

ANNUAL REPORT
ON
THE PROTECTION OF CIVIL RIGHTS ACT, 1955
FOR THE YEAR 2005



GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
NEW DELHI

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CHAPTER-1

INTRODUCTION

1.1 Article 17 of the Constitution of India abolished the practice of untouchability and in furtherance of the provision thereof the Protection of Civil Rights Act (PCR Act) was enacted in the year 1955. The Act provides for punishment for of untouchability and extends to all over the country including the State of Jammu & Kashmir. The Act is implemented by the State Governments and Union Territory Administrations.

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

1.3 The Report has been arranged in four chapters. While chapter 1 is introduction. Chapter 2 deals with disposal of cases by police and the courts. Chapters 3 and 4 outline the measures taken by the Government of India and the State Governments / Union Territory Administrations respectively for effective implementation of the Act.

CHAPTER-2

STATISTICAL PROFILE OF STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATIONS

The statistical information received from the National Crime Records Bureau, Ministry of Home Affairs under the Protection of Civil Rights Act, 1955 for the calendar year, 2005 four hundred fifty three (453) cases were registered under the Act. The largest numbers of cases (168 cases) were reported in Jharkhand. The State-wise details of the cases registered under the Act during the year 2005 in descending order are mentioned in the table below. In the remaining States and Union Territories, no case was registered during the calendar year 2005.

TABLE NO.2.1

CASES REGISTERED DURING 2005

| S. No. | State/UTs | Number of Cases registered during 2005 | Percentage of total case registered under the PCR Act |
|---------------|------------------|---|--|
| 1. | Jharkhand | 168 | 37.09 |
| 2. | Bihar | 95 | 20.97 |
| 3. | Andhra Pradesh | 61 | 13.46 |
| 4. | Maharashtra | 32 | 07.06 |
| 5. | Karnataka | 28 | 06.18 |
| 6. | Uttar Pradesh | 28 | 06.18 |
| 7. | Tamil Nadu | 12 | 02.65 |
| 8. | Puducherry | 12 | 02.65 |
| 9. | Gujarat | 6 | 01.33 |
| 10. | Himachal Pradesh | 5 | 01.11 |
| 11. | Chhatisgarh | 1 | 00.22 |
| 12. | Jammu & Kashmir | 1 | 00.22 |
| 13. | Madhya Pradesh | 1 | 00.22 |
| 14. | Punjab | 1 | 00.22 |
| 15. | Rajasthan | 1 | 00.22 |
| 16. | Delhi | 1 | 00.22 |
| | Total | 453 | 100 |

STATES WHERE LESS THAN 21 CASES WERE REGISTERING

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

TABLE NO.2.2

| S.No. | State/UT | Number of cases reported during 2005 |
|--------------|-----------------|---|
| 1. | Tamil Nadu | 12 |
| 2. | Puducherry | 12 |
| 3. | Gujarat | 06 |
| 4. | Himachal | 05 |
| 5. | Chhatisgarh | 01 |
| 6. | Jammu & Kashmir | 01 |
| 7. | Madhya Pradesh | 01 |
| 8. | Punjab | 01 |
| 9. | Rajasthan | 01 |
| 10. | Delhi | 01 |
| | Total | 41 |

STATES WHERE MORE THAN 21 CASES WERE REGISTERED

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

TABLE NO.2.3

| S.No. | State/UT | Number of cases reported during 2005 |
|--------------|-----------------|---|
| 1. | Bihar | 95 |
| 2. | Andhra Pradesh | 61 |
| 3. | Maharashtra | 32 |
| 4. | Karnataka | 28 |
| 5. | Uttar Pradesh | 28 |
| 6. | Jharkhand | 168 |
| | Total | 412 |

ACTION TAKEN BY THE POLICE:

The details in regard to cases dealt with by Police during 2005 are given in the following table.

