

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

UNSTARRED QUESTION NO:406
ANSWERED ON:26.02.2013
PROTECTION OF CIVIL RIGHTS
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Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether the Government has received any suggestions from the public representatives/social organizations regarding the need for strict compliance of the Protection of Civil Rights Act, 1955 and the SCs and STs (Prevention of Atrocities) Act, 1989;
- (b) if so, the details thereof along with the reaction of the Government thereto; and
- (c) the steps taken by the Government to make such Acts more stringent?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT (SHRI P. BALRAM NAIK)

(a) & (b) Observations have been made by certain organizations in regard to gaps in implementation of the Scheduled Castes (SCs) and the Scheduled Tribes (STs) (Prevention of Atrocities) {PoA} Act, 1989. These broadly related to under reporting of cases, non-registration of cases under appropriate sections of the PoA Act, delay in filling charge sheets, filling of false cases and filing of counter cases.

The Ministry of Home Affairs has sent a detailed advisory, dated 01.04.2010, on crimes against SCs/STs to all States/UTs. The advisory 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 members of SCs/STs, developing 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 etc. States/UTs have also been requested to implement this advisory meticulously. However, as per the seventh scheduled to the Constitution of India 'Police' and 'Public Order' are State subjects and, as such, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime, lies with the State.

A Committee under the chairpersonship of Union Minister for Social Justice & Empowerment, which was constituted in the year 2006, also reviews implementation of the Protection of Civil Rights Act, 1955 and the PoA Act, 1989 in the States/UTs. The Committee has, so far, held twenty meetings wherein implementation of the Act in 24 States and 4 Union Territories has been reviewed.

(c) The Central Government has commenced the process of considering amendments in the PoA Act, 1989, in consultation with the concerned agencies.