a Special Court for the whole of Puducherry, to try offences under the PoA Act.

**5.32.6 SPECIFICATION OF SPECIAL PUBLIC PROSECUTOR**

Special Public Prosecutor has been appointed for trial of cases under the PoA Act.

**5.32.7 DIRECTORATE OF PROSECUTION**

The Directorate of Prosecution functioning under the control of Law Department is guiding the Prosecution of cases registered by the PCR Cell.

**5.32.8 LEGAL AID**

Cases under the PoA Act affecting members of Scheduled Castes, are pleaded by the Special Public Prosecutors in Puducherry region and by the Assistant Public Prosecutors in Karaikal and Yanam regions.

### **5.32.9 TRAVELLING AND MAINTENCE EXPENSES**

Travelling and daily allowance to witnesses is given by the Judicial Department, Puducherry.

### **5.32.10 RELIEF AND REHABILITATION OF VICTIMS OF ATROCITIES**

During the year 2017, 49 atrocities victims were provided relief.

### **5.32.11 PUBLICITY AND TRAING PROGRAMMES**

For sensitization of police personnel, contents of the PCR Act and the PoA Act and the Rules there under are taught during their basic training and in-service courses conducted at the Police Training School, Puducherry.

### **5.33 OTHER STATES/UTS**

(i) For the State of Nagaland, the requisite information may be treated as 'NIL'.

(ii) Despite several reminders, the material towards the annual report for the year 2017 was not received from the State of Manipur and Union Territory of Daman and Diu.

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**Offences of atrocities specified under Chapter-II of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.**

<b><u>OFFENCES OF ATROCITIES</u></b>	
<i>Punishment for offences of atrocities</i>	3. '(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe.
	(a) puts any inedible or obnoxious substance into the mouth of a member of a Scheduled Caste or a Scheduled Tribe or forces such member to drink or eat such inedible or obnoxious substance;
	(b) dumps excreta, sewage, carcasses or any other obnoxious substance in premises, or at the entrance of the premises, occupied by a member of a Scheduled Caste or Scheduled Tribe;
	(c) with intent to cause insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe, dumps excreta, waste matter, carcasses or any other obnoxious substance in his neighbourhood;
	(d) garlands with footwear or parades naked or semi-naked a member of a Scheduled Caste or a Scheduled Tribe;
	(e) forcibly commits on a member of a Scheduled Caste or a Scheduled Tribe any act, such as removing clothes from the person, forcible tonsuring of head, removing moustaches, painting face or body or any other similar act, which is derogatory to human dignity;
	(f) wrongfully occupies or cultivates any land, owned or in the possession of or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe, or gets such land transferred;
	(g) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights, including forest rights, over any land or premises or water or irrigation facilities or destroys the crops or takes away the produce therefrom. Explanation.—For the purposes of clause (f) and this clause, the expression “wrongfully” includes -- (A) against the person’s will; (B) without the person’s consent; (C) with the person’s consent, where such consent has been obtained by putting the person, or any other person in whom the person is interested in fear of death or of hurt; or (D) fabricating records of such land;
	(h) makes a member of a Scheduled Caste or a Scheduled Tribe to do begar or other forms of forced or bonded labour other than any compulsory service for public purposes imposed by the Government;

	(i) compels a member of a Scheduled Caste or a Scheduled Tribe to dispose or carry human or animal carcasses, or to dig graves;
	(j) makes a member of a Scheduled Caste or a Scheduled Tribe to do manual scavenging or employs or permits the employment of such member for such purpose;
	(k) performs, or promotes dedicating a Scheduled Caste or a Scheduled Tribe woman to a deity, idol, object of worship, temple, or other religious institution as a devadasi or any other similar practice or permits aforementioned acts;
	(l) forces or intimidates or prevents a member of a Scheduled Caste or a Scheduled Tribe— (A) not to vote or to vote for a particular candidate or to vote in a manner other than that provided by law; (B) not to file a nomination as a candidate or to withdraw such nomination; or (C) not to propose or second the nomination of a member of a Scheduled Caste or a Scheduled Tribe as a candidate in any election;
	(m) forces or intimidates or obstructs a member of a Scheduled Caste or a Scheduled Tribe, who is a member or a Chairperson or a holder of any other office of a panchayat under Part IX of the Constitution or a municipality under Part IX A of the Constitution, from performing their normal duties and functions;
	(n) after the poll, causes hurt or grievous hurt or assault or imposes or threatens to impose social or economic boycott upon a member of a Schedule Castes or a Scheduled Tribe or prevents from availing benefits of any public service which is due to him;
	(o) commits any offence under this Act against a member of a Scheduled Caste or a Scheduled Tribe for having voted or not having voted for a particular candidate or for having voted in a manner provided by law;
	(p) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;
	(q) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;
	r) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
	(s) abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;
	(t) destroys, damages or defiles any object generally known to be held sacred or in high esteem by members of a Scheduled Caste or a Scheduled Tribe. Explanation.—For the purposes of this clause, the expression “object” means and includes statue, photograph and portrait;
	(u) by words either written or spoken or by signs or by visible representation or otherwise promotes or attempts to promote feelings of enmity, hatred or ill-will against members of a