TABLE NO.2.4

| S. No. | Item | Number of Cases | |
|---------------|--|------------------------|----------------------------|
| | | Number | Percentage of total |
| 1 | 2 | 3 | 4 |
| 1. | Total number of cases (including brought forward) | 567 | - |
| 2. | Number of cases closed after investigation | 79 | 13.93% |
| 3. | Number of cases charge sheeted in courts | 218 | 38.45% |
| 4. | Number of cases pending with the police at the end of the year | 270 | 47.62% |

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

DISPOSAL OF CASES BY COURTS

The details of disposal of cases of untouchability by courts during the year 2005 are given in the Table below.

TABLE NO.2.5

Disposal of cases by Courts

| S. No. | Item | Number of Cases | |
|--------|--|-----------------|--|
| | | Number of cases | Percentage of total cases disposed off by the courts |
| 1 | 2 | 3 | 4 |
| 1. | Total number of cases (including brought forward) | 3,356 | - |
| 2. | Number of cases disposed of by Courts | 486 | 14.48% |
| (a) | Number of cases ending in conviction | 101 | 20.78% |
| (b) | Number of cases ending in acquittal | 385 | 79.22% |
| 3. | Number of cases compounded or withdrawn | 3 | 00.09 |
| 4. | Number of cases pending with Courts at the end of year | 2,867 | 85.43% |

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

CHAPTER-3

MEASURES TAKEN BY THE GOVERNMENT OF INDIA

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

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

To financially assist the State Governments/ Union Territory Administrations in implementation of provisions of the Act, under a Centrally Sponsored Scheme for implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, due central assistance is provided to them mainly for strengthening of the administrative, enforcement and judicial machinery, inter-caste-marriages, awareness generation, and relief and rehabilitation of the affected persons. During the year 2005-2006, central assistance of Rs. 3831.00 lakhs was released. The State / Union Territory wise details are given below: -

| S.No. | State / Union Territory | Central Assistance released (Rs. in lakhs) |
|--------------|--------------------------------|---|
| 1. | Andhra Pradesh | 388.38325 |
| 2. | Bihar | 13.00000 |
| 3. | Chhattisgarh | 46.38000 |
| 4. | Goa | 0.10000 |
| 5. | Gujarat | 281.03000 |
| 6. | Haryana | 73.96025 |
| 7. | Karnataka | 852.66150 |

| | | |
|-----|------------------------|-------------------|
| 8. | Kerala | 117.52000 |
| 9. | Madhya Pradesh | 820.01000 |
| 10. | Maharashtra | 426.86000 |
| 11. | Orissa | 01.20000 |
| 12. | Punjab | 21.37500 |
| 13. | Rajasthan | 87.00000 |
| 14. | Sikkim | 01.75000 |
| 15. | Tamil Nadu | 160.72000 |
| 16. | Uttar Pradesh | 414.10500 |
| 17. | Uttaranchal | 37.00000 |
| 18. | Dadra and Nagar Haveli | 50.00000 |
| 19. | Pondicherry | 37.94500 |
| | TOTAL | 3831.00000 |

3.3. Advisories to State Governments / Union Territory Administrations

The Ministry of Social Justice & Empowerment has been addressing the State Governments/Union Territory Administrations to implement the provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in letter and spirit with specific emphasis on taking necessary steps towards setting up of exclusive special courts, sensitization of investigating officers, ensuring registration of First Information Report (FIR), timely registration of cases and filing of charge sheets in the courts, giving due attention to maintenance of law and order in the identified atrocity prone areas and use of electronic printing and other media outfit to publicize the provisions of the Act for creating awareness among the target groups and ensuring participation of Panchayati Raj Institutions and the civil society at large. The Hon'ble Minister for Social Justice & Empowerment in this regard also addressed a detailed d.o. letter dated 28.12.2004 to the Chief Ministers of States-UTs suggesting therein the following specific measures towards effective implementation of the Acts: -

- (i) Ensuring that meticulously documented First Information Report (FIR) is invariably registered by the Police Station and an effective charge sheet is filed in the court at the earliest.
- (ii) Deploying female police personnel in police stations, especially in atrocity prone areas, to record complaint of women victims of offences of atrocities under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- (iii) Ensuring the visit of District Magistrate/District Collector and the District Superintendent of Police to each place of occurrence of atrocity, reviewing police protection arrangements for the atrocity victims and their family/families and prompt payment of relief to the victims of offences of atrocities, and quarterly reviewing implementation of the Act by the Nodal Officer with District Magistrates and

Superintendents of Police in accordance with Rule 9 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

(iv) Deploying police force in the identified atrocity prone areas to protect the life and property of Scheduled Castes and the Scheduled Tribes and to take preventive measures for checking such offences.

