

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1978-79)**

(SIXTH LOK SABHA)

THIRTY-FIRST REPORT

145
4

MINISTRY OF HOME AFFAIRS

Atrocities on Scheduled Castes and Scheduled Tribes

*Presented to Lok Sabha on 30-4-1979
Laid in Rajya Sabha on 30-4-1979*



**LOK SABHA SECRETARIAT
NEW DELHI**

*April, 1979/Vaisakha, 1901 (Saka)
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TO

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COMMITTEE ON THE WELFARE OF SCHEDULED
CASTES AND SCHEDULED TRIBES
(1978-79)

Shri Ram Dhan—*Chairman*

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Shri Y. Sahai—*Chief Legislative Committee Officer.*

Shri H. L. Malhotra—*Senior Legislative Committee Officer.*

*Ceased to be member of the Committee w.e.f. 21-4-79 on his retirement from Rajya Sabha.

INTRODUCTION

1. The Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to submit the Report on their behalf, present this **Thirty-first Report on the Ministry of Home Affairs—Atrocities on Scheduled Castes and Scheduled Tribes.**

2. The Committee took the evidence of the representatives of the Ministry of Home Affairs on the 16th August, 5th to 7th October, 1978. The Committee wish to express their thanks to the Secretary, Ministry of Home Affairs and other officers of that Ministry for placing before the Committee material and information, the Committee wanted in connection with the examination of this subject.

3. The Report was adopted by the Committee on the **25th April, 1979.**

4. A summary of conclusions/recommendations contained in the Report is appended (*See Appendix XI*).

NEW DELHI;
April 27, 1979.

Vaisakha 7, 1901 (Saka)

RAM DHAN,
Chairman,
Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes.

REPORT

I. ORGANIZATIONAL SET UP IN THE MINISTRY OF HOME AFFAIRS

The Committee have been informed that the subject 'Atrocities' is dealt within the National Integration Division of the Ministry of Home Affairs. The Division is functioning on the Desk pattern. The Desk (D), in the National Integration Division of the Ministry of Home Affairs, *inter alia*, coordinates all work in connection with crimes against members of SC/ST as are punishable under the IPC. The Desk comprises of a Desk Officer of the rank of a Section Officer, a U.D.C. and a Stenographer. Monthly figures of cases registered under the IPC where members of SC/ST are the victims; and half-yearly progress reports of such cases are obtained from the States/UTs and compiled by this Desk. Action for formulation of suggestions and guidelines, relating to prompt investigation follow-up and disposal of such cases, appropriate preventive and relief measures etc. and their issue to the State/UT Governments from time to time is also coordinated by this Desk. Whenever any such incident of serious nature comes to notice either through a press report or a communication from an M.P. or others, action taken *suo moto* to move the concerned State Governments for a proper enquiry and appropriate action according to law. A factual report is also called for in important cases.

2. When asked what action has been taken by the Desk Officer in the Ministry of Home Affairs at its own, in the case of reported Villupuram and Marathwada disturbances, the Home Secretary has informed the Committee that the Desk Officer is not independent functionary in the sense of a Collector or Superintendent of Police. He is part of the Secretariat. In some cases he is certainly authorised to as for a report. In a more important case invariably he puts up a letter asking for a report either to the Deputy Secretary or Joint Secretary.

3. Asked as to what is the reaction of the Government to a suggestion that there should be a separate cell in the Ministry of Home Affairs exclusively to deal with the subject atrocities and harassment of Scheduled Castes and Scheduled Tribes, the Secretary, Ministry of Home Affairs in his evidence before the Committee has stated that the Ministry of Home Affairs are actually thinking on these lines. He informed the Committee that about 3-4

years ago, a new Division was created in the Ministry of Home Affairs to deal with the problem of national integration. Simultaneously with that, another Division was also carved out to deal exclusively with the problems of tribal development known as the Tribal Development Division. In addition as a part of the existing arrangements, the purely law and order aspects are looked after by another Division.

4. He has further stated that it has been decided to create a self contained Unit under a Joint Secretary which will deal not only with the aspect of allegation of atrocities and harassment, but also as in the case of tribal development Division the problems of Development of the Scheduled Castes which are quite distinct and complex.

5. Explaining the position further during the course of evidence, the representative of the Ministry of Home Affairs has stated :

“We are creating a separate Division for Backward classes development on the lines of the Scheduled Tribes Development, What we call the Tribal Development Cell, and under this the Joint Secretary will bring all the work now being done in the Home Ministry at one spot. To this Joint Secretary we are thinking of giving him three separate areas. One will be the economic development programmes—that will be under one Deputy Secretary—and another Deputy Secretary will deal with the social aspects of untouchability and social aspects of other development programmes and the third Unit under a Director will deal with atrocities on Harijans and the implementation of the Civil Rights Act. These three divisions will be under one Joint Secretary because we feel that if all these things are brought together, then the various aspects of Backward Classes development can be looked into and handled at one spot. Today what happens is that atrocities on Harijans Division may analyse the data, but they may not be fully aware of what is the economic programme required or undertaken which will reduce these atrocities. So, all these factors are being brought together so that the development of backward classes can be handled more efficiently.”

6. The backward classes in the Government of India were explained to mean only three groups, that is Scheduled Castes and

Scheduled Tribes and other backward classes who are nomadic, semi-nomadic and de-notified classes.

7. The Committee then asked the Division in the Ministry of Home Affairs which is dealing with implementation of Constitutional safeguards for Scheduled Castes and Scheduled Tribes. The Home Secretary has stated that there is no specific agency in the Ministry of Home Affairs charged with the duty of implementation of Constitutional safeguards not only in the Government at the Central level but also at the State level. The Ministry of Home Affairs tries to safeguard these interests largely through the instrumentality of the Commissioner for Scheduled Castes and Scheduled Tribes. Now it is intended to be replaced by a Commission to keep continuous watch on the implementation of these safeguards.

8. The Committee wanted to know whether a separate Ministry for the Welfare of Scheduled Castes and Scheduled Tribes with a set of officers upto the district level, under the control of the Centre, will do better than what it is at present, the Home Secretary has stated "this is an issue not of an administration but of politics."

9. The Committee then enquired that under the new set up proposed by the Ministry of Home Affairs who will be looking after the services. The Home Secretary during the evidence has stated that the responsibility for looking after the implementation of Government policies in regard to reservation in services is with the Department of Personnel and Administrative Reforms. Both the Department of Personnel and Administrative Reforms and Home Affairs are under the charge of the Minister of Home Affairs.

10. When asked whether the reservation in services will remain with th Department of Personnel and Administrative Reforms or will go to the new division being created by the Ministry of Home Affairs so that all these matters are dealt with at one place, the Home Secretary has stated :

"I would venture to submit that it should remain with the Department of Personnel and Administrative Reforms. The reasons is that the reservation policy is invariably settled in consultation with the Ministry of Home Affairs. But the implementation of the policy with regard to different organisations, Ministries and Depart-

ments which have day to day dealing with those departments of their service matters, they would be in a better position to look after this. This is the reason why this has been created as part of the Department of Services. If that item was to be transferred to the Ministry of Home Affairs, it would be necessary for the Ministry of Home Affairs to acquire a certain measure of expertise and proficiency which is already available in the Department of Personnel and Administrative Reforms. This is purely an opinion of an individual; this is not something which has been considered by the Government."

11. In reply to a question whether there is a separate Cell in the Department of Personnel and Administrative Reforms to see that reservation policy is implemented, the Committee have been informed that if any issue crops up in the Department of Personnel and Administrative Reforms, depending upon the issue and the nature of the policy, they generally consult the Ministry of Home Affairs. Clarifying the position further, the Home Secretary has stated :

"The Home Minister is actually incharge of two departments, one is Department of Home Affairs and the other is Department of Personnel and Administrative Reforms. It is purely a historical reason that instead of being called the Department of Home Affairs, it is called the Ministry of Home Affairs. It is just like Steel and Mines Ministry or Agriculture and Irrigation Ministry except the service matters which are allocated to the Department of Personnel and Administrative Reforms all other matters relating to Scheduled Castes and Scheduled Tribes allocated to the Ministry of Home Affairs."

II. DEFINITION OF ATROCITIES

12. The Committee have been informed that the expression "atrocities on Harijans" is capable of different interpretations. The penal laws do not define the term. "Atrocities" has so far been taken to mean cases involving grave offences against members of Scheduled Castes and Scheduled Tribes such as murder, rape, grievous hurt, serious mischief or arson in respect of their properties where the motive for the offence relates to the caste of the victim, Atrocities on Scheduled Castes and Scheduled Tribes, therefore,

constitute criminal offences and come within the purview of "public order" which is a State subject as per Entry I of the State List of the VII Schedule to the Constitution. The matter falls exclusively within the jurisdiction of the State Governments.

13. In the purely legal and constitutional sense, the Centre has no jurisdiction in the matter. However, in view of the fact that the continuance of these atrocities on members of Scheduled Castes and Scheduled Tribes is a matter of shame for the nation and in view of the great interest evoked on this issue in the public, press and Parliament, the Centre keeps in close touch with the State Governments, collects information on such atrocities and suggest to the State Governments appropriate measures for curbing this evil effectively.

14. Central assistance is also available for the proper functioning of the machinery for the protection of Civil Rights Act, 1955. The Central Government have been issuing general guidelines recommending setting up of special investigation cells, action against unauthorised occupants of land belonging to Harijans, appointments of special public prosecutor, action against rich land-lords who do not pay full wages to landless agricultural labourers under the Minimum Wages Act etc.

15. In the Lok Sabha debate dated the 4th April, 1978 on the motion regarding 'atrocities on Harijans', Shri Ram Vilas Paswan, M.P. had stated that the problem of harijans is a national problem but it has been put at State level. In order that the Central Government can pull on their weight with the State Governments and also interfere in their affairs in the interest of Harijans the Constitution may be amended by including the subject in the Concurrent List. He further suggested that atrocities on Harijans and tribals should be a Union subject. He further referred to the provision of article 46 of the Constitution which provides for protection of Scheduled Castes and Scheduled Tribes against exploitation but he felt that nothing had been done in pursuance of this provision.

16. The Committee wanted to know the reaction of the Government to the suggestion made by Shri Ram Vilas Paswan, M.P. regarding the inclusion of the subject 'Atrocities' on the Scheduled Tribes in the Concurrent List—List III in the Seventh Schedule to

the Constitution. The Ministry of Home Affairs in a written note furnished to the Committee has stated.—

“The atrocities on Scheduled Castes and Scheduled Tribes is a law and order matter. Public order and police are State Subjects and as such all criminal offences whether involving Scheduled Tribes or others have to be investigated and prosecuted by State Agency. It is not possible to transfer the law and order matter relating to Scheduled Castes and Scheduled Tribes only to the Union or Concurrent List.

‘Scheduled Castes and Scheduled Tribes’ as an item has not been included in any of the lists in the Seventh Schedule to the Constitution. However in the Concurrent List (List III) there are certain items as given below which cover the activities relating to the Welfare of Scheduled Castes and Scheduled Tribes:—

17A. Forests.

20. Economic and Social planning.

24. Social Security and social insurance; employment and unemployment.

24. Welfare of Labour including conditions of work, provident funds, employees' liability, workmen's compensation, invalidity and old age pension and maternity benefits.

25. Education, including technical education, medical education and universities, subject to the provisions of entries 63, 64, 65 and 66 of the list I; Vocational and technical training of labour.”

17. It is in pursuance of the provisions of article 46 of the Constitution that special measures have been undertaken for the Welfare and Development of the Scheduled Castes and Scheduled Tribes. The welfare and development activities of Scheduled Castes and Scheduled Tribes are included in almost all sectors of development and, therefore; it is not possible to merge the entire programme into one sector. In fact in the various five year plans the emphasis has been that the Scheduled Castes and Scheduled Tribes should get

due share of benefits in the various sectoral programmes and if there was any need to supplement the efforts of the general sector programmes on any important aspect, the same could be financed from the special sector called as "Backward Classes Sector". Now in the strategy to be followed for the medium term plan (1978-83), a greater emphasis is being laid on the question of earmarking of funds and benefits from general sector programmes to be made available to Scheduled Castes and Scheduled Tribes. State/Union territory Governments are the authorities for implementation almost all the programmes for Scheduled Castes and Scheduled Tribes.

18. It may also be added that the main problem in the case of Scheduled Castes is that of 'untouchability'. Under article 17 of the Constitution, 'untouchability' has been abolished and Parliament has enacted a law called the 'Protection of Civil Rights Act, 1955' prescribing punishments for various actions amounting to untouchability. The Central Government have addressed the State Governments from time to time for vigorous implementation of the provisions of this Act on a priority basis. By the amendment made in 1976, a special provision has been incorporated in Section 15(A) of the Act requiring the State Governments to take up such measures as may be necessary for ensuring that the rights arising from the abolition of 'untouchability' are made available to, and are availed of by, the persons subjected to any disability arising out of 'untouchability'. Certain guidelines of the measures to be undertaken such as, provision of legal aid facility, appointment of officers for initiating or exercising supervision over prosecutions, setting up of special courts, setting up of committees at appropriate levels, provision for periodic surveys and identification of 'disability' areas are already given in this section. The State Governments have already initiated certain measures for the purpose according to the local needs. The Central Government are however watching the performance of the State Governments in this regard. If need be, the Central Government would consider the question of framing specific rules containing necessary directions for the State Governments on these matters.

19. In view of the position explained above there is no need for including a specific item concerning Scheduled Castes and Scheduled Tribes in the Concurrent List—List III in the Seventh Schedule to the Constitution."

III. ATROCITY PRONE AREAS

20. The following statement showing number of cases of atrocities on Harijans involving serious I.P.C. Offences in various States|

Union Territories during 1976 and 1977, has been furnished to the Committee:

S.No.	Name of States	No. of cases registered in 1976	No. of cases registered in 1977	Increase(+) or decrease (-) in 1977 over 1976	% increase (+) or decrease (-) in 1977 over 1976
1	2	3	4	5	6
1	Arunachal Pradesh	34	102	68	+200
2	Assam	..	..	..	..
3	Bihar	621	681	60	+9.6
4	Gujarat	203	331	128	+63.5
5	Haryana	11	26	15	+137
6	H. P.	15	42	27	+180
7	J. & K.	23	..	..	..
8	Karnataka	79	59	20	-25.3
9	Kerala	254	233	79	+31.1
10	Madhya Pradesh	1829	3366	1537	+84
11	Maharashtra	211	570	349	+17.6
12	Manipur	..	..	..	..
13	Meghalaya	..	..	..	..
14	Nagaland	..	..	..	..
15	Orissa	14	69	55	+392.8
16	Punjab	147	84	63	-42.8
17	Rajasthan	71	261	190	+267.7
18	Tamil Nadu	18	54	36	+200
19	Tripura	..	..	..	..
20	U. P.	2656	4974	2318	+87.3
21	West Bengal	6	7	1	+16.6
22	Pondicherry	..	9	9	..
23	Dadra and Nagar Haveli	..	8	8	..
24	Delhi	5	3	2	-40
TOTAL		5968	10879	+4911	+82.2

21. The figures for the years 1974, 1975 and the percentage increase or decrease in 1975 over 1974 are given in *Appendix I*.

22. The Committee noticed Statewise significant increase in the number of cases of atrocities which occurred during 1977 as compared to similar period for the year 1976. The increase in the case of Andhra Pradesh is 20 per cent, Bihar 9.6 per cent, Gujarat 63.5 per cent, Haryana 137 per cent., Himachal Pradesh 180 per cent., Kerala 31.1 per cent., Madhya Pradesh 84 per cent., Maharashtra 17.6 per cent., Orissa 392.8 per cent., Rajasthan 267.7 per cent., Tamil Nadu 200 per cent., Uttar Pradesh 87.3 per cent and West Bengal 16.6 per cent. In the country as a whole, the number of incidents shows an increasing trend from 1976 to 1977. The number of incidents increased from 5968 in 1976 to 10879 in 1977 i.e. an increase of 82.2 per cent. over the year 1976. The Committee desired to know the precise reasons for this increase. The Home Secretary in his evidence before the Committee has stated:—

“This matter came up for discussion in the Chief Ministers’ Conference. I will briefly summarise the points which emerged. Because of the insistence of the State authorities that all such instances should be taken note of and the instances should be taken note of and the process of law set in motion, there is a large number of registration of such offences. So, the mere fact that such cases have been registered and taken note of should not be held against the States. Secondly, the State Administration can, and does, set the law in motion as soon as such offences get committed. Preventive measures in individual cases is neither easy, nor will always be effective. Thirdly, the very pace of socio-economic programmes which have been initiated will lead to this kind of tension and the State Government are aware of it. They are determined to deal with them. Of course, if nothing is done, none of these things will happen. But if you start making programmes, initiating programmes, it will give rise to this resentment. We must be prepared for it. This is the view which the State Chief Ministers have expressed. So, I would not attach any exaggerated importance to the mere statistical pattern. If I may be permitted to remind the Committee, the Prime Minister had repeatedly said that even one such incident is something of which one has to be ashamed.”

23. The Committee then enquired whether Government has identified the areas prone to the atrocities on Scheduled Castes and Scheduled Tribes so that effective and preventive steps are taken in those areas before the flare up. The Home Secretary during evidence has stated:—

“We have tried on the basis of the statistics collected over the last several years to formulate our own views as to which are the districts in different States which are prone to these incidents. We will share it with the States. In our regional meetings we will take up this problem especially and impress upon the States. This exercise was done for communal problems in 1968—70 over a period of years as to which are the sensitive districts. We have tried to identify. We will take up similar exercise.”

24. In a Study on Atrocities on Harijans (1974—1976) undertaken by the Research and Policy Division of the Ministry of Home Affairs, it has been stated:—

“Whereas the general crime in the country had shown a decreasing trend during 1974—1976 with an overall decrease of 10.0 per cent., atrocities on Harijans for the country as a whole showed an increase of about 41.9 per cent. during this period. There was a fall in the murder cases to an extent of 12.5 per cent. during 1974—1976 in the general crime situation in the country. But the number of incidents of Harijan murder almost increased by 100 per cent. As has already been indicated, Uttar Pradesh and Madhya Pradesh lead in the matter of reported incidents of murder of Harijans. Even incidents of kidnapping of Harijans do not compare favourably with similar crime in the general crime situation in the country. Kidnapping cases of Harijans increased by 6.5 per cent during the period 1974—76 as against a fall by 1.8 per cent under the head “Kidnapping and abduction” in the general crime.