	Scheduled Caste or a Scheduled Tribe;
	(v) by words either written or spoken or by any other means disrespects any late person held in high esteem by members of a Scheduled Caste or a Scheduled Tribe;
	<p>(w) (i) intentionally touches a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe, when such act of touching is of a sexual nature and is without the recipient's consent;</p> <p>(ii) uses words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe.</p> <p>Explanation.—For the purposes of sub-clause(i), the expression “consent” means an unequivocal voluntary agreement when the person by words, gestures, or any form of non-verbal communication, communicates willingness to participate in the specific act:</p> <p>Provided that a woman belonging to a Scheduled Caste or a Scheduled Tribe who does not offer physical resistance to any act of a sexual nature is not by reason only of that fact, to be regarded as consenting to the sexual activity:</p> <p>Provided further that a woman's sexual history, including with the offender shall not imply consent or mitigate the offence;</p>
	(x) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;
	(y) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any other section have a right to use or access to;
	<p>z) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence:</p> <p>Provided that nothing contained in this clause shall apply to any action taken in discharge of a public duty.</p>
	<p>za) obstructs or prevents a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to –</p> <p>(A) using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing ghat, any public conveyance, any road, or passage;</p> <p>(B) mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding</p>

	<p>procession, or mounting a horse or any other vehicle during wedding processions;</p> <p>(C) entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious, social or cultural procession including jatras;</p> <p>(D) entering any educational institution, hospital, dispensary, primary health centre, shop, public restaurant, hotel or place of public entertainment; or any other public place; or using any utensils or articles meant for public use in an any place open to the public; or</p> <p>(E) practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to;</p>
	(zb) causes physical harm or mental agony of a member of a Scheduled Caste or a Scheduled Tribe on the allegation of practicing witchcraft or being a witch; or
	<p>(zc) imposes or threatens a social or economic boycott of any person or a family or a group belonging to a Scheduled Caste or a Scheduled Tribe,</p> <p>shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.</p>
<i>Punishment for offences of atrocities</i>	3 (2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe-
	i) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is capital by the law for the time being in force shall be punished with imprisonment for life and with fine; and if an innocent member of a Scheduled Caste or a Scheduled Tribe be convicted and executed in consequence of such false or fabricated evidence, the person who gives or fabricates such false evidence, shall be punished with death;
	(ii) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is not capital but punishable with imprisonment for a term of seven years or upwards, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years or upwards and with fine;
	(iii) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause damage to any property belonging to a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with

	imprisonment for a term which shall not be less than six months but which may extend to seven years and with fine;
	iv) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause destruction of any building which is ordinarily used as a place of worship or as a place for human dwelling or as a place for custody of the property by a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for life and with fine;
	(v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property on the ground knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with imprisonment for life and with fine;  “(va) commits any offence specified in the Schedule, against a person or property, knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with such punishment as specified under the Indian Penal Code for such offences and shall also be liable to fine”;
	(vi) knowingly or having reason to believe that an offence has been committed under this Chapter, causes any evidence of the commission of that offence to disappear with the intention of screening the offender from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with the punishment provided for that offence; or
	vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.
<i>Punishment for offences of atrocities</i>	“4. (1) Whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under the Act and the rules made thereunder, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.  (2) The duties of public servant referred to in sub-section (1) shall include— (a) to read out to an informant the information given orally, and reduced to writing by the officer in charge of the police station, before taking the signature of the informant;  (b) to register a complaint or a First Information Report under this Act and other relevant provisions and to register it under appropriate sections of the Act;  (c) to furnish a copy of the information so recorded forthwith to

	<p>the informant;</p> <p>(d) to record the statement of the victims or witnesses;</p> <p>(e) to conduct the investigation and file charge sheet in the Special Court or the Exclusive Special Court within a period of sixty days, and to explain the delay if any, in writing;</p> <p>(f) to correctly prepare, frame and translate any document or electronic record;</p> <p>(g) to perform any other duty specified in the Act or the rules made thereunder:</p> <p>        Provided that the charges in this regard against the public servant shall be booked on the recommendation of an administrative enquiry.</p> <p>(3) The cognizance in respect of any dereliction of duty referred to in sub-section (2) by a public servant shall be taken by the Special Court or the Exclusive Special Court and shall give direction for penal proceedings against such public servant.”</p>
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## ANNEXURE II (A) (Para 3.4)