(v) Timely handling of prosecution of cases by Special Public Prosecutors and strengthening of the institution of Special Public Prosecutors.

(vi) Sensitizing Police Officers in regard to the implementation of the Acts and to impart regular and effective training to the Police Officers, Special Public Prosecutors and the concerned District Administration officers.

(vii) Displaying the salient features of the Acts on the billboards/hoardings in all the police stations, especially in the rural areas and at other places frequently visited by the public.

(viii) Identifying atrocity prone areas and appointing Special Officers in such identified areas in accordance with Rule 10 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

(ix) Preparing Contingency Plan for implementing the provisions of the Act, in accordance with Rule 15 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

(x) Setting up of exclusive Special Courts in all Districts for trial of offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(xi) Ensuring holding of periodic meetings of the High Power State Level Vigilance and Monitoring Committees under the Chairpersonship of the Chief Minister and likewise such District Level Committees under the Chairpersonship of the District Magistrate/ District Collector, with adequate representation of Non-Governmental Organizations (NGO) working for the cause of Scheduled Castes and Scheduled Tribes.

(xii) Launching awareness generation campaign and organizing seminars on the provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 with participation of Panchayati Raj Institutions and Non Governmental Organizations (NGOs).

3.4 National Conference on Prevention of Atrocities against Scheduled Castes and Scheduled Tribes and Protection of Civil Rights

A National Conference on Prevention of Atrocities against Scheduled Castes and Scheduled Tribes and Protection of Civil Rights was chaired by the Hon'ble Minister of Social Justice & Empowerment on 11.01.2005. The Conference was attended by

participating State Governments, the then Chairperson of National Commission for Scheduled Castes, the Chairperson and Members of the National Commission for Safai Karamcharis, selected Non Governmental Organizations and Human Rights Activists. The Hon'ble Union Home Minister and the Hon'ble Union Minister of Law & Justice also addressed the participants.

3.5 MEETING OF STATE SECRETARIES OF SOCIAL WELFARE / SCs & STs DEVELOPMENT DEPARTMENTS

Implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was discussed in the meeting of Secretaries of Social Welfare/ Scheduled Caste Development Department of States / Union Territories, which was held on 30-31 August, 2005, in New Delhi to review the developmental schemes of the Ministry of Social Justice and Empowerment.

3.6 MINISTRY OF INFORMATION AND BROADCASTING

3.6.1 ALL INDIA RADIO (AIR)

All Stations of All India Radio (AIR) have been mounting programmes for the 'Eradication of Untouchability' in their Special Audience Programmes (SAP) like Rural, Women, Youth and Children's programmes apart from the general broadcasts. These programmes have been in the form of Talks, Plays, Features, Discussions, Interviews, Family Serials and Slogans etc. 989 programmes were broadcasted on 'Eradication of Untouchability' in different dialects/regional languages from various All India Radio Stations during the calendar year 2005.

3.6.2 DOORDARSHAN

Doordarshan Kendras have been telecasting programmes for "Eradication of Untouchability" in the form of documentaries, interviews talks on the various subjects. 98 programmes were telecast by various Doordarshan Kendras during the year 2005.

3.6.3 SONG & DRAMA DIVISION

The Song & Drama Division made concerted efforts by utilizing a wide range of folk and traditional forms to educate people on the issue of untouchability with an intention of changing the mind-set of people. The live entertainment media, as it is popularly known now, proved to be very effective because of its inherent advantage of instantaneous rapport with the masses and flexibility to incorporate contemporary issues, ideas and methods with conviction. The Division presented as many as 52,000 programmes during 2005-06. The themes of inter caste marriage, abolition of

untouchability, communal harmony are inter woven in almost all programmes being presented by the Division invariably.

