

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

UNSTARRED QUESTION NO:696
ANSWERED ON:10.12.2013
PENDENCY OF CASES UNDER SC ST POA ACT
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Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether there has been a growing trend of low rate of conviction and pendency of cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 across the country;
- (b) if so, the details thereof and the reasons therefor, State-wise; and
- (c) the steps being taken by the Government for ensuring the proper implementation of the Act and expeditious disposal of pending cases in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI MANIKRAO HODLYA GAVIT)

(a) & (b) As per the data of the National Crime Records Bureau, Ministry of Home Affairs, the following table indicates all India position for years 2010-2012, in regard to percentage of cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities (PoA) Act, 1989, ending in conviction as well pending in courts:-

Year % of :

Conviction Pendency

2010 33.7 79.1

2011 30.0 79.9

2012 23.8 83.1

The above table indicates a marginal variation in the pendency rate and a decline in the conviction rate during 2010-2012. The conviction rate may be influenced by several factors like witnesses turning hostile, belated prosecution, loss of interest by the victim and witnesses due to long delay in completion of trial, absence of corroborative evidence.

The State/UT wise percentage of cases under the PoA Act, ending in conviction and pending during 2010-2012, is indicated in the statement annexed.

(c) The PoA Act is implemented by the concerned State Governments and Union Territory Administrations. With a view to ensure effective implementation of provisions of the Act, Central assistance is provided to States/Union Territories, which includes strengthening of the enforcement machinery, incentive for inter caste marriages and awareness generation. They are requested to implement provisions of the Act in letter and spirit.

This Ministry has been addressing them to implement provision of the act in letter and spirit, with specific emphasis on setting up of exclusive special courts for speedy trial of cases, sensitization of investigating officers, mass awareness programmes, review of cases ending in acquittal. The Ministry of Home Affairs has also been advising them, inter-alia, regarding steps that need to be taken

to afford a greater measure of protection to SCs and STs.

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