The problem of atrocities on Harijans is very acute in the 8 States of (i) Uttar Pradesh, (2) Madhya Pradesh, (3) Maharashtra, (4) Bihar, (5) Gujarat, (6) Tamil Nadu, (7) Karnataka, (8) Andhra Pradesh. In the remaining 14 States viz. Assam, Haryana, Himachal Pradesh, Jammu & Kashmir, Kerala, Manipur, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan, Tripura, Sikkim and West Bengal and in all the Union Territories the problem is not so acute.

The number of incidents that occurred during 1976 in the eight States in which the problem is quite acute, have been analysed districtwise. These sets of districts are shown in Appendix II."

IV. CAUSES OF ATROCITIES

25. The following table gives the number of incidents grouped accordingly as they resulted from Economic Tensions or Socio-Religious and Political Tensions in the States where the problem of atrocities on Harijans is highly significant. The group "Economic Tensions" includes tensions arising out of land disputes, forcible harvesting, wage dispute, bonded labour, indebtedness etc. and "Socio-Religious & Political Tensions" include tensions arising out of elopement, rape, molesting & attempts thereof, discriminatory practices, intimidation in election etc.—

	Economic Tensions			Socio-Religious & Political Tensions		
	1974	1975	1976	1974	1975	1976
Uttar Pradesh	806 (34.7%)	329 (13.6%)	591 (27.1%)	1515 (65.3%)	2079 (86.4%)	1589 (77.9%)
Madhya Pradesh	59 (13.9%)	76 (11.4%)	323 (31.7%)	365 (86.1%)	590 (88.6%)	697 (68.3%)
Andhra Pradesh	44 (53.0%)	15 (34.8%)	48 (35.0%)	36 (43.1%)	28 (65.2%)	89 (65.0%)
Gujarat	2 (3.2%)	7 (8.3%)	14 (11.7%)	63 (96.8%)	77 (91.7%)	106 (88.3%)
Karnataka	6 (12.5%)	22 (21.0%)	20 (18.3%)	42 (77.5%)	83 (79.0%)	89 (81.7%)
Maharashtra	7 (7.2%)	10 (11.1%)	9 (15.5%)	90 (92.8%)	80 (88.9%)	49 (84.5%)
Bihar	— (—%)	5 (26.3%)	7 (26.9%)	5 (100%)	14 (73.7%)	19 (73.1%)
All States	929 (29.9%)	468 (13.6%)	1019 (27.5%)	2102 (70.1%)	2938 (86.4%)	2690 (72.5%)

26. The detailed figures under each of the Economic Tensions and Socio-Religious & Political Tensions are given in the Appendix III.

27. The Committee while noting that the causes of atrocities are economic tensions, socio-religious, land disputes, forcible harvesting and political tensions, asked whether the Central Government, as they are giving financial assistance to State Governments for the implementation of the provisions of the Protection of Civil Rights Act, 1955, will also provide funds to them for removing these causes leading to atrocities.

28. The representative of the Ministry of Home Affairs during evidence has stated that they have appointed a Working Group for specifying the development schemes for the Scheduled Castes and Scheduled Tribes and other backward classes. If these schemes are included in the Plan, it will be easy to find out the resources and also monitor the implementation of the schemes.

29. Asked what are the schemes for the Rehabilitation of bonded labour since freed, to enforce the minimum wages as per the provisions of the Minimum Wages Act, to have minimum employment guarantee scheme like the one introduced by the State Government of Maharashtra and in regard to indebtedness, the representative of the Ministry of Home Affairs has stated during evidence:—

“Apart from the Maharashtra where the minimum employment guarantee scheme is there, the Planning Commission has formulated a scheme, called intensive rural block development where they want to ensure that employment is given on an intensive basis and they have issued a guideline that those blocks where the Scheduled Castes population is 20 per cent. or more, those blocks should be taken on a priority basis for the coverage of the scheme and, if I remember right, the number of such blocks is 1300-1400 which will be covered immediately. This is one specific action which the Planning Commission itself has taken and priority is given to those Blocks where the Scheduled Caste population is 20 per cent. or more.”

30. Regarding the rehabilitation of bonded labour, he has stated:—

“For bonded labour abolition, there is no scheme as such with the Ministry of Home Affairs. We will certainly consider this particular suggestion of yours whether we should have such a scheme and if so, in what way we can help the States. We shall certainly examine this. At present there is no scheme. As you rightly pointed out, in regard to indebtedness, some States, for example, Maharashtra

has passed a law. And certain types of debts have been abolished. We will collect information in how many States such Acts have been passed and what is the effect on the working of such Acts. Apart from Maharashtra, I do not remember any scheme for abolishing the indebtedness among the Scheduled Castes and Scheduled Tribes."

31. Regarding economic tensions, he has explained:—

"One of the reasons for the economic tension is the land dispute. We are suggesting to the States to tighten up the provisions of various laws; e.g. in some of the States, we found that eviction was not a summary procedure. If I remember correctly, in Rajasthan, for the eviction of anybody who has forcibly entered into the land, there is no summary provision. It is a case of Civil Procedure. In Maharashtra, the man can be evicted summarily. I think it is so in Madhya Pradesh also. It is a law and order problem. I am requesting them to tighten up the provisions of the law. Under SFDA and other schemes, we say that priority should be given to Harijans. We are also floating the Scheduled Castes Development Corporations in various States. They will actively involve themselves in helping the weaker sections of the Scheduled Castes, so that they can cultivate the land. They can also be given various inputs."

32. The study groups of the Committee during their visits to Bihar, Uttar Pradesh and Madhya Pradesh during July, 1978 were informed that in majority of cases of harassment and atrocities on Scheduled Castes and Scheduled Tribes the reasons were that the *pattas* of land allotted to Scheduled Castes and Scheduled Tribes were not given, the possession of the land was not handed over. It was also complained to the study groups that the Scheduled Castes were being dispossessed of the land allotted to them during the emergency. The Committee asked the action Government propose to take in such cases and enquired whether there is any proposal with the Government to set a dead-line for the distribution of land to the Scheduled Castes/Tribes and give them *pattas* and possession of the land allotted to them.

33. In a written reply furnished to the Committee the Ministry of Home Affairs has stated that this subject is being dealt with in the Ministry of Agriculture and Irrigation. At the last meeting of

the Central Land Reforms Committee held on the 2nd November, 1977, representatives of the State Governments were requested to take steps to ensure that the names of the new allottees of surplus lands were invariably recorded immediately in the revenue records and efforts by powerful and vested interests in the villages to dispossess them from their newly allotted lands were firmly put down. The Minister of Agriculture has also addressed two letters to the State Chief Ministers in this regard. In his letter dated the 31st August, 1977, the Minister of Agriculture while drawing personal attention of the Chief Ministers to the reports on evictions of the new allottees of lands by the landlords, has mentioned that "these allottees who belong to the disadvantaged sections of the community need the State's protection against onslaughts by the more powerful groups. This protection has to be provided at all costs and it has to be ensured that no allottee is dispossessed of his parcel of land". He had also recommended mutating the names of the allottees in the land records as soon as they are given possession of the land and ensure that they are not dispossessed and are allowed to cultivate without let or hindrance. In his letter dated May 12, 1978 the Minister of Agriculture had invited the attention of the State Chief Ministers especially to the following matters:

"Updating of land records and mutating of the allottees of surplus land in the land records are of vital importance and need continuous attention of the State Governments and the revenue authorities at the district and tehsil levels."

"In order to safeguard the interest of small and marginal farmers, share croppers and tenants it is not only necessary that the tenants are given ownership rights automatically but also incumbent to ensure that the land records truly and adequately reflect their rights and cultivatory possession. Rack-renting and eviction of tenant cultivators will have to be curbed by proper legislative and administrative measures."

34. The Ministry of Agriculture have not received reports about any large scale dispossession of the allottees from their lands. The Central Government have also requested the State Governments to take action against those persons or landlords who dispossess the lawful occupants of their land.

35. Regarding setting up a deadline for the distribution of land, it has been stated that the Ministry of Agriculture has intimated

that no dead-line has been fixed for the distribution of land to the Scheduled Castes/Tribes and give them pattas and possession of the land allotted to them. According to them, it is not possible to fix any such dead line. The land distributed is either ceiling surplus land vested in the State under the ceiling law, or Government wasteland. As far as ceiling surplus land is concerned, vesting is contingent on the disposal of cases under the law. However, the Government of India have advised State Governments to ensure that the area declared surplus already is taken possession of and distributed expeditiously. This distribution will of course relate to all eligible persons.

36. Government waste lands are distributed by State Governments from time to time and it is a continuing programme. The Government of India have advised State Governments to ensure that wherever land was allotted, actual possession was delivered and the names of the allottees recorded in the relevant revenue records.

37. The Committee then pointed out that during on-the-spot study tours to various States, they have observed that in some States *benami* transactions have taken place and unless the Government ask the State Governments to have the land records set right, the land allotment problems and disputes will not be solved and desired to know whether any time-bound programme can be implemented so far as updating of land records is concerned. The representative of the Ministry of Home Affairs has stated during evidence:—

“In many places, surveys have to be completed. Then the land records will be brought upto date. Today, instead of mutation, the most wide-spread complaint is that the man who actually cultivates, his name is not mentioned. Mutation comes later on. The complaint is that the name is not there in the records. That is most important. We will also take up the matter with the State Governments especially in these areas where the population of Scheduled Castes and Scheduled Tribes are much higher. There special attention should be paid.”

V. GUIDELINES AND IMPLEMENTATION MACHINERY

38. The Committee enquired whether there was a high level Committee to look into the cases of atrocities committed on Harijans in each State. The Home Secretary in his evidence before the Committee has stated that High Level Committees under the Chief Ministers are reported to be functioning in Assam, Bihar, Gujarat,

Haryana, Himachal Pradesh, Karnataka, Maharashtra, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal. There is no information about Orissa and that can be checked up.

39. Elaborating the point further, he has stated:

"In 1972-73, the Home Ministry found that the number of incidents in different States was high and there was a great deal of concern in Parliament. The Prime Minister decided that this item should be brought up in every forum where the Chief Minister meet the Home Minister. The regular forum which was available was the zonal council. The position in respect of the States represented in that council is primarily to discuss those things and make the Chief Ministers aware of the importance which the Centre attaches to the need for ultimating this kind of crimes. So, right from the beginning, he had been saying: "whenever these incidents occur, what has been done? Has the prosecution been launched? Has the culprit been arrested?" So, we suggested that a special cell should be set up under the supervision of the Chief Ministers which would enable the Chief Ministers to get all the necessary information and satisfy himself or themselves whether appropriate action is being taken. We did not indicate that the cell should consist of a particular number of Ministers or a particular number of officers. We suggested that it should be a high level arrangement directly under the supervision of the Chief Ministers. We have not suggested any uniform pattern because the situation will vary from State to State. Most of the States which I had just now mentioned, particularly the States where the problems is acute, have reported that they are conducting such a review from time to time."

40. The Ministry of Home Affairs in a written note furnished to the Committee has stated:

"According to information available, cells or Committee at the State level to look into the grievances of Scheduled Castes| Scheduled Tribes and other weaker sections and to make special efforts to promote employment opportunities for them, have been set up in Andhra Pradesh, Bihar, Haryana, Himachal Pradesh, Kerala, Maharashtra, Gujarat,

Madhya Pradesh, Karnataka, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal and Delhi."

41. In regard to a suggestion made by the Committee that such Cells should also be set up at District level to effectively deal with the cases of atrocities, it has been stated:

"The suggestion that such cells should be set up at the district level has been examined. The Ministry is of the view that there should be a cell in the office of the District Superintendent of Police for not only collecting statistical information with regard to cases of atrocities but also to give due attention to the investigation of such cases. Institutional arrangements should also be made in the office of the District Magistrate|Collector to deal with grievances of Scheduled Castes and Scheduled Tribes. This cell should register all complaints received from members of Scheduled Castes and Scheduled Tribes, ask for reports from the concerned authorities and place them before the Collector|District Magistrate for passing of necessary orders. State Governments have been requested to consider setting of such cells at the district levels, particularly, in areas prone to this problem."

42. In a written note submitted to the Committee it has been stated that the question of atrocities on Harijans was also discussed in the Chief Ministers Conference held on 30 and 31 July, 1973. The Chief Ministers fully endorsed the Prime Minister's view that there should be complete elimination of atrocities against Harijans.

43. Some of the important points made by various Chief Ministers were as follows:—

- (1) A special cell was functioning directly under the Chief Secretary and special cells also existed under each District Magistrate in Andhra Pradesh. Children or near relatives of victims of atrocities were appointed in Government or public sector undertakings in Andhra Pradesh by waiving the requirements of registration with Employment Exchange. Legal assistance was also provided to Scheduled Castes, etc.
- (2) Government of Andhra Pradesh had issued a circular to District Magistrates and S.Ps. inviting their personal intervention to reducing the grievances of Harijans. The Committee of MLAs drawn from the ruling party and the

opposition had been formed there to look into the grievances of Harijans.

- (3) Karnataka had established a Civil Right Enforcement cell in the office of the Inspector General of Police to look into the complaints relating to untouchability and other offences against Scheduled Castes.
- (4) Kerala had a State level Committee under the Chairmanship of Chief Minister to review the position regarding appointment of Harijans to the civil services.
- (5) A special cell under the charge of a DIG has been created in Madhaya Pradash to look into all complaints of assault, etc. on Harijans. Special Police stations have been set up in 7 divisions of the State to make investigation into the report of atrocities.
- (6) Maharashtra also had a special cell looking into the cases of atrocities or harassment on Harijans.
- (7) Punjab was considering a scheme for giving interest-free loans of Rs. 10,000/- to Harijans youth coming with viable projects.
- (8) The practice of segregating of Harijan Bastis should be deprecated.

44. The Committee have been informed that after the present Government came into power at the Centre, the following suggestions were sent to the State Governments in regard to the measures for safeguarding the interest of the member of Scheduled Castes and Scheduled Tribes and other weaker sections of the society:

- (i) Holding Collectors and Superintendents of Police directly responsible for taking prompt and effective action.
- (ii) Making use of force to grab land as cognizable offence so that, the police can directly interven in such cases.
- (iii) Immediate steps for protection of members of Scheduled Castes etc. and for launching a social reform movement to eradicate the evil of untouchability.
- (iv) In areas where atrocities on Scheduled Castes and Scheduled Tribes have taken place, special police squads should be set up to take prompt action against the offenders and to prevent recurrence of such offences.

(v) Special cells may be constituted at the State level under the personal supervision of the Chief Minister to look into the grievances of Scheduled Castes and Scheduled Tribes.

(vi) Suitable institutional arrangements should be made at the district level viz. in the office of the Superintendent of Police and the District Collector to register complaints of harassment and other grievances of Scheduled Castes and Scheduled Tribes and to monitor on a regular basis the action taken on such complaints.

45. The following suggestions which were earlier made to the State Governments on the subject were further reiterated in the letter of Minister in the Ministry of Home Affairs to the State Chief Ministers on 26-10-1977:—

- (i) District Officers may be directed to obtain prompt information about all incidents involving Harijans whether or not such incidents have arisen due to any caste considerations. Communications of such information to the State and Central Governments would help in placing the matters in their correct perspective.
- (ii) Investigation of all offences involving Harijans whether or not caste considerations are suspected, should be prompt, efficient and adequately supervised.
- (iii) Investigation of serious offences involving Harijans where caste considerations are suspected, should be treated as Special Report Cases and entrusted to selected investigating officers, wherever possible by officers not below the rank of Deputy Superintendent of Police or Inspector of Police.
- (iv) Any failure to undertake prompt and efficient investigation or to exercise adequate supervision should be regarded as a grave dereliction of duty on the part of the officers concerned.
- (v) Constitution of a Committee at the State Level to devote special attention to the task of improving the performances and prosecution of offences under the Protection of Civil Rights Act, 1955.
- (vi) Instructions to all supervisory District and Police Officers to give special attention to the complaints registered with the police, and to employ an appropriate combination of

educative and punitive processes so as to reduce the incidence of discrimination against the Scheduled Castes.

- (vii) Instructions to the prosecuting agencies to give high priority to the cases of crimes against members of the Scheduled Castes as also those under the Protection of Civil Rights Act, 1955 and to press for deterrent sentences to the culprits so that the people at large may be made aware of the legal consequences of their acts of discrimination.

46. Asked what is the machinery devised by the Central Government to ensure that decisions taken at the Conferences of Chief Ministers, Zonal Councils are implemented by the State Governments, the Home Secretary has stated that according to law, the Central Government cannot devise any machinery to see that this kind of decision is implemented. Prompt action will depend on energising the District authority to initiate the process according to law. That is being impressed upon them.

47. The Committee invited the attention of the Ministry of Home Affairs to the recommendations of the Zonal Councils as embodied in the proceedings of the Councils (Appendix IV) and enquired reasons for not sending the implementation reports by all the State Governments to the various recommendations of the Councils. The Home Secretary, in reply, has stated during evidence:

"The Zonal Councils are recommendatory bodies under the law. These decisions are in the nature of suggestions given. As soon as the record of the proceedings is drawn up, we ask the State Governments to take action. If your specific suggestion is that in this type of matter as soon as a decision is taken we should chase State Government and see that it is implemented, we will certainly do so."

48. The Home Secretary has further informed the Study Group that they have also a proposal to hold regional conferences to discuss action being taken by State Government on various guidelines being issued by the Ministry of Home Affairs. They are planning the first meeting in October itself. Their idea is that all the States should be covered during the intersession period according to the seriousness of the problems in different States. They are making a beginning and depending upon the response. They will continue

this arrangement. This is something which they are planning for the first time.

49. When asked about the agenda of the proposed conference, the representative of the Ministry of Home Affairs has stated during evidence:

"It will be a two-day review. On the first day we will take the review on the atrocities and effectiveness of the machinery set up and then we will also take up review of economic measures taken because so far we were looking at the problem from law and order point of view. We have started analysing these atrocities to find out the reasons. So, we are also taking review on various economic measures initiated by the State Governments."