3.6.4 PRESS INFORMATION BUREAU

The Press information Bureau issued a press note highlighting the works of the Ministry of Social Justice & Empowerment were issued from time to time. A letter of Hon'ble Minister for Social Justice & Empowerment addressed to Chief Ministers of States suggesting therein various measures to implements the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was given wide publicity. The National Conference on Prevention of Atrocities against Scheduled Castes and Scheduled Tribes and Protection of Civil Rights was held on 11.01.2005 at New Delhi chaired by the Hon'ble Minister of Social Justice Empowerment was discussed the issues regarding disposal of cases by police, functioning of police and improvement of conviction rate etc was also widely publicized in electronic and print media.

3.7 OTHER CENTRAL MINISTRIES

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

CHAPTER-4

MEASURES TAKEN BY STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATIONS

1. ANDHRA PRADESH

INTER CASTES MARRIAGES

An amount of Rs. 10,000/- per couple towards incentives to inter- caste married couples, if one of the spouses belongs to Scheduled Castes, is sanctioned under the scheme. During the year 2005-2006, an amount of Rs. 82.90 lakhs was incurred by cash on 829 inter-caste married couples towards incentives.

SPECIAL COURTS

There are 22 Special Mobile Magistrate Courts in the State are functioning in 22 districts. These Courts were provided with a Mobile van to tour in the interior areas and to conduct the trial of the cases of untouchability under the Act.

PUBLICITY MEASURES

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

WEEKLY VISITS TO VILLAGES

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

All the District Collectors have also been requested to prepare monthly action plan for the visit of the teams to the villages every week and to give advance intimation to the villages selected and also involve all elected representatives, Gram Sarpanchs, ward members and all villagers in the programme. They were also requested to tackle the issues in a persuasive and positive manner in a congenial atmosphere avoiding eruption of any social confrontation and give wide publicity about the visits and send a comprehensive report covering all Mandals after completion of programme every week in prescribed format. So far about 35,000 village visits have been organized under the programme.

2. ASSAM

LEGAL AID

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

INTER CASTE MARRIAGES

The purpose of the scheme is to bring caste parity in the society. The marriages between Scheduled Castes and other castes are encouraged and an incentive of Rs. 5000/- per couple is being given. 60 number of couples were assisted with financial incentives with an expenditure of Rs. 3.00 lakhs.

COMMITTEES

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

PUBLICITY

An awareness programme was organized by displaying the provision of the Act for generating awareness amongst the Scheduled Castes and Scheduled Tribes as well as others. The display was made in prominent places of different district headquarters.

3. BIHAR

PUBLICITY

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

COMMITTEES

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

SCHEDULED CASTES AND SCHEDULED TRIBES POLICE STATIONS

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

4. CHHATTISGARH

LEGAL AID

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

INTER CASTE MARRIAGES

The State Government is implementing an inter-caste marriage scheme to promote and support the couples whose marriages are performed with Non-Scheduled Castes. An incentive amount of Rs. 6000/- is provided along-with a gold medal during the year 2005, 12 couples were provided incentive of Rs. 0.72 lakhs towards incentive for inter - caste marriages,

PUBLICITY

For publicity, an amount of Rs. 5.00 lakhs was disbursed to the districts during the year 2005-2006. 16 Sadhavana Shibirs were also held in the districts and an amount of Rs. 3.17 lakhs was incurred on the item.

5. GOA

LEGAL AID

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

INTER CASTE MARRIAGES

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

6. GUJARAT

LEGAL AID

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

INTER CASTE MARRIAGES

An incentive of Rs. 50,000/- is provided (Rs. 25,000/- in the form of National Saving Certificate and Rs. 25,000/- in cash for purchase of household kit) for the marriage between non-Scheduled Castes and Scheduled Castes. An amount of Rs. 137.30 lakhs was incurred to provide incentives to 275 such couples.