**STATE-WISE NUMBER OF CASES OF OFFENCES OF ATROCITIES AGAINST MEMBERS OF SCHEDULED CASTES REGISTERED BY POLICE AND THEIR DISPOSAL UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989 IN CONJUNCTION WITH THE IPC DURING THE YEAR 2016**

S. No.	State / UT	Number of cases pending from previous year	Number of cases registered during 2016	Number of cases with police during 2016 including B.F.	Number of cases withdrawn by the Government during investigation	Number of cases closed by Police after investigation	Cases in which charge sheets were not laid but final report as true submitted during the year	Number of cases charge sheeted in courts	Number of cases pending with police at the end of 2016
1.	Andhra Pradesh	2147	2335	4482	0	815	16	1206	2445
2.	Arunachal Pradesh	0	0	0	0	0	0	0	0
3.	Assam	3	4	7	0	0	0	3	4
4.	Bihar	4079	5701	9780	0	205	46	5218	4311
5.	Chhattisgarh	58	243	301	0	0	2	250	49
6.	Goa	5	10	15	0	1	2	3	9
7.	Gujarat	112	1321	1433	13	52	18	1197	153
8.	Haryana	87	639	726	0	168	4	465	89
9.	Himachal Pradesh	27	115	142	0	26	1	84	31
10.	Jharkhand	921	525	1446	0	99	115	281	951
11.	Karnataka	828	1866	2694	0	349	15	1488	842
12.	Kerala	536	810	1346	2	230	32	444	638
13.	Madhya Pradesh	244	4922	5166	0	50	2	4611	503
14.	Maharashtra	816	1736	2552	1	240	20	1484	807
15.	Manipur	2	2	4	0	0	0	3	1
16.	Meghalaya	0	0	0	0	0	0	0	0
17.	Mizoram	0	0	0	0	0	0	0	0
18.	Nagaland	0	0	0	0	0	0	0	0
19.	Odisha	1292	1796	3088	0	332	42	1432	1282
20.	Punjab	137	132	269	0	51	6	82	130
21.	Rajasthan	732	5134	5866	0	2943	11	2391	521
22.	Sikkim	0	1	1	0	0	0	0	1
23.	Tamil Nadu	612	1287	1899	0	174	96	991	638
24.	Telangana	956	1529	2485	0	280	75	780	1350
25.	Tripura	0	0	0	0	0	0	0	0
26.	Uttar Pradesh	1575	10426	12001	0	411	1624	8387	1579
27.	Uttarakhand	24	65	89	0	3	10	39	37
28.	West Bengal	197	119	316	0	1	8	127	180
29.	A & N Islands	0	0	0	0	0	0	0	0
30.	Chandigarh	1	1	2	0	0	0	0	2
31.	D & N Haveli	0	0	0	0	0	0	0	0
32.	Daman & Diu	2	0	2	0	0	0	0	2
33.	Delhi	53	53	106	0	0	3	32	71
34.	Lakshadweep	0	0	0	0	0	0	0	0
35.	Puducherry	1	2	3	0	0	0	1	2
	<b>Total</b>	<b>15447</b>	<b>40774</b>	<b>56221</b>	<b>16</b>	<b>6430</b>	<b>2148</b>	<b>30999</b>	<b>16628</b>

**Note:-** The SCs and the STs (PoA) Act, 1989 does not extend to State of Jammu & Kashmir.

**Source:** National Crime Records Bureau, Ministry of Home Affairs, Government of India, New Delhi.

**STATE-WISE NUMBER OF CASES OF OFFENCES OF ATROCITIES AGAINST MEMBERS OF SCHEDULED TRIBES REGISTERED BY POLICE AND THEIR DISPOSAL UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989 IN CONJUNCTION WITH THE IPC DURING THE YEAR 2016**