50. The Committee desired to know whether there is National Integration Council in existence. The Home Secretary has stated during evidence:

"The National Integration Council when it was constituted, was not constituted with any specific plan for any specific period. It had met only twice once some time in 1963 and for the second time, in 1969. When it met in 1968 or 1969 in Srinagar, it decided that it would set up some bodies, Standing Committees or Councils, under it which also, after one or two meetings, have not met. So, in 1973-74, this question was put up before Government should this National Integration Council be activated and if so, what should be its functions, how should it be composed, who should be the members, should it be the same body which met in Srinagar or should be a different body? The then Government decided that all these questions should be discussed in an *ad hoc* Group which was described as the Steering Committee consisting of some Chief Ministers and some leaders of political parties. In the course of that discussion, no conclusion emerged. So, the decision taken was that each State, which was represented in the Steering Committee the Chief Minister and the leaders of the different political parties should make an assessment of their own as to what the role of this National Integration Council should be and what are the problems which they would like this Council to go into. After 1974, replies from some States were received; some States did not take any interest in pursuing the matter. I may say that this question is also currently under the consideration

of the Government. I cannot anticipate the decision of the Government. Even when it was first set up in 1962 it was primarily regarded as a forum which could bring together the States, the political parties, the academic community etc., in one common platform to discuss and make recommendations. Whether such a forum is necessary in view of the existence of several other similar forums like the Chief Minister's Conference, the National Development Council and various other forums, it is for the Government to decide."

51. The Committee are deeply distressed to note the increase in the cases of atrocities on Scheduled Castes/Scheduled Tribes during recent years. It may be the figures have gone up due to larger number of cases being registered now than in the past, although even now the Committee have received complaints during their on-the-spot study tours to various parts of the country that all cases of atrocities in various forms are not registered by the police. It may also be due to increase in political, socio-economic and religious tensions for various reasons now surfacing up. All the same the fact is that such cases are on the high side. The Committee have gone on on-the-spot visits to certain affected areas and from what they saw and heard, they cannot but conclude that the administration has failed to rise to the occasion not only in putting down the flare-ups but also in taking preventive measures.

52. The Committee are of the considered opinion that the administrative machinery both at the Central and State levels has to be geared up and has to be moulded and motivated in such a manner that they are able to tackle such situation effectively and satisfactorily.

53. The Committee are conscious of the fact that the law and order are essentially the concern of State Governments under constitutional provisions, nevertheless the Central Government cannot evade their responsibility on this plea as the overall overseeing agency in the matter of upliftment of the weaker sections of people, particularly those of Scheduled Castes and Scheduled Tribes is the Central Government. Incidents of harassment and atrocities have been raised time and again in Parliament and Members have shown their deep concern on such incidents. Central Government, being answerable to Parliament has, therefore, to devise such ways and means and strengthen their administrative machinery to implement the Constitutional Safeguards provided to the Scheduled Castes and Scheduled Tribes.

54. The Committee are extremely unhappy to note that a small 'desk' in the Ministry of Home Affairs headed by a Section Officer

which is one of the lowest rung in the hierarchy of the Government of India supported by a skeleton staff, is dealing with such a sensitive and important subject of atrocities. It is all the more disappointing to note that in the Ministry there is no separate division nor an exclusive cell to ensure that the decision taken at the various high level conferences and at the meetings of the zonal councils and instructions and guidelines issued by the Government of India to the State Governments in regard to atrocities are processed or followed up.

55. The Committee, however, note that it is proposed to create a new separate division for backward classes development on lines of Scheduled Tribes Department under the charge of Joint Secretary to deal with matters concerning Scheduled Castes and Scheduled Tribes including atrocities at one spot. The Committee also note that the matter concerning the reservation for Scheduled Castes and Scheduled Tribes in services will continue to be dealt with by the Department of Personnel and Administrative Reforms. The Committee feel that the division of responsibility among the two Departments will not lead to evolving an integrated policy to tackle the problems of Scheduled Castes and Scheduled Tribes who constitute about 23 per cent of our total population and who have been socially exploited and economically suppressed for centuries together. The Committee, therefore, are of the opinion that Government should examine the feasibility of having a separate fullfledged Ministry for Scheduled Castes and Scheduled Tribes at the Centre which shall look after all the matters concerning the promotion and welfare of Scheduled Castes and Scheduled Tribes at one spot and in an integrated manner. The necessity of having a fullfledged Ministry is all the more necessary in view of the fact that the problems of Scheduled Castes and Scheduled Tribes are not confined to any particular State or region but is a national problem covering the entire country.

56. The Committee have been informed that the term 'Atrocities' has not been defined under the Penal Laws and constitute criminal offences and come within the purview of public order which is a State subject. The Central Government have no jurisdiction in the matter in the purely legal and constitutional sense. The Committee do not agree with the views expressed by the Ministry of Home Affairs. In the opinion of the Committee so far law and order is concerned, no doubt, it is the State subject and concerns the State Governments but in so far as the matters concerning the promotion and welfare of Scheduled Castes and Scheduled Tribes are concerned it is the constitutional responsibility of the Central Government.

The relevant Article in the Constitution is very significant and is required to be understood in its true spirit for proper and meaningful implementation. The discretion available to the Central Government within the legal and constitutional framework, therefore, should be fully exercised to ensure that the Scheduled Castes and Scheduled Tribes do not suffer on account of their position in the society. The Committee, therefore, feel that there is an urgent need to introduce a comprehensive law to define and to deal with the subject 'Atrocities on Scheduled Castes and Scheduled Tribes' on the lines of the Protection of Civil Rights Act 1955 and for that, if necessary, the Constitution may also be amended. The Committee are strongly of the opinion that the Administration at the lower levels should not be allowed to proceed merely on loose executive instruction and guidelines.

57. The Committee feel that atrocities on Scheduled Castes and Scheduled Tribes have a direct link with their precarious economic condition which forces them to work as bonded labour and to borrow, sometimes at high rate of interest from unscrupulous money lenders. This results in alienation of their land as also the sale of their crops in advance and cattle wealth. The Committee note that Government have initiated certain schemes for the economic upliftment of Scheduled Castes and Scheduled Tribes and have asked the State Governments to give priority to Scheduled Castes under the Small Farmers Development Agency and other schemes and are also floating Scheduled Castes Development Corporation in various States to ameliorate the socio-economic condition of Scheduled Caste.

58. The Committee observe that apart from Maharashtra, no State Government has come forward with a scheme for abolishing the indebtedness among the Scheduled Castes and Scheduled Tribes. The Committee would like the Government of India to advise the State Governments to follow the scheme of the State Government of Maharashtra and take speedy steps to abolish the indebtedness among the Scheduled Castes and Scheduled Tribes. As a pre-requisite necessary survey should be undertaken by the Government of India within a specific period to determine the extent of indebtedness among the Scheduled Castes/Tribes in different States.

59. The Committee are dismayed to note that although the Government of India have abolished the system of bonded labour, and it is illegal to hold anyone in bondage, they have not drawn up any central schemes for their proper rehabilitation. The Committee desire that Government of India should come forward immediately with a sound economic programme for the proper rehabilitation of

the released bonded labour and should also direct the State Governments in intensify the programme to get the bonded labour released and rehabilitated. The Government of India should extend full financial help and support to the State Governments for implementing these programmes.

60. The Committee regret to note that no time bound programme has been drawn up for updating the land records by the State Governments with the result that land records do not truly and adequately reflect the rights and cultivatory possession of the land by the Scheduled Castes and Scheduled Tribes. The Committee therefore suggest that the Central Government should ask the State Governments to draw a time bound programme for updating the land records. After the land records have been updated the pattas for the land actually in possession of the Scheduled Castes and Scheduled Tribes or allotted to them by due process of law should be issued without hesitation. Law should also be enacted to provide that no alienation of land belonging to Scheduled Castes takes place.

61. The Committee further recommend that Government should take effective steps to persuade the State Government to tighten the provisions of the land laws to ensure that the Scheduled Castes and Scheduled Tribes who have been once allotted land are not dispossessed by vested interests. The Committee would also recommend summary procedure under the law for land eviction cases where one of the party involved is Scheduled Caste or Scheduled Tribe.

62. The Committee need hardly point out that unless the various development schemes/programmes undertaken by the Government of India as well as the State Governments for the economic development of Scheduled Castes and Scheduled Tribes are properly and sincerely implemented in a coordinate and integrated manner, they will be of little use in uplifting their economic status. The Committee, therefore, recommend that there should be a cell at district level for the proper implementation and quantification of these programmes.

VI. HALF-YEARLY STATEMENTS

63. A statement showing the position of receipt of half-yearly statements in 1977 and 1978, as furnished to the Committee, is at Appendix V.

Asked whether the Ministry of Home Affairs was receiving regularly and in time the half-yearly statements regarding atrocities and

harassment of Scheduled Castes and Scheduled Tribes from the State Governments as per the proforma devised by them, the Home Secretary in his evidence before the Committee has stated that their experience is that they are not getting the information in time because the information has to be collected right from thana level.

In a written note furnished to the Committee, it has further been stated that in order that Government know whether prompt investigation and prosecution of the offenders is being done in case of atrocities committed on Harijans, the Ministry of Home Affairs has reviewed the proforma and asked the State Governments to send half-yearly statement latest by the 15th of July for the period ending 30th June and 15th January for the period ending 31st December.

65. The Committee noted from the statement showing the receipt of half-yearly statements showing number of cases of atrocities in different States as furnished by the Ministry of Home Affairs that out of the 22 States and 9 Union Territory Administrations, 15 States, namely, Andhra, Assam, Bihar, Haryana, Himachal Pradesh, Jammu and Kashmir, Madhya Pradesh, Manipur, Meghalaya, Nagaland, Punjab, Sikkim, Tamil Nadu, Tripura and West Bengal and six Union Territory Administrations have not furnished the figures of atrocities in those States for the 1st half of the year 1977 which were due on 15th July, 1977 and majority of them had also not furnished figures for the 2nd half of the year 1977 due on 1st June, 1978, and stressed that unless such factual information are available promptly and in time, it becomes difficult to project the problem in its proper perspective. To this, the representative of the Ministry of Home Affairs during evidence has stated that they have repeatedly reminded the States but those States have not sent the desired information.

66. Asked whether there was any discussion about the delay in submission of these statements by State Governments with the Chief Secretary or Chief Ministers or in the meeting of State Government officers, the Home Secretary in his evidence before the Committee has stated:

"This is generally mentioned that information is not supplied promptly. Some time ago the Minister also wrote to the States on the subject. But I would consider it. I would place it before the Government. Giving a 15-day time, I would consider, is not a reasonable time for a six monthly report. This time has to be extended. I will consult the State Governments and see that more reasonable time is given so that we get the information within the time."

67. The Committee referred to the information given in to Lok Sabha in reply to Unstarred Question No. 3465 on the 9th August, 1978 (Appendix VI) giving information regarding atrocities on Harijans from the 1st January upto 30th June, 1978 and asked whether the Ministry is also receiving monthly statements. The Home Secretary during his evidence has stated that they are also receiving monthly statements. Parliament Questions asked for information for every month or for certain months. They try to tabulate whatever information they have on the basis of monthly statements or reports. For example, in reply to Unstarred Question No. 3465 on 9-8-1978, in regard to some States they have given figures upto May, 1978.

68. The Committee pointed out that when they are receiving monthly statements then six monthly statements are merely tabulation work and there should not be any delay in their submission by State Governments. In this regard, the Home Secretary has stated:

"The monthly report information is to be more summary, confined to just the occurrence. The six-monthly report is more in the nature of detailed crime situation report. I will circulate the proforms (see Appendix VII) prescribed for both and from that you will be able to appreciate the difference and if the Committee would say that one or other should be dispensed with, we shall go into that decision."

69. When asked that the Prime Minister himself should have written to the defaulting States and asked them to furnish the information and keep the time schedule, the representative of the Ministry of Home Affairs has stated during evidence that in the last Chief Ministers' Conference, the Prime Minister has himself referred that these reports are not sent by the State Governments in time. He has further informed the Committee:

"The regional conferences will be held and we will assign an officer to a particular State to keep in constant contact with that State. I do admit that so far this has not been done, but I assure the Committee that we are in the process of setting up a machinery for this purpose."

70. The Committee are distressed to note that out of 22 States as many as 15 States have not furnished the statement regarding statistics of atrocities on Scheduled Castes and Scheduled Tribes for the period 1st January to 30th June, 1977 which was due on 15th July, 1977. Fourteen States have not forwarded the statement for

the period 1 July to 31st December, 1977 which was due on 15th January, 1978. None of the States, except the State of Meghalaya, has forwarded the statement for the period 1st January to 30th June, 1976 which fell due on 15th July, 1978. The position in the case of Union Territory Administrations is also not better. Out of the nine Union Territory Administration, 6 have failed to furnish the desired information and in time. This is so when they are directly under the administrative control of the Union Government and for which Union Government is answerable. These sorry state of affairs are stated to be inspite of the fact that States were repeatedly reminded by the Ministry of Home Affairs and a mention about the non-submission|late submission of these vital statistics by the State Governments was said to have been made in the High Level Conference of Chief Secretaries|Chief Ministers.

The Committee need hardly emphasise that in the absence of timely submission of these vital statistical data by the States|Union Territory Administrations, it is but difficult to project the problem in its proper perspective and suggest ways and means to combat this menace and take remedial measures. The Committee, therefore, strongly urge the Central Government to impress upon the States|Union Territory Administrations to strictly adhere to the time schedules regarding collection and submission of statistics of atrocities to the Central Government. The Committee further recommend that copies of these statements should also be simultaneously forwarded to the Commission for Scheduled Castes and Scheduled Tribes.

VII. SPECIAL POICE SQUADS AND ROLE OF POLICE

72. The Committee referred to the discussion on the 20th, 21st and 22nd Reports of the Commissioner for Scheduled Castes and Scheduled Tribes in Lok Sabha on the 6th August, 1977, and invited the attention of the Government to a suggestion made that in the areas where atrocities on Scheduled Castes and Scheduled Tribes have taken place, special police squads should be set up to take prompt action against the offenders and to prevent recurrence of such offences. The Committee desired to know the action taken by Government in this regard. The Ministry of Home Affairs in a written note furnished to the Committee has stated that it is felt that the local police authorities having jurisdiction should be made squarely responsible for prompt and effective actions in cases of atrocities on Scheduled Castes and Scheduled Tribes. It has already been agreed in the Chief Ministers Conference that wherever necessary additional force should be deployed to instil a sense of security among the affected population. The posting of addi-

tional force or special squads should in no way detract from the primary responsibility of the local police in this regard.

73. However, the suggestion made during the debate in the Lok Sabha regarding the setting up of special police squads has been brought to the notice of the State Governments. Special Cells or Special Mobile Squads, etc. have been set up in the States of Andhra Pradesh, Gujarat, Karnataka, Bihar, Madhya Pradesh, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal.

74. The Committee pointed out that wherever the Study Groups of the Committee had gone for on-the-spot study tours and had an opportunity to talk with the local police authorities on the subject, the police personnel expressed their helplessness and pleaded that they were not fully equipped with modern techniques such as wireless communication etc. They had no vehicles which hampered their mobility and efficiency. Asked the action which the Government is taking or propose to take in the matter, the Home Secretary has stated during evidence :

“We have drawn up a scheme and we are giving assistance to the States for transport, for Wireless communication and for various kinds of laboratories, etc. But these are all highly expensive arrangements. To give you a very small example, in Delhi, the police strength is almost 50 per cent more than that of Bombay, double as that of Calcutta and nearly 300 per cent of that of Madras, numbering 23,000. The number of vehicles will be about 1500. With all that, a policeman in New Delhi will say that he is not fully equipped. I am not saying that he is trying to find an excuse. Between what they should have today and what the Government can provide, there will always be a gap. Given these constraints our approach has been that optimum utilisation should be made of the resources made available. The lack of resources should not become an excuse for not doing ones job. We have helped the States in the modernisation of the police, with particular reference to wireless communication, transport, housing etc. The concept of the mobile squad was that when an incident occurs they should be able to reach the place of occurrence and take up investigation without delay. This is something which all police organisations know very well.”

75. When pointed out that the Study Groups of the Committee during their on-the-spot study tours to different States had noticed that these mobile squads were not working, the Home Secretary has stated: "Whenever they tell us that this has been done, we will normally take their word for it. But in the light of what you have mentioned. I will try to go into this as to effective they are."

76. Asked whether Government are aware that police generally does not register the complaints by Scheduled Castes and Scheduled Tribes until and unless they pay them something, the Home Secretary has remarked that anyone who tries to minimise the existence of this evil is not being fair to himself. He has further stated that if the police or the State Administration are to be blamed for the rise in the number of crimes, naturally there will be a tendency to suppress that by not recording the crime.

77. The Committee pointed out that in Bihar and Madhya Pradesh, special police stations have been opened for registering complaints by Scheduled Castes and Scheduled Tribes and asked whether Government propose to open such stations in other States also. The Home Secretary in his evidence before the Committee has stated that they are watching that experiment with great interest. They will have a review done as to how that is working.

78. The Committee suggested that in the case of atrocities on Scheduled Castes and Scheduled Tribes, Class I officers of the ranks of S.P. and D.S.P. should supervise the investigation of the cases, the Home Secretary has stated that they have themselves some years ago brought it to the notice of the State Governments that serious cases should be supervised at the level of the S.P., A.I.G., etc. and they should be treated as special report cases and the Police Manual stipulates that a special requirement case shall be investigated by a Gazetted Officer. Now Government will certainly draw the attention of the State Governments again to this.

79. The Committee pointed out that in the recent past, S.P. and Collector used to pursue such cases. But the daily under-trial reports are not sent to them because the prosecuting machineries are not under them. The representative of the Ministry of Home Affairs has stated during evidence that this point about the prosecuting staff not being with the S.P., was raised by some of the Chief Ministers in the Chief Ministers' Conference and there was a suggestion that Government should have a second look into that. This suggestion is under consideration of Government.

80. The Committee then pointed out that in the tribal areas the people were afraid of the police. Police Stations did not register their complaints. Asked the steps Government propose to take to improve the police administration in tribal areas, the representative of the Ministry of Home Affairs has stated during evidence :

“So far as the police administration in tribal areas is concerned, our suggestion to the States is: Don't have the same pattern in the tribal areas which you have in the non-tribal areas. It is much better to have a larger number of officers in the tribal areas. So we have suggested to them that in the tribal areas they have a larger number of officers and less number of lower forms. We have also requested them that for upgrading the posts in the tribal areas, they have to put their claims before the Finance Commission. Accordingly, they have put up their claims to the Finance Commission and I hope the Finance Commission will give them the sympathetic consideration. If the Finance Commission will not do it, I am sure the Central Government will do something.”

81. The Commission for Scheduled Castes and Scheduled Tribes in his 24th Report for the years 1975-76 and 1976-77 has stated that sometimes Police Personnel are involved in committing atrocities on the Scheduled Castes and Scheduled Tribes and has desired that the State Governments concerned should ensure that Police Officials who are custodians of law and order are given exemplary punishment, if found guilty. Asked whether the Central Government have accepted this recommendation of the Commissioner and asked State Governments to take necessary action in the matter.