APPOINTMENT OF OFFICERS

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

COMMITTEES

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

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

PUBLICITY

During the year 2005, 7 Seminars, 25 District level Workshops and 223 Taluka level Shibirs for removal of untouchability were arranged. For wide publicity of the Act printed booklets, both in Gujarati and English, were circulated among the authorities/non-officials and village panchayat, social workers and voluntary organizations.

7. HARYANA

LEGAL AID

Assistance for legal aid is provided for cases pertaining to offences of untouchability, mutation of land records, abduction and kidnapping of girls and women and cases pertaining to reservations meant for Scheduled Castes. Expenses towards witnesses and court fees are also met under the scheme. During the calendar year 2005, an amount of Rs.4,700/- was utilized benefiting 6 persons. There is no income ceiling to avail of the legal aid.

INTER CASTE MARRIAGES

For the eradication of caste system, a financial assistance of Rs.25,000/- (40% in cash and 60% in the form of fixed deposit for six years in the joint account) is provided to a couple, one of whom belongs to Scheduled Caste community, contracting inter-caste marriage. During the calendar year 2005, an expenditure of Rs.9.50 lakhs was incurred for the benefit of 38 such couples.

APPOINTMENT OF OFFICERS

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

COMMITTEES

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

AWARD TO PANCHAYATS

The Village Panchayats are encouraged by providing grant of Rs. 5000/-in recognition of their work, inter-alia, pertaining to eradication of untouchability. During the calendar year 2005, an expenditure of Rs.1.60 lakhs was incurred on 32 such Panchayats.

8. HIMACHAL PRADESH

LEGAL AID

The State Legal Broad provides free assistance for legal matters to a person whose annual income does not exceed Rs. 25,000/-, but there is no income ceiling for Scheduled Castes and Scheduled Tribes. The free legal aid includes expenses towards litigation as well as Travelling Allowance /Dearness Allowance to witnesses. During the calendar year 2005, an amount of Rs.9.50 lakhs was utilized benefiting 244 persons.

INTER CASTE MARRIAGES

For the eradication of untouchability, an incentive amount of Rs. 25,000/- per couple is provided to those who marry a Scheduled Caste person. During the year 2005, an expenditure of Rs. 52.26 lakhs was incurred towards providing incentives to 211 couples.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

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

COMMITTEES

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

PUBLICITY

For wide publicity of the Protection of Civil Rights Act, 1955, awareness camps were organized.

9. JHARKHAND

LEGAL AID

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

INTER CASTE MARRIAGES

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

COMMITTEES

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

SPECIAL COURTS

Special Courts have been set up in all the districts of the State for disposal of cases under the Act.

10. KERALA

SPECIAL COURTS

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

SPECIAL MOBILE SQUADS

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

PUBLICITY AND OTHER MEASURES

The Public Relation Department and Director of Scheduled Castes and Scheduled Tribes Department also give publicity to various measures. The Malayalam translation of the Act has also been supplied to all Police Stations and Circle Officers to enable them to acquaint themselves with the legal provisions and their responsibilities.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

Three special mobile squads are functioning in Kasargod, Palkkad and Wayanad districts, identified as provisions to offences against the members of Scheduled castes and Scheduled Tribes including under the PCR Act.

11. MADHAYA PRADESH

LEGAL AID

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

INTER CASTE MARRIAGES

For the eradication of untouchability and to promote inter-caste marriages, the State Government is implementing a scheme of inter-caste marriage. In accordance with the provision of the scheme, financial grant of Rs.10,000/- and a certificate is given to a couple, one of whom belongs to a Scheduled Caste or a Scheduled Tribe. During the year 2005-06, an expenditure of Rs.7.14 lakh was incurred and 75 couples were covered.

