

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:6392

ANSWERED ON:15.05.2012

IMPLEMENTATION OF SCS STS PREVENTION OF ATROCITIES ACT

Antony Shri Anto; Dhruvanarayana Shri R. ; Natarajan Shri P.R.; Singh Kunwar Rewati Raman

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has recently convened a high level meeting of State Home Ministers for reviewing the implementation status of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989;
- (b) if so, the details thereof, the major issues discussed and the decisions taken in the meeting;
- (c) whether the Government has under-taken any study regarding strict implementation of the said Act;
- (d) if so, the details thereof and the number of cases registered against non SC/ST public servants under section (4) of Rules, 1995 for wilful neglect of their duties in implementing the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 during each of the last three years and the current year, State-wise;
- (e) the number of cases disposed of/persons convicted during the said period, State-wise; and
- (f) the corrective measures taken by the Government to ensure proper implementation of the said Act?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a) to (c) Yes Sir, Ministry of Home Affairs in consultation with Ministry of Social Justice and Empowerment had convened a meeting to discuss effective implementation of SC/ST PoA Act 1989 on 17th April, 2011 at New Delhi. Ministry of Home Affairs has not undertaken any study regarding implementation of the said act.

The meeting was attended by Chief Ministers and Administrators of some States / UTs, Home Ministers and Minister in charge of Social Justice of many States / UTs and other representatives.

In the meeting the attention of representatives from the States / UTs was drawn to the fact that as per Seventh Schedule, 'Police' and 'Public Order' are State subjects under the Constitution, and as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crimes, including crimes against SC/ST lies with the State Governments and Union Territory Administrations. However, the Union Government attaches highest importance to the matter of prevention and control of crime against SCs/STs.

Ministry of Home Affairs has sent a detailed advisory dated 01st April, 2010 on crimes against SC/ST to all States / UTs. The advisory on SC/ST has enumerated various steps, viz; vigorous and conscientious enforcement of the statutory provisions and the existing legislations; sensitizing the law enforcement machinery towards crimes against SCs/STs by way of well- structured training programmes, conferences and seminars etc.; improving general awareness about legislations on crimes against SCs/STs, develop a community monitoring system to check cases of violence, abuse and exploitation; no delay in the registration of FIR in cases of crimes against SCs/STs; identification of for the economic and social atrocity-prone areas for taking preventive measures; adequate measures rehabilitation of the victims of atrocities etc. States / UTs were requested to implement this advisory meticulously.

The issues and difficulties regarding effective implementation of the SCs/STs PoA Act 1989 based upon the advisory were discussed in details.

The following steps were proposed to be undertaken :

States / UTs needs to be more proactive in effective implementation through various measures enumerated in the Advisory issued by Ministry of Home Affairs on Crime against SCs/STs.

Governmental machinery to be made more responsive and sensitive towards the crime against SCs/STs through various training programmes and sensitization

Involvement of all NGOs, Social Organisations and other organizations working in the field to alleviate the suffering of SCs/STs

(d) As per information provided by National Crime Records Bureau (NCRB), data regarding number of cases registered against non SC/ST public servants under section (4) of Rules, 1995 is not maintained centrally by NCRB.

(e) However National Crime Records Bureau (NCRB) has provided data on cases registered, cases chargesheeted, cases

convicted, persons arrested, persons chargesheeted & persons convicted under SCs/STs (Prevention of Atrocities) act against SCs and STs during 2008-2010 which are given in Annexure I & II respectively.