82. The Ministry of Home Affairs, in a written note furnished to the Committee has stated :

“The 24th Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the years 1975-76 and 1976-77 is under examination and final decisions would be taken after the examination has been completed. However, the Central Government have already suggested to the State Governments that the slackness on the part of the Government officials in handling cases of atrocities on Harijans should be treated as dereliction of duty. This covers Police officials also.”

83. In their 51st Report (Fifth Lok Sabha) the Committee had suggested that more and more Scheduled Castes and Scheduled

Tribes should be recruited in the Revenue and Police Departments at the Centre and in the States to deal *inter alia* with cases of atrocities. In their action taken reply the Ministry of Home Affairs have stated that this suggestion of the Committee has been brought by the Centre to the notice of the various State Governments and Union Territory Administrations for their necessary action. The Committee enquired whether the State Governments and Union Territory Administrations have accepted the above recommendation of the Committee.

84. The Ministry of Home Affairs in a written note submitted to the Committee has stated :

“The information has been called for from the State/Union Territory Governments and would be furnished to the Committee on receipt.”

85. The Committee pointed out that the Police Commission set up in 1968 had suggested that there should be an Advisory Committee which should be set up by the higher officers of the police department from time to time to seek the cooperation of the public and improve the condition of working of the police department. Asked whether Government would ask the State Governments that police authorities should hold periodical meetings with the local non-officials in order to win their confidence and also to get the advice of the local people, the Home Secretary has stated during evidence :

“I fully agree with your suggestion. It is a sound suggestion.”

86. The Committee share the feelings of the Ministry of Home Affairs that local police and other administrative authorities having jurisdiction should be made squarely responsible for prompt and effective actions in cases of atrocities on Scheduled Castes and Scheduled Tribes. In order that local police could deal with the cases of atrocity promptly and effectively, the Committee would suggest that the quality of their performance should be improved, the force should be modernised and provided necessary transport, wireless sets, telephones, motor vehicles aids and incentives.

87. Further to instil a sense of security among the Scheduled Castes and Scheduled Tribes, the Committee would like to reiterate their earlier recommendation made by them in their 51st Report (Fifth Lok Sabha) that more and more Scheduled Castes and Scheduled Tribes should be recruited in the Revenue and Police Departments so that the police force, at all levels, has proper and

adequate representatives of Scheduled Castes and Scheduled Tribes. It is high time that Government gives the urgent thought to this problem.

88. The Committee further desire that the guardians of law and order should be much above the average, bold and honest in their dealings with the weaker sections of the Society. The Committee would, therefore, urge the Government to arrange special training courses for the police officers with a view to enable them to understand the problems and difficulties of Scheduled Castes and Scheduled Tribes and to equip them with the basic knowledge of laws and rules in respect of matters concerning the amelioration of Scheduled Castes and Scheduled Tribes and also the Government's approach and policies on these issues.

89. The Committee also suggest that local police authorities should hold periodical meetings with local non-officials, in order to win their confidence, and also to know the problems of Scheduled Castes and Scheduled Tribes of the area.

90. The Committee hope that the police administration in tribal areas would be improved on the pattern suggested by the Ministry of Home Affairs in their evidence before the Committee.

91. The Committee recommend that special police stations for Scheduled Castes, on the pattern of the State Governments of Madhya Pradesh and Bihar should also be opened by other States in all the districts of their States. Special Flying Police Squads should also be formed at district level for the purpose of visiting the affected spots immediately after the incidents and for proper investigation.

VIII. INTELLIGENCE

92. The Committee pointed out that one of their Study Groups which visited Marathwada during September, 1978, had felt that there had been a total failure somewhere in the functioning of the Home Department of the State Government of Maharashtra as also of the Ministry of Home Affairs at the Centre which was supervising and getting the intelligence reports from the State. The Committee enquired whether the Central and State Governments were not aware of the situation which was developing in the region for some time and were they not getting intelligence reports to that effect so that they could take timely remedial measures be-

fore the actual flare up. The Home Secretary in his evidence before the Committee has stated :

"The intelligence that a situation was brewing, was developing which would lead to a great deal of lawlessness was available with practically all the operational authorities. As you said, whether this information was fully used, whether the necessary steps acting on that information had been taken, whether the steps taken were adequate in the context of the problem that was emerging—these were all matters of judgment."

93. The Committee then pointed out that the police authorities, Marathwada had informed the Study Group that there was no precise information regarding possible disturbances. To this the Home Secretary has explained that in respect of such incidents, even when there is complete information, the attitude will be that information is not precise or definite. Intelligence can only give a warning that things are becoming hot. To expect that intelligence will give information that at such and such place such incidents will happen, during his 32 years of experience, he has never received any such intelligence reports with all the alertness, there may be occasions when the administration cannot do anything and that kind of failure to take action is a matter of judgment.

94. Asked whether the Ministry of Home Affairs also deploy their intelligence agency to get information from various places apart from the State Governments reports, the Home Secretary has stated :

"The Intelligence Bureau at the Centre is to maintain the vigilance in various States and they do send us regular reports as soon as the incidents occur. But for all intelligence reports, the practice has been not to disclose the information. We are utilising that."

95. Asked whether these intelligence Officers depend upon the information given by the State Governments or the local agency intelligence units of the State Governments, because they have no staff to collect information and there is only one such Officer covering many districts, the Home Secretary has stated:

"What you are saying is quite correct. But subject to their limitations they try to submit information. Unless we go into any individual instance, it may not be possible to make any collective judgment about what other

information we receive from intelligence sources. But this is the primary object of utilising the intelligence agencies. It is for the Centre to keep its finger on the situation that is developing, is not either to initiate prosecution or to take any legal action."

96. The Committee is strongly of the view that it is the constitution responsibility of the Central Government to protect the Scheduled Castes and Scheduled Tribes from social injustice and all forms of exploitation. The Committee would, therefore, urge the Central Government to spread its intelligence network upto at least sub-division level of the States and obtain independent reports about the occurrences and likely happenings there and initiate remedial measures wherever necessary, in consultation with the State Governments.

IX. JUDICIAL PROBES

97. The Committee stated that during the course of tours of Study Groups of the Committee to Agra and Marathwada, a number of non-officials organisations approached the Study Groups and desired that Judicial Probes should be instituted into the causes of disturbances and police excesses at those places. The demand in the case of Agra disturbances was so much that the State Government which was reluctant to order a Judicial Probe in the initial stages had to yield to the mounting pressure of the public and to order for Judicial Probe. Asked whether any criteria had been laid down by Government for ordering Judicial Probes in such cases and whether the Central Government could direct the State Governments to immediately order Judicial Probe in case of large scale arson, killing and atrocities on Scheduled Castes and Scheduled Tribes, the representative of the Ministry of Home Affairs has stated during evidence :

"Actually we are examining the whole question not necessarily in the context of the atrocities on Harijans but wherever any firing takes place or a serious disturbance occurs, one of the suggestions was that a Standing Body consisting of a judicial officer—he may be a serving as District Judge or a retired judge of a High Court—assisted by the Revenue Officer or the Police Officer may be appointed. Whenever anything of this sort happens this machinery is set into motion so that people need not ask to investigate into those disturbances. As a matter of fact, the Prime Minister himself has written to States

informing whether a Standing Machinery could be created in the Districts for enquiring into the atrocities on Harijans or discrimination against them. So, we are trying to find out what is the reaction of the States. In majority of the cases, this apprehension in the minds of the people would disappear. Where occurrence are very serious, judicial enquiry will have to be done. But in all other cases, a Standing machinery is suggested. This would automatically go into the question."

98. The Committee recommend that with a view to inspire confidence and credibility in the public about the fairness and impartiality of the Administration there should be an automatic judicial inquiry into the cases where there is a large scale arson, looting, murder and indiscriminate firing by the police involving Scheduled Castes and Scheduled Tribes.

X. RELIEF & REHABILITATION

99. The Committee on the Welfare of Scheduled Castes and Scheduled Tribes in their 51st Report (Fifth Lok Sabha) on the Ministry of Home Affairs—Atrocities on Scheduled Castes in (i) Village Maulana Budhuchak (District Patna); and (ii) Village Amli Kaur (District Banda) presented to Parliament on 31-3-1976, have recommended as follows:—

"With a view to helping those persons affected by atrocities, the Committee suggest that the feasibility of constituting a special fund at the Central level should be considered."

100. The Ministry of Home Affairs in their action taken reply furnished to the Committee has stated as follows:—

"Besides initiating action under the law in specific cases of atrocities, the local authorities of the respective State Governments/Union Territory Administrations also take appropriate steps wherever necessary to provide relief and rehabilitation assistance to the victims. In deserving cases the Central Government also sanction *ad hoc* assistance to supplement what is provided by the State Governments. Such assistance has been given from the Prime Minister's National Relief Fund or the Home Minister's Discretionary Grant etc. Creation of any special fund for this purpose at the Central level is not therefore considered necessary.

It may be mentioned that the Government of Andhra Pradesh has introduced a scheme to provide monetary relief to victims of atrocities on members of Scheduled Castes and Scheduled Tribes. A copy of the Andhra Pradesh Scheme has already been sent to the State Governments in 1975. We have again commended the Andhra Pradesh Scheme to each of the other State Governments and Union Territory Administrations and requested them to consider the desirability of introducing such a scheme in their State/ Union Territory."

101. The Committee on the Welfare of Scheduled Castes and Scheduled Tribes while examining the action taken replies of the Government to their recommendations have, in their 2nd Report (Sixth Lok Sabha) reiterated the recommendation as follows:—

"The Committee are not fully convinced with the arguments of the Ministry of Home Affairs and reiterate their earlier recommendation that, with a view to helping those persons affected by atrocities, the Government should consider the feasibility of constituting a special fund at the Central level and draw a scheme for the purpose."

102. When asked the action taken by Government in the matter, the Ministry of Home Affairs in a written note furnished to the Committee, has stated:

"The recommendation of the Committee has been examined in detail. It was considered that the State Governments should be persuaded to earmark specific funds for granting assistance to the victims of atrocities. This should be ensured by the Central Government when the annual plan proposals of the State Governments are discussed. If, in spite of the special earmarking of funds done by the State Governments, they run short of funds for this purpose, the Central Government should play a supplemental role and provide financial assistance on demand by the State Government to meet the requirements of specific cases, In this manner, Central Government will be ensuring that the State Governments keep earmarked specific funds for the victims of atrocities in their annual budgets and also shall play the role of supplementing the gaps in the efforts of the State Governments."

103. The Committee referred to the Government of Andhra Pradesh scheme for providing immediate monetary relief to the victims of atrocities without waiting for the results of the criminal proceedings which normally take considerable time which has been commented by the Government to the State Governments and asked the States which have introduced schemes on the line of Andhra Pradesh. The Ministry of Home Affairs in a written note furnished to the Committee has stated:

"The following State Governments have introduced scheme on the lines of Andhra Pradesh:

Himachal Pradesh, Maharashtra & Uttar Pradesh.

The following State Governments are considering introducing similar schemes:—

Bihar, Gujarat, Kerala, M.P., Karnataka, Orissa, Punjab, Tamil Nadu, West Bengal.

Ad hoc relief is also being granted by the State Governments to the victims of atrocities on the merits of each case. For example, in the recent incidents of violence in Marathwada, the State Government granted the following relief to the victims:—

- (i) The victims were provided with free food and shelter etc.
- (ii) Immediate relief was granted to them on par with victims of natural calamities.
- (iii) Village sites and houses upto Rs. 1500/- were provided free of cost.
- (iv) Works under employment guarantee schemes were started in relaxation of the usual existing norms so as to provide immediate employment.

Monthly relief was also granted to the families of members of Scheduled Castes who died or who were incapacitated permanently or temporarily."

104. The Committee desired to know whether in the case of atrocities on Harijans, victims of atrocities have been given relief out of the Prime Minister's Relief Fund and if so, the relief so given during the last three years and the States to which given, the Ministry of Home Affairs in a written information furnished to the Committee has stated:

"In August, 1978, Prime Minister sanctioned a sum of Rs. 83,200|- from the Prime Minister's National Relief Fund for providing relief to victims of the violent incidents at Villupuram, a number of whom were Harijans. No other grant has been made from the Fund in the last three years for this purpose."

105. The Committee pointed out that two of their Study Groups during their tours to Maharashtra (Marathwada) and Bihar (Belchi) had noted that the quantum of relief given to the victims of atrocities was very low. In Maharashtra Rs. 1500|- was given for village sites and houses to each of the families whose houses had been burnt. In Belchi Rs. 500|- was given to each of the affected families. When this fact was brought to the notice of the Chief Minister, Bihar, he increased the amount to Rs. 5000|- per family. The Committee enquired the steps being taken by the Central Government to see that the States which have not introduced scheme of relief introduced by the Andhra Pradesh Government introduced such a scheme. The Home Secretary has stated that they will persuade the State Governments.

106. The Committee then referred that in the case of air accident or train accident, the quantum of relief payable to the victims is fixed and enquired whether it will not be possible for the Ministry of Home Affairs to draw up a plan at the Centre so that immediate fixed relief can be given to the victims of atrocities or to the relatives of persons killed in such cases. The Home Secretary has stated during evidence:

"This suggestion is under examination. I shall keep a note of what you have mentioned. I would request the Government to expedite the decision in the matter."

107. The Committee then stated that in the case of refugees from Pakistan, Burma, Ceylon etc., the Central Government took the responsibility of rehabilitating them and asked whether the Central Government will consider creating a fund for the rehabilitation of victims of atrocities. To this the Home Secretary has stated "I will place the suggestion before Government."

108. The Committee note that the quantum and type of relief provided to the victims of atrocities is left to the discretion of the State Governments and that there are no guidelines or scheme for the grant of relief in such cases. The State of Andhra Pradesh have

drawn a scheme for providing immediate relief to the victims of atrocities without waiting for the results of the criminal proceedings which normally take considerable time and the States of Himachal Pradesh, Maharashtra and Uttar Pradesh have decided to follow the footsteps of Andhra Pradesh. Other State Governments are yet to take a decision in the matter. Though the Andhra Pradesh Scheme is commendable, the Committee feel that the quantum of relief provided by the Scheme is inadequate, and should be increased to a considerable extent keeping in view the rising cost of living and prices of various material and commodities.

109. Considering the distressing frequency of the atrocities on Scheduled Castes and Scheduled Tribes, the Committee recommend that the Central Government should consider the feasibility of drawing up a comprehensive scheme laying down the quantum and type of relief to be provided to the victims of atrocities as is the practice in the case of air or rail accidents.

110. The Committee further recommend that the entire expenditure on this account should be met by the Central Government for which a special fund at the central level should be constituted as already recommended by the Committee in their 51st Report (Fifth Lok Sabha).

111. The Committee further recommend that for proper rehabilitation of the dependents of the victims of atrocities, Government should provide suitable employment to them and other adequate, financial and material assistance to the aggrieved.

XI. PROTECTION OF CIVIL RIGHTS ACT, 1955

112. The Committee have been informed that Article 17 of the Constitution abolishes "untouchability" and forbids its practice in any form. The Untouchability (Offences) Act, 1955 was enacted as a Central law to award punishment for offences amounting to observance of the practice of untouchability. Even since the Untouchability (Offences) Act, 1955 came into force, there was a general feeling that the Act was not meaningfully serving the purpose for which it was enacted, and that the punishment awarded under the Act were too few and inadequate. Accordingly, the Untouchability (Offences) Amendment and Miscellaneous Provision Bill, 1972 was introduced in the Lok Sabha in April, 1972. This Bill with comprehensive amendments as proposed by the Joint Select Committee of Parliament, was passed by the Parliament in September, 1976, with certain modifications. This enactment changed the name of the

principal Act into the "Protection of Civil Rights Act, 1955". The amended Act came into force from the 19th November, 1976. In this Act, the term "Civil Rights" has been defined as any right accruing to a person by reason of abolition of "untouchability" under Article 17 of the Constitution.

113. Compared to the original Untouchability (Offences) Act, 1955, the 'Protection of Civil Rights Act, 1955', has considerably tightened the penal provisions of the law and incorporates various new features to curb the practice of untouchability. All types of untouchability cases which were cognizable but compoundable under the old Untouchability (Offences) Act, 1955, have been made cognizable as well as non-compoundable under the amended Act with effect from 19th November, 1976. Under the old Act punishment for committing untouchability offences was imprisonment which may extend up to six months or with fine upto Rs. 500|-, or both. Under the amended Act, for the first time, minimum and maximum punishments have been quantified, namely, for the first offence, the minimum punishment will be imprisonment for one month and fine of Rs. 100| - and the maximum imprisonment for six months and fine of Rs. 500|-. For the second offence, the minimum punishment will be imprisonment for six months and fine Rs. 200| - and maximum imprisonment for one year and fine of Rs. 500|-. For the third and subsequent offences, the punishment may range from imprisonment for one year and fine of Rs. 500| - to imprisonment for two years and fine of Rs. 1000|-. From this it would be seen that in the amended Protection of Civil Rights Act, 1955, the law has been considerably tightened with stringent penal provisions. One significant characteristic of the Act is that public servants who willfully show negligence in the investigation of any offence punishable under the act. are deemed to have abetted an offence punishable under that Act. The State Governments have also been empowered to impose collective fines on the inhabitants of any area who are concerned in or abetting the commission of untouchability offences. The amended Act has, for the first time, made the Central Government responsible to coordinate the measures taken by the State Governments under Section 15A of the Act and to place on the Table of each House of Parliament every year, a report on the measures taken by itself and the State Governments in pursuance of the provisions of the Section 15A of the Act. Under Section 15A(2) of the Act, the State Governments are required to take measures for providing adequate facilities, including legal aid, appointment of officers for initiating or exercising supervision over

prosecutions, setting up of Special Courts, appointment of Committees at appropriate levels, provision for periodic surveys on the working of the provisions of this Act and identification of the areas where persons are under any disability arising out of "untouchability."