COMMITTEES

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

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

PUBLICITY

A. SADBHAWANA SHIVIRS

Sadbhawana Shivirs towards eradication of untouchability were organized in all the districts of the State. During the year 2005-06 an amount of Rs. 15.28 lakh was disbursed to districts. The Members of Parliament, Members of Legislative Assembly, Chairperson and Members of Zilla Panchayat, Members of Nagar Panchayat, Gram Panchayat, Members of Scheduled Castes and also persons not belonging to Scheduled Castes participated in the Shivirs in which information relating to provisions of schemes for welfare of Scheduled Castes / Scheduled Tribes and the Act was distributed. The community lunch was also organized.

B. AWARD TO PANCHAYATS

Awards are given to the Panchayats for doing outstanding work in the field of eradication of untouchability. At the district level, the Gram Panchayats doing outstanding work are awarded Rs. 5,000/-, at Divisional level, Rs. 10,000/- and at the State level, the award is of Rs. 20,000/-.

During the year 2005-6, an amount of Rs. 2.47 lakh was disbursed to the districts for award to Panchayats.

12. MAHARASHTRA

LEGAL AID

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

INTER-CASTE MARRIAGES

An incentive of Rs. 15,000/- per couple is provided for marriages between Savarna Hindu and Scheduled Castes/ Scheduled Tribes and Vimukta Jaties/ Nomadic Tribes. 50% of the amount is invested in small saving schemes. During the year 2005-06, an expenditure of Rs. 124.72 lakh was incurred to cover 831 beneficiaries.

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

The Police Department has prepared untouchability prone areas, 1010 Villages has been identified as “untouchability prone” out of these 450 villages as less sensitive,

334 Villages as partially sensitive and 226 villages as high sensitive villages in all districts of the State. They keep keen observation on these areas.

COMMITTEES

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

PUBLICITY

1. PARISHAD

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

2. Participation of Youth

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

a) Eloquence Competition

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

b) Essay Competition

Special District Social Welfare Officers conduct the essay competitions at school and college level every year. The winners are given cash prizes.

c) Sensitization of Village Workers & Officers

During the year 2005, a programme for sensitization of village level workers and officers was undertaken. One-day workshop was organized at 230 Panchayat Samittee Level. Sarpanch, Secretary and Members of Gram Panchayat, Talathi and Police Patil of village and Police employees of Police Stations attended the workshops. An expenditure of Rs. 4.20 lakh was incurred on organizing 238 workshops during the year.

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

13. ORISSA

LEGAL AID

Legal aid is provided to persons belonging to Scheduled Castes under the Legal Aid and Advice Scheme, 1981, administered by the Law Department. Besides, the Scheduled Caste and Scheduled Tribe litigants are also given legal aid under legal aid scheme operated by the Scheduled Tribes and Scheduled Castes Development Department to fight cases for establishing their right, titles and possession over the disputed land and also for the cases under the Act. An amount of Rs. 30,000/- for Scheduled Caste persons and Rs. 20,000/- for Scheduled Tribe persons was allotted during 2005-06.

INTER CASTE MARRIAGES

Cash incentive of Rs. 3,000/- per couple is provided for inter-caste marriages between caste Hindus and Scheduled Castes for social integration and removal of untouchability. During 2005–06, an amount of Rs. 45,000/- was allotted to 15 couples. The incentive amount has been revised from 3,000/- to Rs. 10,000/- w.e.f.17.09.2005.

PUBLICITY MEASURES

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

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

14. PUNJAB

LEGAL AID

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

PUBLICITY

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

INTER-CASTE MARRIAGES

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

15. RAJASTHAN

LEGAL AID

The legal services are provided to the entitled persons under the Legal Services Authorities Act, 1987, Rajasthan State Legal Service Authority Rules, 1995 and Rajasthan State Legal Services Regulation, 1999. During the calendar year 2005, 1048 Scheduled Castes and 1131 Scheduled Tribes were benefited of legal services in the State.

INTER-CASTE MARRIAGES

An incentive amount of Rs. 5,000/- is admissible to an inter-caste married couple, which is deposited in their Bank account. During the year 2005, an incentive of Rs.5,000/- was given to one couple.