S. No.	State / UT	Number of cases pending from previous year	Number of cases registered during 2016	Number of cases with police during 2016 including B.F.	Number of cases withdrawn by the Government during investigation	Number of cases closed by Police after investigation	Cases in which charge sheets were not laid but final report as true submitted during the year	Number of cases charge sheeted in courts	Number of cases pending with police at the end of 2016
1.	Andhra Pradesh	373	405	778	0	107	2	264	405
2.	Arunachal Pradesh	1	0	1	0	0	1	0	0
3.	Assam	0	1	1	0	0	0	1	0
4.	Bihar	17	25	42	0	3	0	22	17
5.	Chhattisgarh	53	402	455	0	2	1	393	59
6.	Goa	5	11	16	0	0	2	6	8
7.	Gujarat	39	281	320	4	7	6	237	66
8.	Haryana	0	0	0	0	0	0	0	0
9.	Himachal Pradesh	3	2	5	0	0	0	1	4
10.	Jharkhand	331	280	611	0	20	54	170	367
11.	Karnataka	170	371	541	0	50	4	301	186
12.	Kerala	141	182	323	0	15	17	133	158
13.	Madhya Pradesh	117	1823	1940	0	10	0	1795	135
14.	Maharashtra	236	403	639	0	55	3	396	185
15.	Manipur	4	1	5	0	0	1	1	3
16.	Meghalaya	0	0	0	0	0	0	0	0
17.	Mizoram	0	0	0	0	0	0	0	0
18.	Nagaland	0	0	0	0	0	0	0	0
19.	Odisha	389	681	1070	0	54	8	617	391
20.	Punjab	0	2	2	0	0	0	0	2
21.	Rajasthan	201	1195	1396	0	696	3	538	159
22.	Sikkim	0	0	0	0	0	0	0	0
23.	Tamil Nadu	8	19	27	0	1	0	19	7
24.	Telangana	260	375	635	0	72	8	229	326
25.	Tripura	1	3	4	0	0	0	1	3
126.	Uttar Pradesh	1	4	5	0	0	0	4	1
27.	Uttarakhand	3	3	6	0	0	0	3	3
28.	West Bengal	163	83	246	0	0	8	136	102
29.	A & N Islands	1	6	7	0	0	0	5	2
30.	Chandigarh	0	0	0	0	0	0	0	0
31.	D & N Haveli	8	2	10	0	0	1	0	9
32.	Daman & Diu	0	0	0	0	0	0	0	0
33.	Delhi	0	2	2	0	0	0	0	2
34.	Lakshadweep	0	1	1	0	0	0	0	1
35.	Puducherry	0	1	1	0	0	0	0	1
	<b>Total</b>	<b>2525</b>	<b>6564</b>	<b>9089</b>	<b>4</b>	<b>1092</b>	<b>119</b>	<b>5272</b>	<b>2602</b>

**Note:-** The SCs and the STs (PoA) Act, 1989 does not extend to State of Jammu & Kashmir.

**Source:** National Crime Records Bureau, Ministry of Home Affairs, Government of India, New Delhi.

**ANNEXURE III (A) (Para 3.5)**

**STATE-WISE NUMBER OF CASES OF OFFENCES OF ATROCITIES AGAINST MEMBERS OF SCHEDULED CASTES WITH THE COURTS UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989 IN CONJUNCTION WITH THE IPC AND THEIR DISPOSAL DURING THE YEAR 2016**

S.No.	State/UT	Number of cases in Courts including B.F. in 2016	Cases Compounded or withdrawn	Number of cases in which		Number of cases pending with Courts at the end of 2016
				Convicted	Acquitted or Discharged	
1.	Andhra Pradesh	3583	10	31	948	2594
2.	Arunachal Pradesh	0	0	0	0	0
3.	Assam	4	0	0	0	4
4.	Bihar	27740	0	204	922	26614
5.	Chhattisgarh	1355	0	56	81	1218
6.	Goa	33	0	1	12	20
7.	Gujarat	7740	2	22	448	7268
8.	Haryana	983	0	39	263	681
9.	Himachal Pradesh	324	8	1	30	285
10.	Jharkhand	1566	0	87	126	1353
11.	Karnataka	7223	0	22	752	6449
12.	Kerala	2244	0	13	152	2079
13.	Madhya Pradesh	16225	342	886	1956	13041
14.	Maharashtra	8647	14	106	865	7662
15.	Manipur	3	0	0	0	3
16.	Meghalaya	0	0	0	0	0
17.	Mizoram	0	0	0	0	0
18.	Nagaland	0	0	0	0	0
19.	Odisha	7970	0	34	983	6953
20.	Punjab	252	0	16	42	194
21.	Rajasthan	13750	29	541	674	12506
22.	Sikkim	2	0	0	2	0
23.	Tamil Nadu	5050	1	76	904	4069
24.	Telangana	2515	9	23	347	2136
25.	Tripura	0	0	0	0	0
26.	Uttar Pradesh	36315	47	1570	1243	33455
27.	Uttarakhand	153	0	24	18	111
28.	West Bengal	435	0	0	28	407
29.	A & N Islands	0	0	0	0	0
30.	Chandigarh	2	0	0	0	2
31.	D & N Haveli	4	0	0	0	4
32.	Daman & Diu	0	0	0	0	0
33.	Delhi	196	0	0	6	190
34.	Lakshadweep	0	0	0	0	0
35.	Puducherry	2	0	0	0	2
	<b>Total</b>	<b>144316</b>	<b>462</b>	<b>3752</b>	<b>10802</b>	<b>129300</b>