114. The Committee have been further informed that according to the reports furnished by the State Governments for the full year except Bihar, Kerala and Maharashtra, which have furnished information upto 30th June, 1977 and Union Territory Administrations, under the amended provisions of the Protection of Civil Rights Act, 1955, 3425 fresh cases were registered in 1977. This shows that registration of cases from 7047 in 1976 has declined to 3425 in 1977. Break up of cases in selected States during 1976 and 1977 is given below:—

Break-up of cases registered in selected States during 1976 and 1977

S.No.	Name of States	No. of cases registered during the year	
		1976	1977
1.	Andhra Pradesh . . .	138	89
2.	Bihar . . .	26	2@
3.	Gujarat . . .	1136	1137
4.	Karnataka . . .	592	329
5.	Madhya Pradesh . . .	500	353
6.	Mahrashtra . . .	363	266@
7.	Orissa . . .	22	49
8.	Rajasthan . . .	154	119
9.	Tamil Nadu	1650	792
10.	Uttar Pradesh . . .	426	208

@ upto 30-6-1977

115. The number of cases registered during 1977 is at Appendix VIII.

116. Section 15A(2)(V) of the Protection of Civil Rights Act, 1955 reads as follows:—

"15A(2) In particular, and without prejudice to the generality of the provisions of Sub-section (1), such measures may include;

- (v) Provision for a periodic survey of the working of the provisions of the Act with a view to suggesting measures for the better implementation of the provision of the Act."

117. Asked whether any survey has been conducted by any of the State Governments in pursuance of the above provisions of the Act, the Ministry of Home Affairs in a written note furnished to the Committee has stated:

"No State Governments have conducted any survey during the year under report in pursuance of this provision. However, the Government of Gujarat propose to carry out surveys through Social Research Institutes, Universities, Bureau of Economics and Statistics and Directorate of Social Welfare. In Uttar Pradesh, the Commission for Scheduled Castes, Scheduled Tribes and Backward Classes being set up is proposed to be given this work. The West Bengal Government have advised the Director, Cultural Research Institute, to conduct a survey with a view to ascertaining how far the practice of the untouchability is prevalent in the State."

118. Under Section 15(A) (2) (vi) of the Protection of Civil Rights Act, surveys are required to be made to identify areas where untouchability is still prevalent and take adequate measures to combat it. The Committee asked the State Governments and Union Territory Administrations which have carried out such surveys.

119. The Ministry of Home Affairs in a written note furnished to the Committee has stated that Sub-section 2 of the Section 15A of the Protection of Civil Rights Act enforced from 19-11-1976 contains certain guidelines for the State Governments for undertaking measures to ensure that rights accruing from the abolition of untouchability are availed of by the persons subjected to disabilities arising out of untouchability. One of the measures suggested in sub-section 2(vi) is for the identification of areas where persons are under any disability arising out of untouchability and adoption of such measures as would ensure removal of such disabilities from such areas. Reply received from some State Governments in this regard are as follows:—

Karnataka: The areas where the practice of untouchability is deep rooted have been identified on the basis of crime statistics and necessary instructions have been issued to

the Unit Officers to tighten up the enforcement of the Act in these areas.

Kerala: Interior areas of Kasargode and Hosdurg Talukas of Cannanore district are already identified as untouchability prone areas and special mobile squad has been commissioned to detect and investigate untouchability cases in these areas.

Maharashtra: District Superintendents of Police have been directed to prepare the list of villages where the untouchability offences occur and where the relations between the caste Hindus and Scheduled Castes are under strain. Such villages are termed 'sensitive' villages. The special cell at the State level maintains the list of all the sensitive villages.

Orissa: District Administration and the Police have been directed to identify trouble prone areas and to undertake preventive measures in these areas against any escalation.

Rajasthan: It is proposed to take up the work of identification of 'disability' areas with the help of District Vigilance Committees and Social Justice Committees.

Tamil Nadu: Offences under the Act are not concentrated in any one district; such cases are isolated and sporadic. However, in six districts having larger concentration of Scheduled Castes, mobile squads have been set up to detect and investigate cases of untouchability.

Uttar Pradesh: State level special enquiry cell headed by D.I.G. of Police is entrusted with the work of identification of areas where persons are under any disability arising out of untouchability, and to suggest remedial measures to root out the disabilities from such areas.

120. In the States of Assam, Meghalaya, Nagaland and Union Territories of Andaman and Nicobar Islands, Dadra and Nagar Haveli, Arunachal Pradesh, Lakshadweep and Mizoram, no cases have been reported under the Act and as such the problem of untouchability is almost extinct in these States/Union Territories and they are not required to undertake any exercise of identification of disability areas.

121. Information in regard to other States/Union Territories is not yet available.

Machinery for enforcement of Protection of Civil Rights Act

122. As regards the implementation of the provisions of the Protection of Civil Rights Act, 1955, the representative of the Ministry of Home Affairs has informed the Committee during evidence that according to the instructions and guidelines issued by the Government of India from time to time, there is already a machinery in each State. Most of the States have special investigation cells. Now, the State Governments have to strengthen that machinery so that there is proper implementation of the Protection of Civil Rights Act. The Government have desired that the machinery should be strengthened and for that purpose, the Central assistance is being given to the States from this year.

123. As regards the Central assistance provided by the Central Government to the State Governments for the enforcement and implementation of the provisions of the Protection of Civil Rights Act, 1955, the Commissioner for Scheduled Castes and Scheduled Tribes in his 24th Report for the years 1975-76 and 1976-77 had mentioned as follows:—

“The Protection of Civil Rights Act, 1955 enjoins upon the Central and State Governments certain duties relating to the enforcement and implementation of the provisions of the Act by creating appropriate machinery at various levels. In the Fifth Five Year Plan, an outlay of Rs. 5 crores has been provided for strengthening of machinery for enforcement of Untouchability Act, but unfortunately, it has remained unutilised, largely on account of initiative on the part of Directorate General, Backward Classes Welfare.....”

124. Asked whether, at the central level, there is a machinery to see that the State Governments create such a machinery and make use of the central assistance properly, the Home Secretary has stated during evidence:

“We have earmarked a Joint Secretary to exclusively look after this work. We have also made available some other officers. Direct monitoring facility is also being added. The importance which the Government attaches to this

problem has reflected itself in the administrative arrangements within the Ministry. Previously, there was no special Joint Secretary to look after this entire work. We have now made it a full time charge."

125. The Committee then pointed out that instructions and suggestions have been sent by the Ministry of Home Affairs to the various States that district officers should be requested to obtain prompt information, investigation of all offences involving Harijans and in areas where atrocities on Scheduled Castes and Scheduled Tribes have taken place, special police is required to be posted to take prompt action. But wherever the Study Groups of the Committee have gone on on-the-spot study tours, they have found that these instructions are not being followed. The Committee asked the measures the Government are taking to see that State Governments followed the instructions issued by the Ministry of Home Affairs from time to time. The representative of the Ministry of Home Affairs has stated during evidence:

"We are now setting up various units for different States. We are visiting various States and holding meetings with State Officers and range officers, to ensure that the instructions are complied with, in the field. This month we are going to Maharashtra and Gujarat. We have divided the country into 4 to 5 zones. We will find out whether the instructions are being complied with."

The Home Secretary added:

"Government have decided to strengthen the machinery at the headquarters to see that our suggestions are acted upon. But, apart from that, if you have any further specific suggestions, we will certainly consider them."

126. The Committee wanted to know the total assistance made available to various State Governments, State-wise, for the proper functioning of the machinery for the Protection of Civil Rights Act, 1955, during the last three years, year-wise, the criteria for giving the assistance, the guidelines issued by the Central Government in this regard and the type of machinery set up in each State for the purpose in pursuance of the guidelines issued by the Central Government.

127. The Ministry of Home Affairs in a written note furnished to the Committee has stated that the following expenditure was

incurred on machinery for the implementation of the Protection of Civil Rights Act, 1955 during the last three years:—

Name of State	Expenditure incurred (Rs. in lakhs)		
	1975-76	1976-77	1977-78
Andhra Pradesh	1.02
Gujarat	1.60
Karnataka	1.50	8.10
Tamil Nadu	3.40
Maharashtra	0.88
TOTAL	Nil	1.50	15.00

128. During the current financial year 1978-79, following States have been allocated funds for strengthening the machinery for the enforcement of the Protection of Civil Rights Act, 1955:—

Name of the State	Amount proposed to be allocated (Rs. in lakhs)
1. Uttar Pradesh	8.00
2. Bihar	8.00
3. Andhra Pradesh	4.00
4. Gujarat	3.50
5. Maharashtra	3.50
6. Tamil Nadu	4.00
7. Karnataka	5.00
8. Madhya Pradesh	3.00
9. Rajasthan	3.00
10. Orissa	3.00
TOTAL	45.00

129. The Government of India makes allocations to States broadly on the basis of Scheduled Castes population in the State and number of crimes reported involving Scheduled Castes. During this financial year (1978-79), the State Government have been allotted amounts as indicated above and they have been requested to reorient the existing machinery according to guidelines given by the Centre in this regard.

130. A copy of the guidelines issued by the Central Government in this regard is at Appendix IX.

131. While allocating the funds for strengthening the existing machinery for better implementation of the Protection of Civil Rights Act, 1955 during the current financial year 1978-79, the State Governments concerned have been requested to re-orient the existing machinery according to guidelines given by the Centre in this regard.

132. The Committee wanted to know whether as required under sub-section 4 of section 15A of the Protection of Civil Rights Act, 1955, a report on the measures taken by the State Governments and the Central Government is being made available to both Houses of Parliament. The representative of the Ministry of Home Affairs has stated that the first report will be submitted for which they are collecting information from the various States.

133. In a memorandum submitted to the Committee by the Harijan Sewak Sangh, Delhi, it has been suggested that documentary films and cinema slides may be prepared to propagate the provisions of the Protection of Civil Rights Act, 1955 and these should be compulsorily exhibited in every show of Cinema Halls in rural areas.

134. Asked the reaction of the Government to this suggestion, the Ministry of Home Affairs in a written note has stated that the Film Division of the Ministry of Information and Broadcasting have already produced the following documentary films on the theme of eradication of untouchability which were exhibited both in urban and rural areas:

Name of the film	Year in which Produced
1. Towards a Better Society	1953
2. Children of God	1956
3. Andhere se Ujala me	1961
4. Raids	1961
5. Brahmin	1962

Name of the film	Yea. is which Produced
6 Barged	1963
7 An Ancient Curse	1969
8 Victims of Tradition	1972
9 Chandalika	1973
10 Harijan	1973

135. Another documentary film on this theme is under production and it will be widely exhibited. In the releases of the Indian News Review items are also included on activities concerning the Scheduled Castes.

136. As regards the suggestions for preparing cinema slides on the provisions of the Protection of Civil Rights Act and the compulsory exhibition of the documentary films and cinema slides in the cinema halls in rural areas, the Ministry of Information and Broadcasting is being requested to examine these suggestions.

Collective Fines

137. Regarding the provisions in the Act to impose collective fines in areas where atrocities on Scheduled Castes and Scheduled Tribes have taken place, the Home Secretary has stated during evidence that their experience in the matter has not been very happy. That is confined to communal disturbance areas so far. Announcements are made but as soon as normalcy returned, no State Government wanted to keep alive the tension for recovery of the fines imposed. No one can be certain as to what repercussions will be. The recommendation of Government in that regard is that if atrocities on large scale are there, that should be done. But no State has done that so far.

Special Courts

138. Asked whether Special Courts have been set up by any of the State Governments in order to dispose of the cases under the Protection of Civil Rights Act, which linger on for two to three years, the representative of the Ministry of Home Affairs has stated:

"We asked the various State Governments the very same information as to whether looking to the long pendency of the cases, they would like to have special courts established. Nobody said that they want special courts, except Maharashtra and Bihar, where they said that instead of

special courts, they will ask the High Court to specify a particular court, already existing one, to deal exclusively with these cases. The States do not think that the pendency is such that special courts should be established."

139. When asked whether High Courts can be requested to direct the Courts to dispose of these cases within a certain specified period, say six months or so, the representative of the Ministry of Home Affairs has stated that that has been done in most of the cases. Maharashtra specifically took up this question. Bihar has done it. In Maharashtra, they have specified a particular court for this purpose, where the number of cases were more. Special Cells which have been established are also supposed to chase these cases.

Publicity re: the provisions of the Act

140. A Study Group of the Committee which visited Madhya Pradesh during July, 1978, was informed that in the villages, poor Scheduled Castes were not aware of their rights and the provisions of the Protection of Civil Rights Act, 1955. Asked the steps the Government propose to take in such matters, the Ministry of Home Affairs in a written note furnished to the Committee has stated that the question of making the provisions of the Act known to the general public, the Central Government have requested the State Governments to give necessary publicity to the provisions of the Act. We have also asked the State Governments to distribute copies of the Act in regional languages to the district authorities, police, panchayats, voluntary organisations etc. The voluntary organisations like the Harijans Sevak Sangh and the Bharatiya Depressed Classes League are given financial assistance by this Ministry for undertaking publicity against the practice of untouchability and on the provisions of the Protection of Civil Rights Act.

Voluntary Organisations

141. Asked the number of voluntary organisations working in the field, their area of operations and the financial assistance given to them by the Central and State Governments during the last three years, year-wise, the Ministry of Home Affairs in a written note furnished to the Committee has stated that it has been the policy of the Government of India to enlist all possible helps from the voluntary agencies and to encourage them to widen their scope of activities. The financial assistance for this purpose is being provid-

ed and the quantum of assistance has been going up as will be seen from the table below:

1st Five Year Plan	Rs. 22.63 lakhs
2nd Five Year Plan	Rs. 87.00 lakhs
3rd Five Year Plan	Rs. 1.75 crores
4th Five Year Plan	Rs. 2.00 crores

142. The number of voluntary agencies together with other details, which have been receiving financial assistance from the Government of India during the last three years is at Appendix X.

143. The number of voluntary agencies which are receiving grants from the State Governments under the State Sector Schemes and the non-Plan Schemes in the various States is very large. This information is not readily available.

144. The conditions which govern the receipt of grants-in-aid by voluntary agencies from the Government of India include submission of quarterly, half yearly and annual progress reports. They are also required to submit the audited statements of accounts. Besides, the work done by them is inspected twice in a year by the field organisation of the Ministry of Home Affairs. Every year, before these schemes are approved, review of the working of each voluntary agency is also made in the Ministry.

145. The Committee are constrained to note that although the Protection of Civil Rights Act, 1955, as amended, came into force w.e.f. November, 1976, neither any of the State Governments has so far made efforts to identify the areas where untouchability is still practised, nor they have conducted any survey about the working of the Act with a view to suggesting measures for the better implementation of the provisions of the Act as per the provisions of the Act. The Committee are strongly of the view that it is essential to identify areas before embarking upon programmes/action plans for the eradication of this evil from those areas. The Committee, therefore, desire that the Government of India should impress upon the State Governments to undertake identification of such areas with utmost expedition.

146. The Committee are distressed to note that as reported by the Commissioner for Scheduled Castes and Scheduled Tribes in his 24th Report, the funds to the tune of Rs. 5 crores sanctioned by the Central Government to the State Governments for the enforcement and implementation of the provisions of the Protection of Civil Rights Act, 1955 during the Fifth Five Year Plan remained

unutilised largely due to dismal performance of the Directorate General, Backward Classes Welfare, which is under the administrative control of Ministry of Home Affairs.

147. The Committee are perturbed to note that so far there was no machinery in the Ministry of Home Affairs to ensure effective implementation of the provisions of the Protection of Civil Rights Act, 1955 and that the machinery in the States was also not adequate and required to be strengthened for which the Government of India propose to provide financial assistance to the States from this year. With a view to achieve a high degree of efficiency in the implementation of the provisions of the Act in spirit of the objective laid down, the Committee would strongly urge the Government to strengthen the implementing machinery both at the Centre and at the State levels. Special cells should be created forthwith in each of the States Headquarters and in all the district headquarters and in the Ministry of Home Affairs to closely coordinate the various programmes/action plans and supervise the working of the provisions of the Protection of Civil Rights Act, 1955.

148. The Committee further recommend that the mass media i.e. newspapers, films, radio and T.V. should be extensively made use of for educating and shaping the public opinion and to fight against discrimination and untouchability. Wide publicity should be given to the provisions of the Act. Documentary films should be produced on the subject and those already produced should be dubbed into different regional languages and compulsorily exhibited in every cinema show in the rural areas and in the sensitive districts, particularly. Suitable cinema slides should be made and widely exhibited. Appropriate slogans should also be printed in bold letters. on the postal stationary so that these get widely circulated.

149. The Committee feel that eradication of untouchability is a complex problem of social relations and attitude of higher castes towards the so called depressed classes of society and it can not be tackled effectively merely by passing legislation. The voluntary efforts by dedicated social workers can go a long way in creating the right type of social atmosphere and environment and prepare the people to accept the action plans/programmes drawn up by the Government for the removal of this evil.

150. The Committee, therefore, reiterate their earlier recommendation made by them in their 21st Report (Fifth Lok Sabha) that more and more voluntary agencies should be encouraged and entrusted-

ed with this job. The Committee further desire that they should be given special programmes and action plans for eradicating the untouchability, in their areas of operation. Financial assistance should not be a constraint in drawing and taking up such action plans/programmes by the voluntary agencies provided they are run and managed by dedicated social workers of proven record and integrity and competence. They should be more closely supervised to make them effective. The Central Government should, every year, place on the Table of each House of Parliament a report regarding the working of the Voluntary Agencies to whom financial assistance is given by the Central Government together with a copy of the review made by the Ministry of Home Affairs, in regard to their working.

151. The Committee have been informed that no State Government has so far set up special court for trial of offences under the Protection of Civil Rights Act, 1955. The Governments of Maharashtra and Bihar, have, however, asked the High Courts to specify a particular court, already existing one, to deal exclusively with cases under the Act. The Committee note the arrangements made by the Governments of Maharashtra and Bihar and would like the Central Government to persuade other State Governments, where pendency of cases are more, to make similar arrangements or set up special courts as may conduce speedy disposal of the cases. The Committee desire that courts should not keep such cases pending for more than six months as that would by itself have its own impact on the problem of eradicating untouchability.

152. Cases of atrocities on Scheduled Caste and Scheduled Tribe Government employees have also come to the notice of the Committee from time to time. The Committee consider such cases no less serious than other cases of atrocities. The Committee recommend that victims of such atrocities should be allowed to approach the Heads of Ministries|Departments direct without going through the proper channel. Where a Government employee desires to file a case in the court of law under the Protection of Civil Rights Act, 1955, he should invariably be permitted to do so.

NEW DELHI;
April 27, 1979
Vaisakha 7, 1901 (Saka)

RAM DHAN,
Chairman,
Committee on the Welfare of
Scheduled Castes and Scheduled
Tribes.