16. TAMIL NADU

SPECIAL COURTS

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

PUBLICITY AND TRAINING PROGRAMMES FOR SENSITISING POLICE

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

17. TRIPURA

APPOINTMENT OF OFFICERS

Sub-Divisional Officers of the Sub-Divisions and Sub Deputy Collectors (Circle Officers of Revenue Circles) have been appointed for initiating and exercising supervisions over prosecutions for contravention of the provisions of the Act. The first class Judicial Magistrates have also been empowered to hold special courts for the trial of offences under the Act.

PUBLICITY

In the State, wide publicity to the provisions of the Protection of Civil Rights Act, 1955 was given through hoardings during the year.

18. UTTARANCHAL

LEGAL AID

Free legal aid is provided in all Districts of the State.

OTHER MEASURES

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

19. UTTAR PRADESH

LEGAL AID

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

INTER-CASTE MARRIAGES

An incentive amount of Rs. 10,000/- in cash is admissible to an inter-caste married/inter-religious married couple where one of the spouse belongs to Scheduled Caste/followers of different religion. During the year 2005, an amount of Rs.1.40/- lakh was given to 14 couples. Apart from this, Rs. 15,000/- was given as loan for small scale industry which is recoverable by way of easy six instalment within two years.

COMMITTEES

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

SPECIAL COURTS

For trial of offences under the Act in each district, the Court of Chief Judicial Magistrate / Judicial Magistrate have been designated as Special Court.

20. WEST BENGAL

LEGAL AID

The District Legal Services Authority has been formed in all Districts which are extending legal aid to weaker section of the people free of cost.

PUBLICITY

The incidents related to “Untouchability” in West Bengal are very rare due to public awareness, mass education and free education of students of all communities sitting together in the classrooms in primary and secondary schools. The State Government takes immediate steps to prevent recurrence of such incidents whenever situation arises. The Inspectors attached to Backward Classes Welfare Department are directed to organise awareness camps with the help of local NGO at the Block level to inform the people about the abolition of untouchability and encourage inter-caste marriage.

21. CHANDIGARH ADMINISTRATION

LEGAL AID

Rules for providing legal aid to Scheduled Castes have been formulated and necessary budgetary provision has also been made. However, no expenditure was incurred during the calendar year 2005, as no case was received for legal aid.

INTER-CASTE MARRIAGES

An incentive amount of Rs. 5,000/- is provided to an inter-caste married couple under the Scheme. However, no case was received during the calendar year 2005.

SPECIAL COURTS

The Court of Additional Session Judge, Chandigarh has been specified as Special Court to try the offences under the Act in Chandigarh. No case has been registered during the year 2005.

PUBLICITY

Chandigarh Administration undertakes publicity measures to create awareness among the public about eradication of evil practice of untouchability. Chandigarh Administration also displays slides in all the cinema halls on the eradication of evil practice of untouchability.

22. DADRA AND NAGAR HAVELI

LEGAL AID

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

COMMITTEES

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

23. DAMAN & DIU

LEGAL AID

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

24. NCT OF DELHI

LEGAL AID

During the calendar year 2005, no applications were received for financial assistance under the Act

PUBLICITY MEASURES

The awareness boards for the information of right of Scheduled Castes and Scheduled Tribes have been displayed at all the Police Stations.

25. PONDICHERRY

LEGAL AID

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

SPECIAL COURTS

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

IDENTIFICATION OF UNTOUCHABILITY PRONE AREAS

In the Union Territory, no untouchability prone area has been identified. However, preventive measures are being continued in all the villages where persons belonging to Scheduled Caste and Scheduled Tribe are residing. The PCR Cell circulates leaflets detailing the rights of the Scheduled Castes / Scheduled Tribes members as well as penal provisions of the Act.

26. OTHER STATES

Detail write-up in respect of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Andaman & Nicobar Islands and Lakshadweep (8) may be treated as Nil. Despite of several reminders the information has not been reported by the State Government of Jammu & Kashmir and Karnataka (2).