**Note:-** The SCs and the STs (PoA) Act, 1989 does not extend to State of Jammu & Kashmir.

**Source:** National Crime Records Bureau, Ministry of Home Affairs, Government of India, New Delhi

**STATE-WISE NUMBER OF CASES OF OFFENCES OF ATROCITIES AGAINST MEMBERS OF SCHEDULED TRIBES WITH THE COURTS UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989 IN CONJUNCTION WITH THE IPC AND THEIR DISPOSAL DURING THE YEAR 2016**

S.No.	State/UT	Number of cases in Courts including B.F. in 2016	Cases Compounded or withdrawn	Number of cases in which		Number of cases pending with Courts at the end of 2016
				Convicted	Acquitted or Discharged	
1.	Andhra Pradesh	709	2	2	173	532
2.	Arunachal Pradesh	12	0	1	0	11
3.	Assam	1	0	0	0	1
4.	Bihar	269	0	5	6	258
5.	Chhattisgarh	1554	0	78	149	1327
6.	Goa	18	0	1	3	14
7.	Gujarat	1840	0	1	109	1730
8.	Haryana	0	0	0	0	0
9.	Himachal Pradesh	10	0	0	0	10
10.	Jharkhand	848	14	34	36	764
11.	Karnataka	1434	0	0	190	1244
12.	Kerala	561	0	4	45	512
13.	Madhya Pradesh	5844	61	273	671	4839
14.	Maharashtra	2520	4	21	238	2257
15.	Manipur	2	0	0	0	2
16.	Meghalaya	0	0	0	0	0
17.	Mizoram	0	0	0	0	0
18.	Nagaland	0	0	0	0	0
19.	Odisha	3103	0	18	299	2786
20.	Punjab	0	0	0	0	0
21.	Rajasthan	3204	5	139	197	2863
22.	Sikkim	0	0	0	0	0
23.	Tamil Nadu	76	0	1	8	67
24.	Telangana	729	2	12	144	571
25.	Tripura	2	0	0	1	1
26.	Uttar Pradesh	107	0	12	5	90
27.	Uttarakhand	6	0	0	2	4
28.	West Bengal	437	0	0	14	423
29.	A & N Islands	35	0	0	2	33
30.	Chandigarh	0	0	0	0	0
31.	D & N Haveli	16	0	0	0	16
32.	Daman & Diu	0	0	0	0	0
33.	Delhi	7	0	0	1	6
34.	Lakshadweep	0	0	0	0	0
35.	Puducherry	0	0	0	0	0
	<b>Total</b>	<b>23344</b>	<b>88</b>	<b>602</b>	<b>2293</b>	<b>20361</b>

**Note:** The SCs and the STs (PoA) Act, 1989 does not extend to State of Jammu & Kashmir.

**Source:** National Crime Records Bureau, Ministry of Home Affairs, Government of India, New Delhi.

**ANNEXURE-IV**  
**(Para 4.1.1)**

**DETAILS OF CENTRAL ASSISTANCE RELEASED TO STATE GOVERNMENTS / UNION TERRITORY ADMINISTRATIONS 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 DURING 2017-18.**

<b>S. No.</b>	<b>State/UT</b>	<b>Central assistance released (Rs. in lakhs)</b>
1.	Andhra Pradesh	2609.01
2.	Assam	06.00
3.	Bihar	1506.67
4.	Chhattisgarh	507.12
5.	Goa	07.45
6.	Gujarat	3010.755
7.	Haryana	753.625
8.	Himachal Pradesh	42.485
9.	Jharkhand	183.702
10.	Karnataka	2864.77
11.	Kerala	1105.46
12.	Madhya Pradesh	6819.965
13.	Maharashtra	2547.47
14.	Odisha	1124.435
15.	Punjab	100.00
16.	Rajasthan	3070.695
17.	Sikkim	21.00
18.	Tamil Nadu	1921.235
19.	Telangana	1373.445
20.	Tripura	14.75
21.	Uttar Pradesh	5100.4705
22.	Uttarakhand	76.4875
23.	West Bengal	409.00
24.	Chandigarh	10.00
25.	Puducherry	400.00
	<b>TOTAL</b>	<b>35586.00</b>