APPENDIX I

(Vide Chapter III, Para 21)

STATEMENT SHOWING NUMBER OF CASES OF ATROCITIES (ON HARIJANS INVOLVING SERIOUS I.P.C. OFFENCES IN VARIOUS STATES|UNION TERRITORIES DURING 1974, 1975 AND 1976

S.No.	Name of the State	No. of cases reported		% age increase(+) or decrease (-) in 1975 over 1974
		1974	1975	
1	2	3	4	5
1	Andhra Pradesh	22	27	(+)22·7
2	Assam . . . . .	..	..	..
3	Bihar	258	263	(+)1·9
4	Gujarat	352	184	(-)47·7
5	Haryana	1	25	(+)2400·0
6	Himcachal Pradesh . . . . .	..	..	..
7	Jammu & Kashmir	9	21	(+)133·3
8	Karnataka . . . . .	..	55	(+)
9	Kerala	493	331	(-)32·9
10	Madhya Pradesh	1578	1587	(+)0·6
11	Maharashtra	277	263	(-)5·1
12	Manipur . . . . .	..	..	..
13	Meghalaya . . . . .	..	..	..
14	Nagaland . . . . .	..	..	..
15	Orissa	24	25	(+)4·2
16	Punjab . . . . .	..	167	(+)
17	Rajasthan	18	100	(+)455·6

18	Tamil Nadu	.	.	.	.	.	35	7	(—)80.0
19	Tripura	.	.	.	.	.	..	..	..
20	Uttar Pradesh	.	.	.	.	.	5791	4656	(—)19.6
21	West Bengal	.	.	.	.	.	2	70	((+)3400.0
22	Sikkim	.	.	.	.	.	..	..	..
23	Delhi	.	.	.	.	.	..	..	..
TOTAL								8860	7781	(—)12.2

Information in respect of remaining Union Territories is NIL.

SOURCE:— NATIONAL INTEGRATION DIVISION, MINISTRY OF HOME AFFAIRS.

APPENDIX II

(Vide Chapter III Para 24)

SETS OF DISTRICTS IN WHICH THE TOTAL NUMBER OF INCIDENTS WHICH OCCURRED IN 1976 EXCEEDS 50 PER CENT 75 PER CENT 90 PER CENT OF TOTAL NUMBER OF INCIDENTS WHICH OCCURRED IN THE STATE

Above 50%

Above 75%

Above 90%

UTTAR PRADESH

1. Agra
2. Banda
3. Barabanki
4. Basti

1. Agra
2. Banda
3. Barabanki
4. Basti
5. Jhansi

1. Agra
2. Banda
3. Barabanki
4. Basti

5. Jhansi
6. Gorakhpur

6. Gorakhpur
7. Ballia
8. Bijnor
9. Rampur
10. Mathura
11. Fatehpur
12. Shahjehanpur
13. Etawa

5. Jhansi
6. Gorakhpur
7. Ballia
8. Bijnor
9. Rampur
10. Mathura
11. Fatehpur
12. Shahjehanpur
13. Etawa
14. Kanpur
15. Kheri
16. Rae Bareilly
17. Farrukhabad
18. Fatehgarh
19. Sultanpur
20. Moradabad
21. Bahraich
22. Bareilly

MADHYA PRADESH

1. Ujjain
2. Sehore
3. Indore
4. Guna
5. Morena
6. Shajapur
7. Betul
8. Gwalior
9. Rajgarh

1. Ujjain
2. Sehore
3. Indore
4. Guna
5. Morena
6. Shajapur
7. Betul
8. Gwalior
9. Rajgarh
10. Ratlam
11. Bhand
12. Tikamgarh
13. Dewas
14. Durg
15. Chattarpur
16. Bastar

1. Ujjain
2. Sehore
3. Indore
4. Guna
5. Morena
6. Shajapur
7. Betul
8. Gwalior
9. Rajgarh
10. Ratlam
11. Bhand
12. Tikamgarh
13. Dewas
14. Durg
15. Chattarpur
16. Bastar

Above 50%

Above 75%

Above 90%

MADHYA PRADESH

17. Khargaon
18. Satna
19. Panna
20. Raipur
21. Raigarh
22. Sagar

GUJARAT

1. Rajset
2. Sabar Kantha
3. Surendra Nagar
4. Kutch
5. Ahmedabad

1. Rajkot
2. Sabar Kantha
3. Surendra Nagar
4. Kutch
5. Ahmedabad
6. Kaira
7. Mehsana
8. Banaskantha
9. Baroda

1. Rajkot
2. Sabar Kantha
3. Surendra Nagar
4. Kutch
5. Ahmedabad
6. Kaira
7. Mehsana
8. Banaskantha
9. Baroda
10. Bhavnagar
11. Jamnagar
12. Amreli

TAMIL NADU

1. Thiruchirapalli
2. Thirunelveli

1. Thiruchirapalli
2. Thirunelveli

1. Thiruchirapalli
2. Thirunelveli
3. Madurai South
4. Coimbatore

KARNATAKA

1. Bijapur
2. Kolar
3. Raichur
4. Belgaum

1. Bijapur
2. Kolar
3. Raichur
4. Belgaum
5. Bider
6. Gulbarga
7. Shimoga
8. Mysore

1. Bijapur
2. Kolar
3. Raichur
4. Belgaum
5. Bider
6. Gulbarga
7. Shimoga
8. Mysore
9. Tumkur
10. Chitradurga
11. Bangalore Distt.
12. Bangalore City

MAHARASHTRA

1. Pune
2. Ahmed Nagar
3. Nasik
4. Thane
5. Nanded
6. Aurangabad

1. Pune
2. Ahmed Nagar
3. Nasik
4. Thane
5. Nanded
6. Aurangabad
7. Sholapur
8. Nagpur
9. Bhandara
10. Buldana
11. Ratna Giri
12. Parbani

1. Pune
2. Ahmed Nagar
3. Nasik
4. Thane
5. Nanded
6. Aurangabad
7. Sholapur
8. Nagpur
9. Bhandara
10. Buldana
11. Ratna Giri
12. Parbani
13. Beed

14. Kolaba
15. Dhule
16. Sangli
17. Usmanabad

Above 50%

Above 75%

Above 90%

ANDHRA PRADESH

1. Anantapur
2. Chittoor
3. Nizamabad

1. Anantapur
2. Chittoor
3. Nizamabad
4. Shrikakulam
5. Cuddapah
6. Krishna

1. Anantapur
2. Chittoor
3. Nizamabad
4. Shrikakulam
5. Cuddapah
6. Krishna
7. East Godavari
8. West Godavari

BIHAR*

1. East Champaran
2. Singhbhum

1. East Champaran
2. Singhbhum
3. Motihari

1. East Champaran
2. Singhbhum
3. Motihari
4. Aurangabad

*Since reported cases involving violence for which districts of location, is known, is not adequate, the groups of districts indicated for Bihar may not be representative.

APPENDIX III
(Vide Chapter IV Para 26)
ATROCITIES ON HARIJANS INCIDENTS INVOLVING VIOLENCE
A—ARISING OUT OF ECONOMIC TENSE STATEWISE—YEARWISE (1974-77)*

State/Union Territories.	Land disputes					Forcible harvesting					Wage disputes					Bonded labour					Indebtedness					Others					Total				
	74	75	76	77	74	75	76	77	74	75	76	77	74	75	76	77	74	75	76	77	74	75	76	77	74	75	76	77	74	75	76	77			
1. Uttar Pradesh	109	98	118	10	45	12	68	20	43	99	41	8	27	15	30	3	13	7	13	567	218	321	3	567	218	321	71	806	329	591	115				
Total 1974-77 (%)	275	(14.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)	(7.9)				
2. Madhya Pradesh	23	7	78	13	4	1	9	6	2	10	17	—	6	13	85	4	10	3	26	14	42	109	5	14	210	59	76	323	73						
Total 1974-77 (%)	121	(22.8)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)	(3.6)					
3. Andhra Pradesh	28	3	18	6	2	7	5	..	3	2	5	1	..	4	4	..	..	..	12	11	6	4	1	11	6	44	15	48	18			
Total 1974-77 (%)	55	(44.0)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)	(5.6)					
4. Karnataka	..	5	5	..	2	1	2	1	..	2	..	1	..	..	4	2	3	3	2	1	11	7	1	1	11	6	22	20	7				
Total 1974-77 (%)	10	(18.2)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)	(10.9)					
5. Maharashtra	4	6	2	..	..	1	2	2	1	1	..	—	..	1	3	..	..	1	3	2	..	5	..	2	..	7	10	9	4		
Total 1974-77 (%)	12	(40.0)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)					
6. Gujarat	1	3	3	..	..	..	..	..	..	2	8	—	..	2	8	..	..	1	2	10	3	10	..	1	..	3	23	7	14	..
Total 1974-77 (%)	7	(30.4)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)	(43.6)					
7. Bihar	2	3	1	..	..	1	1	..	..	2	3	1	..	1	1	..	..	..	..	2	5	4	..	..	..	1	5	13	7	1
Total 1974-77 (%)	23	(23.1)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)	(7.7)					
8. Orissa	1	1	1	..	..	..	2	..	..	..	..	—	..	..	..	..	..	..	1	..	1	1	..	..	..	1	1	4	10	..
Total 1974-77 (%)	5	(50.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)	(20.0)					
9. Tamil Nadu	..	1	1	1	1	1	6	3	..				
Total 1974-77 (%)	1	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)	(16.7)					
10. Rajasthan	1	..	1	1				
Total 1974-77 (%)	1	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)	(33.3)				
11. Haryana	1	1	1				
Total 1974-77 (%)	1	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)	(100.0)				
12. Pondicherry				
Total 1974-77 (%)	..	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)	(—)				
TOTAL	491	(18.6)	(7.0)	(7.0)	(7.0)	(7.0)	(7.0)	(7.0)	(7.0)	191	(7.2)	..	201	(7.6)	(4.1)	107	(4.1)	1464	(55.3)	2639	(100.0)				

Data for the cover upto the .. outturn received from different .. for period please see saishir's state-up.

**ATROCITIES ON HARIJANS—INCIDENTS INVOLVING VIOLENCE
B—ARISING OF SOCIO-RELIGIOUS & POLITICAL TENSIONS—STATEWISE—YEARWISE 1974-77***

S.No.	Name of the State/Union Territory	Elopement					Kidnapping					Rape, attempt to rape, molesting, attempt to molest					Discriminatory religious practices					Intimidation in election etc.					Others					Total (Socio-Religious and Political)				
		74	75	76	77	77	74	75	76	77	77	74	75	76	77	77	74	75	76	77	77	74	75	76	77	77	74	75	76	77	77	74	75	76	77	77
8	Uttar Pradesh	3	5	9	1	6	139	124	134	35	1	45	118	31	42	..	27	..	..	1	2	1261	1894	1373	509	1515	1894	5037	1373	509	1515	2079	5795	1589	552	1589
	Total 1974-77	3	5	9	1	6	139	124	134	35	1	45	118	31	42	..	27	..	..	1	2	1261	1894	1373	509	1515	1894	5037	1373	509	1515	2079	5795	1589	552	1589
9	Madhya Pradesh	1	..	..	..	..	61	126	173	53	1	6	39	9	9	3	1	..	..	..	..	286	421	500	131	365	421	1346	500	131	365	590	1850	697	198	697
	Total 1974-77	1	..	..	..	..	61	126	173	53	1	6	39	9	9	3	1	..	..	..	..	286	421	500	131	365	421	1346	500	131	365	590	1850	697	198	697
10	Maharashtra	..	..	..	..	..	1	5	7	2	2	63	22	39	59	30	9	3	6	..	..	11	50	70	4	90	50	70	270	5	80	80	259	49	40	49
	Total 1974-77	..	..	..	..	..	1	5	7	2	2	63	22	39	59	30	9	3	6	..	..	11	50	70	4	90	50	70	270	5	80	80	259	49	40	49
11	Karnataka	..	..	..	..	..	1	..	..	1	2	21	85	40	15	15	..	4	..	4	4	18	65	41	9	42	65	133	53	9	83	89	250	89	36	89
	Total 1974-77	..	..	..	..	..	1	..	..	1	2	21	85	40	15	15	..	4	..	4	4	18	65	41	9	42	65	133	53	9	83	89	250	89	36	89
12	Gujarat	..	..	..	..	..	1	3	1	..	52	9	111	50	..	2	..	2	2	2	2	9	67	51	9	68	67	127	51	9	77	106	..	..	..	106
	Total 1974-77	..	..	..	..	..	1	3	1	..	52	9	111	50	..	2	..	2	2	2	2	9	67	51	9	68	67	127	51	9	77	106	..	..	..	106
13	Andhra Pradesh	..	..	..	..	..	4	5	13	6	4	13	1	13	1	1	..	8	..	3	5	15	21	57	27	36	21	120	57	27	28	89	197	89	44	89
	Total 1974-77	..	..	..	..	..	4	5	13	6	4	13	1	13	1	1	..	8	..	3	5	15	21	57	27	36	21	120	57	27	28	89	197	89	44	89
14	Tamil Nadu	..	..	..	..	..	..	..	..	..	12	..	24	10	2	2	..	..	..	..	..	29	2	46	9	41	2	46	64	9	2	16	71	16	12	16
	Total 1974-77	..	..	..	..	..	..	..	..	..	12	..	24	10	2	2	..	..	..	..	..	29	2	46	9	41	2	46	64	9	2	16	71	16	12	16
15	Bihar	..	..	..	..	..	..	..	..	..	810	..	..	1	1	1	..	..	..	..	..	3	11	13	1	5	11	28	13	1	14	14	39	19	1	19
	Total 1974-77	..	..	..	..	..	..	..	..	..	810	..	..	1	1	1	..	..	..	..	..	3	11	13	1	5	11	28	13	1	14	14	39	19	1	19
16	Orissa	..	..	..	..	..	..	..	..	..	1	10	52	7	4	4	..	..	..	..	..	1	..	4	2	19	..	4	2	2	5	10	..	10	2	10
	Total 1974-77	..	..	..	..	..	..	..	..	..	1	10	52	7	4	4	..	..	..	..	..	1	..	4	2	19	..	4	2	2	5	10	..	10	2	10
17	Pondicherry	..	..	..	..	..	..	..	..	..	..	12	12	92	3	3	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	12	13	..	..	12
	Total 1974-77	..	..	..	..	..	..	..	..	..	..	12	12	92	3	3	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	12	13	..	..	12
18	Goa, Daman & Diu	..	..	..	..	..	..	..	..	..	..	10	10	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	10	10	..	..	10
	Total 1974-77	..	..	..	..	..	..	..	..	..	..	10	10	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	10	10	..	..	10
19	Rajasthan	..	..	..	..	..	..	..	..	..	1	..	1	25	..	..	..	..	..	..	..	2	..	2	..	4	..	2	50	..	4	..	4	..	..	..
	Total 1974-77	..	..	..	..	..	..	..	..	..	1	..	1	25	..	..	..	..	..	..	..	2	..	2	..	4	..	2	50	..	4	..	4	..	..	..
20	Jammu & Kashmir	..	..	..	..	..	..	..	..	..	..	..	2	50	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	4	..	..	..
	Total 1974-77	..	..	..	..	..	..	..	..	..	..	..	2	50	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	4	..	..	..
21	Haryana	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	Total 1974-77	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
22	Delhi	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	Total 1974-77	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
TOTAL :		..	..	..	..	..	899	899	1003	191	11	77	614	71	..	..	..	..	..	..	..	5915	6915	7915	..	8699	6915	6915	7915	..	8699	1000	8699	1000	..	1000

* Data for 1977 cover upto the latest return received from different States period release see state-wise statistical yearbook

APPENDIX IV

(Vide Chapter V Para 47)

13th meeting of the Northern Zonal Council held in New Delhi on the 4th August, 1973.

Recommendation of the Council as embodied in the proceedings of the meeting	Gist of implementation reports received from the State Governments/Union Territories
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1

2

The Chairman said that in regard to incidents against members of Scheduled Castes and Scheduled Tribes effective steps should be taken by the State Governments and the district officers should obtain prompt information about the incidents involving Harijans whether or not such incidents had arisen due to any caste consideration. The Chief Ministers agreed that they would implement the suggestion made by the Ministry of Home Affairs and send information regularly to the Ministry of Home Affairs.

Government of Rajasthan :

All the District Magistrates and concerned officers have been asked to intimate facts of the incidents involving members of Scheduled Castes as and when they occur. Thus adequate vigilance is exercised in this respect and suitable steps are taken wherever symptoms of communal trouble are noticed.

Government of Jammu and Kashmir :

Such incidents seldom occur in the State and problems of this nature do not exist. However, the State Police Force has been instructed to be vigilant and take effective steps in advance and make a comprehensive report if and when such incidents occur.

Government of Himachal Pradesh :

Instructions have been issued to the District Police authorities to furnish information soon after the occurrence of any communal incident. The Superintendents of Police are being asked to go deep into the incidents against members of Scheduled Castes and Scheduled Tribes, take prompt action in such cases and send details of such occurrences immediately to the Govt. If the incidents are found to have arisen due to caste consideration.

Chandigarh Administration :

There has been no case of harassment involving Harijans since the formation of the Union Territory. Nevertheless the Administration have issued instructions to the District Magistrate and the Police Inspectors to initiate *suo moto* action as and when any instance of untouchability in a public place comes to notice. A Committee under the Chairmanship of the Home Secretary, Chandigarh Administration has been constituted to review cases of harassment to or atrocities on Harijans.

(Reports from Punjab and Haryana Governments as also the Delhi Administration were not received).

14th meeting of the Northern Zonal Council held in Srinagar on the 11th June, 1975.

This item was inconclusively discussed at the meeting. The discussion which was to continue the next day could not take place on account of the sudden demise of Shri P. N. Dhar. ■

No implementation report.

10th meeting of the Central Zonal Council held in New Delhi on the 16th July, 1973.

The Chairman advised that a Committee be constituted at the State level, consisting of representatives of the Departments concerned to keep watch on enforcement of the law and that the complaints registered with the Police should be given special attention particularly by districts and police officers. Instructions should also be given to the prosecuting agencies to give high priority to such cases and annual review thereof should be made from time to time.

Government of Madhya Pradesh :

The State Govt. have no objection to set up a State level Committee for keeping a watch on the enforcement of the Untouchability (Offences) Act, 1955. Adequate action has been taken to ensure the safety of the Scheduled Castes and Scheduled Tribes. A special Cell under a DIG Police has been created and 7 special Police stations specially set up for looking into the complaints registered by Harijans with the Police. 7 Dy. S. Ps. have been put on this work in the districts allotted to them. The Police prosecuting Branches in the districts have been asked to pay particularly attention to the cases launched under the 1955 Act.

Government of Uttar Pradesh :

The State Govt. have issued necessary administrative directives and have set up a Special Cell (at the headquarters of the IGP) under the control of DIG. Special directions have been given that even complaints of non-cognizable nature registered by Scheduled Castes and Scheduled Tribes should also be invariably investigated by the Police with the prior permission of the Courts concerned. The State Govt. have also issued directions to the effect that all cases registered under the Untouchability (Offences) Act, 1955 are to be treated as Special Report cases. These steps have had a salutary effect in boosting up the morale of Harijans and in thwarting the evil designs of the oppressors. The inadequate number of investigating officers has, however, posed a problem to the police in completing investigations promptly in all cases despite the priority assigned to them. The Special Cell conducts the on-the-spot inquiries on complaints and ensures that the cognizable and non-cognizable cases of atrocities on Scheduled Castes and Scheduled Tribes are properly investigated by the District Police. The Cell also calls for scrutinising the enquiry reports, to assess the propriety and adequacy of action taken. There is a proposal to strengthen the Cell with additional staff. ■

11th meeting of the Central Zonal Council held in New Delhi on 11/6/1976.

Government of Uttar Pradesh.

The two Chief Ministers were requested to consider the desirability of setting up a Cell under IG or DIG for processing complaints from Harijans.

The State Govt. have set up a Special Cell under the DIG.

Government of Madhya Pradesh.

Information not received.

9th meeting of the Western Zonal Council held at Panaji on 4/6/1973.

Government of Gujarat.

The Chief Minister of Gujarat promised to send a report to the Home Ministry on the specific steps taken by the State Govt. to ensure that the interest of the members of the Scheduled Castes were fully safeguarded on the lines suggested by the Govt. of India.

The State Government have issued instructions to the police officers for proper registering of complaints made by Harijans under the Untouchability Act without causing any inconvenience to the complainants and for taking prompt action thereon.

Government of Maharashtra :

(The Chief Minister, Maharashtra had indicated at the meeting that the State Govt. had taken concerted action on all the suggestions made by the Union Ministry of Home Affairs. They had constituted a Committee to look after the effective implementation of the provisions of the 1955 Act and had also issued instructions to their officers that they should visit Harijan localities while on tour and meet the Zila Parishads and Panchayat Samiti officers in order to understand their problems and propagate the importance of removal of untouchability).

The State-level committee appointed for effective implementation of the provision of the 1955 Act has made several recommendations for removal of untouchability. The State Govt. have taken necessary action thereon.

10th meeting of the Western Zonal Council held at Panaji on 4/10/1975.

The Chief Ministers agreed that they will strengthen their organisations and send prompt reports (according to the guidelines laid down) to the Central Govt.

No report has been received from either of the two State Govts.

13th meeting of the Southern Zonal Council held at Hyderabad on 30/6/1973.

It was urged that prompt action may be taken with reference to communications, circulars etc. issued by the Government of India in such cases and furnish statements giving the desired information as early as possible to the Central Govt.

Government of Kerala.

The IGP has impressed upon all the Police officers through circulars to give special attention to complaints from the members of Scheduled Castes and give them necessary protection. A special mobile squad has been formed under Dy. S. P. for the effective enforcement of 1955 Act and the Kerala Hindu Places of Public Worship (Authority of Entry) Act, 1965. Orders have been issued to treat the cases under the relevant Acts as grave crimes.

Government of Tamil Nadu.

The provisions of the 1955 Act are being effectively enforced in the State through mobile police squad formed in 6 districts. The Harijans Welfare Boards at Taluk, District and State levels have also been constituted for reviewing the work done in the direction of enforcement of the Act and for undertaking special measures to secure effective eradication of untouchability.

Government of Pondicherry.

The incidence of atrocities has declined appreciably and in fact there was no incident during 1972. However necessary instructions have been issued to all the Police officers to maintain vigilance.

(There were no reports from other States in the Southern Zone).

14th meeting of the Southern Zonal Council held at Trivandrum on the 7/10/1974.

The Chairman observed that the compensation to the victims of atrocities should be a little liberal. He urged that prompt action be taken by the State Governments wherever there was any incident involving offences against Scheduled Castes and Scheduled Tribes.

A copy of the Andhra Pradesh scheme which provides for grant of ex-gratia payment of Rs. 1000/- to each of the victims of atrocities was forwarded in February, 1975 by the Ministry of Home Affairs to the State Govts. with the recommendation that they might consider adopting the scheme.

Special Cell have been set up by the Govt. of Andhra Pradesh, Karnataka and Kerala to look into the complaint of the Scheduled Castes and Scheduled Tribes.

15th meeting of the Southern Zonal Council held at Bangalore on 20/10/1976.

Government of Andhra Pradesh.

The Chairman impressed upon the State Govts. the need for prompt report to the Central Govt. of the occurrence of every incident involving offences against members of Scheduled Castes and Scheduled Tribes.

(a) The State Govt. have introduced a scheme for sanctioning monetary relief ranging from Rs. 250/- to Rs. 2000/- to each of the victims of atrocities. The Commissioner of Scheduled Castes and Scheduled Tribes has commended this scheme to all the other States.

(b) Orders have been issued for providing legal aid to the victims of atrocities.

(c) The District Collectors and Superintendents of Police have been made responsible for strict enforcement of the provisions of the Protection of Civil Rights Act, 1955 and have been suitably empowered to launch prosecutions for contravention of the Act.

- (d) The District Review Committee composed of officials and non-officials review the cases of atrocities, harassment and untouchability offences. The Collectors and the Superintendents of Police undertake quarterly reviews of all such cases with a view to ensure speedy and correct action and to fix responsibility for delays and lapses, if any at the various stages of the cases and for failure of prosecution.
- (e) Various publicity and propaganda measures have been undertaken by State Govts. for eradication of untouchability.
- (f) The State Govt. have also decided to encourage inter-caste marriages with suitable incentives.
- (g) A Scheduled Castes and Scheduled Tribes Cell is functioning in the Department of Social Welfare under the direct charge of the Chief Secretary and the Chief Minister. Another Special Cell has been established under DIG (Crime) to deal with the cases of atrocities and untouchability offences involving Scheduled Castes and Scheduled Tribes.
- (h) Necessary periodical returns and statistical data are sent to the Govt. of India regularly in the prescribed proforma.

Government of Karnataka.

The Special Cell already created is functioning effectively and monthly returns are being sent to the Ministry of Home Affairs regularly.

Government of Tamil Nadu.

The State Govt. have given wide publicity to the provisions of the 1955 Act through various publicity media and are observing Harijan week from 24th to 31st January every year.

A state level Committee composed of officials and non-officials was set up in 1976 for proper enforcement of the amended Act. A Special Cell under the charge of Addl. I.G. was created in February 1977.

Monthly reports are being sent to the Ministry of Home Affairs and the IGP has been instructed to adhere strictly to the due dates for submission of the reports.

Government of Pondicherry.

Steps have been taken to give publicity to the provisions of the 1976 Act.

A Special high level cell has been constituted under the charge of the Secretary of the Welfare Deptt. (IGF is also a member) for review of incidents involving offence against Scheduled Castes and Scheduled Tribes.

As no cases of atrocities on SCTs. have been reported the Govt. to consider that there is little scope for implementing the scheme for giving financial assistance.

Periodical reports are being sent regularly by the prescribed details.

13th meeting of the Eastern Zonal Council held at Ranchi on 3-2-1975.

Government of Bihar.

Summing up, the Chairman said that it was very necessary that the Central Government were kept in the picture whenever an incident occurred and it was in their own interest that they furnished the information to the Ministry of Home Affairs regularly and in time.

Necessary action is being taken as desired by the Chairman of the Council.

Government of Orissa.

Instructions have been issued to the District Magistrates to intimate the details of any incident of offence against Scheduled Castes and Scheduled Tribes as soon as it occurs so that the State Govt. may be able to take necessary action without delay and also keep the Central Govt. informed about it.

Government of West Bengal

A proposal for setting up a suitable machinery for enforcing the provisions of the protection of Civil Rights Act, 1955 is under consideration. Necessary quarterly returns are being sent to the Government of India.

APPENDIX V

(Vide Chapter VI Para 63)

Actual Dates of receipts of half year Statement

S. No.	State	I half of 1977 Due date 15 July	II half of 1977 1st Jan.	I half of 1978 15th July
1	2	3	4	5
1	Andhra Pradesh	N.R.	N.R.	N.R.
2	Assam	N.R.	N.R.	N.R.
3	Bihar	N.R.	N.R.	N.R.
4	Gujarat	25-4-1978	25-4-1978	N.R.
5	Haryana	N.R.	N.R.	N.R.
6	Himachal Pradesh	N.R.	N.R.	N.R.
7	Jammu & Kashmir	N.R.	N.R.	N.R.
8	Karnataka	5-12-1977	25-3-1978	N.R.
9	Kerala	22-4-1978	6-7-1978	N.R.
10	Madhya Pradesh	N.R.	N.R.	N.R.
11	Maharashtra	21-6-1977	19-6-1978	N.R.
12	Manipur	N.R.	N.R.	N.R.
13	Meghalaya	N.R.	20-2-1978	21-7-1978
14	Nagaland	N.R.	N.R.	N.R.
15	Orissa	11-9-1978	17-3-1978	N.R.
16	Punjab	N.R.	N.R.	N.R.
17	Rajasthan	July, 77	23-2-1978	N.R.
18	Sikkim	N.R.	N.R.	N.R.
19	Tamil Nadu	N.R.	N.R.	N.R.
20	Tripura	N.R.	N.R.	N.R.
21	Uttar Pradesh	13-3-1978	13-3-1978	N.R.
22	West Bengal	N.R.	N.R.	N.R.

1	2	3	4	5
<i>U. T. Administrations :</i>				
1	A & N Islands	N.R.	N.R.	N.R.
2	Chandigarh	N.R.	N.R.	N.R.
3	Dadra & Nagar Haveli	N.R.	24-1-78	N.R.
4	Delhi	19-11-77	6-1-78	N.R.
5	Goa, Daman & Diu	6-12-77	6-1-78	15-7-78
6	L. M. & A. Islands	3-11-77	26-2-78	10-7-78
7	Pondicherry	N.R.	N.R.	2-8-78
8	Mizoram	N.R.	N.R.	N.R.
9	Arunachal Pradesh	N.R.	N.R.	N.R.

NOTE : N.R. means Not received so far. }

APPENDIX VI

(Vide Chapter VI, Para 67)

LOK SABHA

UNSTARRED QUESTION NO. 3465

(TO BE ANSWERED ON THE 9TH AUGUST 1978)

ATROCITIES ON HARIJANS

3465. SHRI V. M. SUDHEERAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the increasing number of atrocities on Harijans and Adivasis all over the country;

(b) if so, the number and the nature of the incidents State-wise during the last six months; and

(c) the steps taken by Government to protect the interests of the Harijans and Adivasis?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a), (b) and (c): Offences against members of Scheduled Castes are punishable under the law and comes within the definition of 'Public Orders' which is State subject. Substantive action under the law in such cases has to be taken by the State|U.T. Governments concerned. However, the Centre keeps in close touch with them, offers suggestions to them from time to time to expedite measures aimed at removing the basic factors responsible for such incidents and for strengthening the administrative machinery to ensure prompt and effective action in such cases and to provide protection and instil a sense of security amongst the weaker sections.

A statement showing the number and the nature of the IPC crimes registered during the period from 1-1-1978 to 30-6-1978 where members of Scheduled Castes and Scheduled Tribes were victims is enclosed.

**STATEMENT LAID ON THE TABLE OF THE LOK SABHA IN
REPLY TO UNSTARRED QUESTION NO. 3465 DATED 9-8-1978.**

According to the information furnished by the State|U.T. Governments, the number and the nature of IPC crimes committed against members of Scheduled Castes and Scheduled Tribes during the period from 1-1-1978 to 30-6-1978 are given below:—

S. No.	States	Number of cases Registered					Offences
		Murder	Violence	Rape	Arson	Other	
1	2	3	4	5	6	7	
1	Andhra Pradesh	3	1	5	..	31 (upto May)	
2	Bihar . . .	6	17	13	26	190 (upto Feb.)	
*3	Gujarat . . .	26	78	6	16	272 (upto	
4	Haryana . . .	3	2	8	3	9 (upto May)	
*5	Himachal Pradesh	1	..	..	1	35
*6	Karnataka	2	5	1	5	51 (upto May) *	
*7	Kerala . . .	1	3	5	1	143 (upto March)	
*8	Madhya Pradesh	36	188	64	130	1883 (upto May)	
*9	Maharashtra . .	7	74	14	23	244 (upto May)	
10	Orissa . . .	5	11	4	4	57	
*11	Punjab . . .	5	2	4	1	18 (upto May)	
*12	Rajasthan . . .	39	87	39	55	223 (upto May)	
*13	Uttar Pradesh . .	89	261	94	237	1980 (upto May)	
*14	West Bengal . . .	..	1	..	..	.. (upto April)
*15	Delhi . . .	..	..	1	..	3 (upto May)
16	Pondicherry . . .	..	..	..	1	7
17	Goa, Daman & Diu	..	..	1	..	..
18	Dadra & Nagar Haveli . . .	..	..	..	..	12
19	Arunachal Pradesh	..	..	..	..	6
		223	730	260	503	5104	

*Statistics for the remaining months have not yet been received.

APPENDIX VII

(Vide Chapter VI, Para 68)

PROFORMA-1

MONTHLY STATEMENT GIVING INFORMATION ABOUT CASES INVOLVING OFFENCES (OTHER THAN UNTOUCHABILITY OFFENCES) AGAINST MEMBERS OF SCHEDULED CASTES/SCHEDULED TRIBES COMMITTED BY NON-SCHEDULED CASTES OR NON-SCHEDULED TRIBES.

NAME OF STATE/U.T. FOR THE MONTH OF

NATURE OF OFFENCE NO. OF CASES REGISTERED DURING THE MONTH

No. of cases in which Scheduled Castes are victims. (Indicate in brackets number of cases treated as special report cases)

No. of cases in which Scheduled Tribes are victims. (Indicate in brackets number of cases treated as special report cases)

MURDER]

VIOLENCE RESULTING IN GRIEVIUS HURT

RAPE

ARSON OR SERIOUS MISCHIEF IN RESPECT OF PROPERTY

OTHER I. P. C. OFFENCES

TOTAL

ION OF CASES INVOLVING OFFENCES (OTHER THAN UNTOUCHABILITY OFFENCES)
 ITTED BY NON-SCHEDULED CASTES OR NON-SCHEDULED-TRIBES.

Proforma II (SC/ST)

As on 30th June or 31st December.

ending in charge-sheet persons charge-sheeted to (No. of persons given in brackets.)	No. of cases ending in conviction (No. of persons convicted to be given in brackets.)	No. of cases pending in discharge/ or acquittal (No. of persons to be given in brackets.)	No. of cases pending Trial trial to be given in brackets)	No. of persons on (No. of persons on trial to be given in brackets)	Current Total		B.F.		Total	
					Current	Total	Current	Total	Current	Total
11	12	13	14	15	16	17	18	19	20	21

Name of State/ U.T. _____

STATEMENT GIVING INFORMATION ABOUT PROGRESS OF
AGAINST MEMBERS OF SCHEDULED CASTES/

Sl. No.	Nature of offences	No. of cases registered during the period (No. of cases treated as spl. Report cases to be given in brackets).	No. of cases pending investigation (No. of accused to be given in brackets).			No. of cases pending in Final Report (No. of accused to be given in brackets).		
			B.F.	Current	Total	B.F.	Current	Total
1	2	3	4	5	6	7	8	9
1	Murder							
2	Violence resulting in grievous hurt. -							
3	Rape							
4	Arson or serious mischief in respect of property. .							
5	Other I.P.C. offences .							
TOTAL								

N.B. 1. "Brought for ward" (B. F.) means those cases registered prior to the period under report.
2. Current means those cases registered during the period report.

APPENDIX VIII

(Vide para 115 of the Report)

Statement regarding the cases registered under the protection of Civil Rights Act and their Disposal during the year, 1977.

Sl. No.	State/U.T.	Brought forwarded with		No. of fresh cases registered with Police	No. of cases closed by Police after investigation but without challenging	No. of cases challenged in court	Cases disposed of by Courts				Total	No. of cases pending at the end of the year with	
		Police	Court				No. of cases ending in conviction	No. of cases ending in acquittal	Police	Court			
1	2	3	4	5	6	7	8	9	10	11	12		
1	Andhra Pradesh	N.A.	N.A.	89	16	68	1	21	22	5	46		
2	Bihar (upto 90-6-77)	11	11	2	..	1	..	..	..	12	12		
3	Gujarat	154	761	1197	113	1109	64	958	1022	69	848		
4	Haryana . . . . .	..	1	5	1	1	..	..	..	3	2		
5	Himachal Pradesh	1	14	[23]	3	[18]	3	10	13	3	19		
6	Jammu and Kashmir	N.A.	N.A.	3	..	2	..	..	..	1	2		
7	Karnataka	25	194	329	43	272	33	14	47	39	419		
8	Kerala (Upto 90-6-77)	1	22	24	1	22	1	10	11	2	33		
9	Madhya Pradesh	13	552	553	20	322	168	182	350	24	524		
10	Maharashtra (upto 90-6-77).	17	400	266	[21	199]	9	46	155	63	544		

	1	2	3	4	5	6	7	8	9	10	11	12
11 Orissa	.	.	.	48	49	11	37	..	2	2	1	83
12 Rajasthan	.	.	3	257	119	40	72	25	23	48	10	281
13 Tamil Nadu	.	.	1	6	792	85	677	246	191	437	31	246
14 Uttar Pradesh	4	208	67	103	..	..	..	38	107
15 West Bengal	.	.	Nil	Nil	1	1	..	..	..	..	..	..
16 Delhi	3	7	3	4	..	..	..	..	7
17 Goa, Daman & Diu	4	..	4	1	..	1	..	3
18 Pondicherry	14	5	9	..	6	6	..	3
TOTAL	.	.	226	2273	3425	430	2920	551	1463	2014	301	3175

APPENDIX IX

(Vide Chapter XI, Para 130)

Guidelines to State Governments receiving Central Assistance for Protection of Civil Rights Acts.

State Governments have set up special machineries in States for dealing with the problem of untouchability as provided under the Protection of Civil Rights Act. The composition of such machinery has varied from State to State depending upon the resources, the problems and other local conditions. It is proposed to provide Central assistance for strengthening the machinery for Protection of Civil Rights Act during the year 1978-79.

2. The duties assigned to the State Governments have been clearly laid down in Section 16(A) (i) (2) of the Protection of Civil Rights Act, 1955. These duties enjoined upon the State Governments to take such measures as are necessary for ensuring that the Rights arising from the abolition of untouchability are made available to and are availed of by the persons subjects to any disability arising out of unouchability. Without prejudice to this generality, the following measures have been suggested in the Act:—

- (a) The provision of adequate facilities, including legal aid, to the persons subjected to any disability arising out of untouchability to enable them to avail themselves of such rights.
- (b) The appointment of officers for initiating or exercising supervision|prosecutions for the contravention of the provisions of this Act.
- (c) The setting up of special courts for the protection of offences under this Act.
- (d) The setting up of Committees at such appropriate levels as the State Government may think fit to assist the State Governments in formulating or implementing such measures.
- (e) 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.

- (f) The identification of the areas where persons are under any disability arising out of untouchability and adaption of such measures as would ensure the removal of such disability from such areas.

3. The Government of India feel that the first and the foremost task for the effective implementation of the Act is that the persons who suffer disability and the authorities who are entrusted with the task of implementation of this Act and public in general and the social workers engaged in the field have fair knowledge of the provisions of the Protection of Civil Rights Act. The persons who suffer disability must know that they are suffering from such disabilities and further know the authorities to whom they should report and the authorities concerned should be responsive enough to make earlier investigations and launch prosecutions to bring the desired result of bringing the offenders to book. The persons who suffer from disability and the authorities who implement this Act have to be continuously watched by the social workers and the public in general so that there is no slackening of efforts by the authorities and the pathetic acquiescence by the persons who suffer disabilities. For this purpose, Government of India are of the opinion that a part of the Central assistance that is being given for the protection of Civil Rights Act should be utilised to generate the opinion expressed above among all concerned. The State Governments may devise their own measures of spreading this awareness among the groups indicated. They may organise seminars, workshops, re-orientation courses inviting people from varied disciplines and keep the local press involving in such activities. The need for involving local press is called for because they will continuously be the watch dog on the reaction regarding the implementation of this Act which is ultimately aimed to be deterrent in the ways of those who still practice untouchability and come in the way of the desired objective of removing untouchability within a period of five years.

4. It is expected that the State Governments will post officers who are conscious and sound to the call of the disadvantaged groups and take up speedy investigations and launch prosecutions. However, the necessity of exercising strict supervision cannot be minimised. In most of the State Governments the machinery has been set up having watched towards the police officers who are expected to be experts in the matter of investigation and launching prosecu-

tion and can, therefore, exercise effective supervision. However, the State Governments may examine the feasibility of strengthening their Cell with the help of an officer who has had an experience of magisterial work and can be effectively utilised in the field to do proper supervision from the stage of information is lodged to the decision of the case. This officer while reporting to the incharge of the Cell, can also be entrusted with the responsibilities of examining the judgements delivered by the courts and can suggest review or appeal before this stage becomes time-barred.

5. The identification of the areas where persons are under disabilities arising out of untouchability will go in a long way in helping the State Governments in focussing their attentions in such areas particularly and thereby the problem of practice of untouchability can be attacked in concerted and effective manner. For this purpose, the State Governments may examine the feasibility of having a research wing with their Cell whose main job will be to conduct their periodic survey for this purpose and advise to the Chief of the Cell for focusing the attentions of the Cell in such areas.

6. Of course, one of the major duties to which the Cells in the State Governments should be responsive will be to continuously monitor the working of the provisions of the Act with a view to suggest measures for the better implementation of the provisions of the Act and for this purpose the measures outlined above, i.e., creation of public awareness, appointment of supervisory officer, opening of a research wing in the Cell will go to help the State Cell in formulating their strategies for better implementation of the provisions of this Act.

7. State Governments are being given the administrative approval of the Central assistance so that they know of the maximum extent of the assistance that will be available for the current year by the Central Government and thereby re-orient their machinery for the Protection of Civil Rights Act according to the guidelines given above. The actual releases of the amount of administrative approval shall be made on receipt of the proposals from the State Governments which may be formulated keeping in view the points brought in above.

APPENDIX X

(Vide Chapter VI Para 142)

Statement showing the name of the voluntary Organisations area of operation and grant in aid given during last three years (1975-76, 1976-77 and 1977-78)

S. No.	Name of the Organisation	Area of operation	Grant in aid given during		
			1975-76	1976-77	1977-78
1	2	3	4	5	6
1	Harijan Sevakk Sangh, Delhi	All India	1033184	1028334	994318
2	Indian Red Cross Society, New Delhi	Uttar Pradesh	591850	490421	534842
3	Servants of India Society, Poona.	Uttar Pradesh, Andhra Pradesh, Tamil Nadu, Orissa, and Karnataka,	309309	334340	366320
4	Bhartiya Adimjati Sevak Sangh New Delhi.	Orissa, Madhya Pradesh, Assam, Aurnachal Pradesh, Maharashtra, Delhi, Tamil Nadu, Gujarat and Andhra Pradesh	323340	237852	232889
5	Bhartiya Ghurnantu Jan (Khan) Sevak Sangh, New Delhi.	Ambala, Godhra, Ujjain, Yeotmal, Bikaner, Dehradun and Delhi	104329	Nil	2750
6	Hind Sweepers Sevak Samaj, New Delhi.	Uttar Pradesh, Haryana, Punjab, West Bengal and Madhya Pradesh	219470	157887	134127
7	Ishtar Sangh Ashram, Allahabad.	Uttar Pradesh	51204	88823	112103
8	Ramakrishna Mission, Ashram Cherrapunji.	Meghalaya	497803	729652	1016325
9	Ramakrishna Mission Ashram, Narendrapur.	West Bengal	197234	222769	220148

1	2	3	4	5	6
10	Bhartiya Depressed Classes League, New Delhi.	All India	101621	1250000	112751
11	Ramakrishna Mission, Shillong.	Meghalaya	561220	73720	89151
12	Andhra Rashtra Adimjati Sevak Sang, Nellore.	Andhra Pradesh	55776	49856	67032
13	Ramakrishna Mission Seva-Ashram, Silchar.	Assam	88500	88200	92900
14	Sri Ramakrishna Advaita Ashram, Kalady.	Kerala	139595	119246	85890
15	Ramakrishna Mission Ashram, Puri.	Orissa	78931	136670	120250
16	Ramakrishna Mission Ashram Ranchi.	Bihar	146704	152944	166795
17	All India Women's Conference New Delhi.	Tamil Nadu	13059	18946	Nil
18	Thakkar Bapa Ashram, P.O. Nimakhandi, District Ganjam.	Orissa	93146	26598	32064
19	Sri Ramakrishna Society, Dimapur	Nagaland	6250	25000	25000
20	Tata Institute of Social Sciences.	(Bombay) Maharashtra	37040	3000	Nil
21	Dr. B. R. Ambedkar Education Society, Chikkadpally, Hyderabad.	Andhra Pradesh	400000	Nil	Nil
22	Sri Ramakrishna Seva Kendra, Calcutta.	West Bengal	Nil	Nil	6952
23	Ashok Ashram, Kalsi, Dehradun.	Uttar Pradesh and Himachal Pradesh	Nil	113192	116990
24	Nagaland Gandhi Ashram, Mokekchung.	Nagaland	Nil	76500	30000
25	Akhil Bhartiya Dayanad Sewashram Sangh, New Delhi.	Assam	Nil	Nil	123 600
26	Shri Girivanshi Pragati Mandal, New Delhi.	Madhya Pradesh	Nil	Nil	25 0000
27	Ramakrishna Mission Ashram, Narottam Nagar, Arunachal Pradesh.	Arunachal Pradesh	Nil	600000	Nil

APPENDIX XI

(Vide Para 4 of Introduction)

Summary of Conclusions|Recommendations contained in the Report

Sl. No.	Reference to Para No. in the Report	Summary of Conclusions Recommendations
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1	51	The Committee are deeply distressed to note the increase in the cases of atrocities on Scheduled Castes Scheduled Tribes during recent years. It may be the figures have gone up due to larger number of cases being registered now than in the past, although even now the Committee have received complaints during their on-the-spot study tours to various parts of the country that all cases of atrocities in various forms are not registered by the police. It may also be due to increase in political, socio-economic and religious tensions for various reasons now surfacing up. All the same the fact is that such cases are on the high side. The Committee have gone on on-the-spot visits to certain affected areas and from what they saw and heard, they cannot but conclude that the administration has failed to rise to the occasion not only in putting down the flareups but also in taking preventive measures.
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	52	The Committee are of the considered opinion that the administrative machinery both at the Central and State levels has to be geared up and has to be moulded and motivated in such a manner that they are able to tackle such situation effectively and satisfactorily.
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2	53	<p>The Committee are conscious of the fact that the law and order are essentially the concern of State Governments under constitutional provisions, nevertheless, Central Government cannot evade their responsibility on this plea as the overall overseeing agency in the matter of upliftment of the weaker sections of people, particularly those of Scheduled Castes and Scheduled Tribes is the Central Government. Incidents of harassment and atrocities have been raised time and again in Parliament and Members have shown their deep concern on such incidents. Central Government being answerable to Parliament has, therefore, to devise such ways and means and strengthen their administrative machinery to implement the Constitutional Safeguards provided to the Scheduled Castes and Scheduled Tribes.</p>
3	54	<p>The Committee are extremely unhappy to note that a small 'desk' in the Ministry of Home Affairs headed by a Section Officer which is one of the lowest rung in the hierarchy of the Government of India supported by a skeleton staff, is dealing with such a sensitive and important subject of atrocities. It is all the more disappointing to note that in the Ministry there is no separate division nor an exclusive cell to ensure that the decision taken at the various high level conferences and at the meetings of the zonal councils and instructions and guidelines issued by the Government of India to the State Governments in regard to atrocities are processed or followed up.</p>
4	55	<p>The Committee, however, note that it is proposed to create a new separate division for backward classes development on the lines of Scheduled Tribes Department under the charge</p>

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of Joint Secretary to deal with matters concerning Scheduled Castes and Scheduled Tribes including atrocities at one spot. The Committee also note that the matter concerning the reservation for Scheduled Castes and Scheduled Tribes in services will continue to be dealt with by the Department of Personnel and Administrative Reforms. The Committee feel that the division of responsibility among the two Departments will not lead to evolving an integrated policy to tackle the problems of Scheduled Castes and Scheduled Tribes who constitute about 23 per cent of our total population and who have been socially exploited and economically suppressed for centuries together. The Committee, therefore, are of the opinion that Government should examine the feasibility of having a separate full fledged Ministry for Scheduled Castes and Scheduled Tribes at the Centre which shall look after all the matters concerning the promotion and welfare of Scheduled Castes and Scheduled Tribes at one spot and in an integrated manner. The necessity of having a full fledged Ministry is all the more necessary in view of the fact that the problems of Scheduled Castes and Scheduled Tribes are not confined to any particular State or region but is a national problem covering the entire country.

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The Committee have been informed that the terms 'Atrocities' has not been defined under the Penal Laws and constitute criminal offences and come within the purview of public order which is a State subject. The Central Government have no jurisdiction in the matter in the purely legal and constitutional sense. The Committee do not agree with the views expressed by the Ministry of Home Affairs. In the opinion

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of the Committee so far law and order is concerned, no doubt, it is the State subject and concerns the State Governments but in so far as the matters concerning the promotion and welfare of Scheduled Castes and Scheduled Tribes are concerned, it is the constitutional responsibility of the Central Government. The relevant Article in the Constitution is very significant and is required to be understood in its true spirit for proper and meaningful implementation. The discretion available to the Central Government within the legal and constitutional framework, therefore, should be fully exercised to ensure that the Scheduled Castes and Scheduled Tribes do not suffer on account of their position in the society. The Committee, therefore, felt that there is an urgent need to introduce a comprehensive law to define and to deal with the subject 'Atrocities on Scheduled Castes and Scheduled Tribes' on the lines of the Protection of Civil Rights Act 1955 and for that, if necessary, the Constitution may also be amended. The Committee are strongly of the opinion that the Administration at the lower levels should not be allowed to proceed merely on loose executive instructions and guidelines.

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The Committee feel that atrocities on Scheduled Castes and Scheduled Tribes have a direct link with their precarious economic condition which forces them to work as bonded labour and to borrow, sometimes at high rate of interest from unscrupulous money lenders. This results in alienation of their land as also the sale of their crops in advance and cattle wealth. The Committee note that Government have initiated certain schemes for the economic upliftment of Scheduled Castes and Scheduled Tribes and have asked the State Governments to

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give priority to Scheduled Castes under the Small Farmers Development Agency and other scheme and are also floating Scheduled Castes Development Corporation in various States to ameliorate the socio-economic condition of Scheduled Caste.

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The Committee observe that apart from Maharashtra, no State Government has come forward with a scheme for abolishing the indebtedness among the Scheduled Castes and Scheduled Tribes. The Committee would like the Government of India to advise the State Governments to follow the scheme of the State Government of Maharashtra and take speedy steps to abolish the indebtedness among the Scheduled Castes and Scheduled Tribes. As a pre-requisite necessary survey should be undertaken by the Government of India within a specific period to determine the extent of indebtedness among the Scheduled Castes/Tribes in different States.

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The Committee are dismayed to note that although the Government of India have abolished the system of bonded labour, and it is illegal to hold anyone in bondage, they have not drawn up any central scheme for their proper rehabilitation. The Committee desire that Government of India should come forward immediately with a sound economic programme for the proper rehabilitation of the released bonded labour and should also direct the State Governments to intensify the programme to get the bonded labour released and rehabilitated. The Government of India should extend full financial help and support to the State Governments for implementing these programmes.

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The Committee regret to note that no time bound programme has been drawn up for updat-

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ing the land records by the State Governments with the result that land records do not truly and adequately reflect the rights and cultivatory possession of the land by the Scheduled Castes and Scheduled Tribes. The Committee, therefore, suggest that the Central Government should ask the State Governments to draw a time bound programme for updating the land records. After the land records have been updated the pattas for the land actually in possession of the Scheduled Castes and Scheduled Tribes or allotted to them by due process of law should be issued without hesitation. Law should also be enacted to provide that no alienation of land belonging to Scheduled Castes takes place.

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The Committee further recommend that Government should take effective steps to persuade the State Governments to tighten the provisions of the land laws to ensure that the Scheduled Castes and Scheduled Tribes who have been once allotted land are not dispossessed by vested interests. The Committee would also recommend summary procedure under the law for land eviction cases where one of the party involved is Scheduled Caste or Scheduled Tribe.

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The Committee need hardly point out that unless the various development schemes/programmes undertaken by the Government of India as well as the State Governments for the economic development of Scheduled Castes and Scheduled Tribes are properly and sincerely implemented in a coordinated and integrated manner, they will be of little use in uplifting their economic status. The Committee, therefore, recommend that there should be a cell at district level for the proper implementation and quantification of these programmes.

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12	70	<p>The Committee strongly deplore that out of 22 States as many as 15 States have not furnished the statement regarding statistics of atrocities on Scheduled Castes and Scheduled Tribes for the period 1st January to 30th June, 1977 which was due on 15th July, 1977. Fourteen States have not forwarded the statement for the period 1st July to 31st December, 1977 which was due on 15th January, 1978. None of the States, except the State of Meghalaya, has forwarded the statement for the period 1st January to 30th June, 1978 which fell due on 15th July, 1978. The position in the case of Union Territory Administrations is also no better. Out of the nine Union Territory Administrations, 6 have failed to furnish the desired information in time. This is so when they are directly under the administrative control of the Union Government and for which Union Government is answerable. These sorry state of affairs are stated to be in spite of the fact that States were repeatedly reminded by the Ministry of Home Affairs and a mention about the non-submission/late submission of these vital statistics by the State Governments was said to have been made in the High Level Conference of Chief Secretaries/Chief Ministers.</p>
	71	<p>The Committee need hardly emphasise that in the absence of timely submission of these vital statistical data by the States/Union Territory Administrations, it is but difficult to project the problem in its proper perspective and suggest ways and means to combat this menace and take remedial measures. The Committee, therefore, strongly urge the Central Government to impress upon the States/Union Territory Administrations to strictly adhere to the time schedules regarding collection and submission of statistics of atrocities to the Central Government. The Committee further recommend that</p>

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copies of these statements should also be simultaneously forwarded to the Commission for Scheduled Castes and Scheduled Tribes.

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The Committee share the feelings of the Ministry of Home Affairs that local police and other administrative authorities having jurisdiction should be made squarely responsible for prompt and effective action in cases of atrocities on Scheduled Castes and Scheduled Tribes. In order that local police could deal with the cases of atrocity promptly and effectively, the Committee would suggest that the quality of their performance should be improved, the force should be modernised and provided necessary transport, aids, wireless sets, telephones and motor vehicles and incentives.

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Further to instil a sense of security among the Scheduled Castes and Scheduled Tribes, the Committee would like to reiterate their earlier recommendation made by them in their 51st Report (Fifth Lok Sabha) that more and more Scheduled Castes and Scheduled Tribes should be recruited in the Revenue and Police Departments so that the police force, at all levels, has proper and adequate representatives of Scheduled Castes and Scheduled Tribes. It is high time that Government gives the urgent thought to this problem.

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The Committee further desire that the guardians of law and order should be much above the average, bold and honest in their dealings with the weaker sections of the Society. The Committee would, therefore, urge the Government to arrange special training courses for the police officers with a view to enable them to understand the problems and difficulties of Scheduled Castes and Scheduled Tribes and to equip

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		them with the basic knowledge of laws and rules in respect of matters concerning the amelioration of Scheduled Castes and Scheduled Tribes and also the Government's approach and policies on these issues.
16	89	The Committee also suggest that local police authorities should hold periodical meetings with local non-officials, in order to win their confidence and also to know the problems of Scheduled Castes and Scheduled Tribes of the area.
17	90	The Committee hope that the police administration in tribal areas would be improved on the pattern suggested by the Ministry of Home Affairs in their evidence before the Committee.
18	91	The Committee recommend that special police stations for Scheduled Castes, on the pattern of the State Governments of Madhya Pradesh and Bihar, should also be opened by other States in all the districts of their States. Special Flying Police Squades should also be formed at district level for the purpose of visiting the affected spots immediately after the incident and for proper investigation.
19	96	The Committee is strongly of the view that it is the constitutional responsibility of the Central Government to protect the Scheduled Castes and Scheduled Tribes from social injustice and all forms of exploitation. The Committee would, therefore, urge the Central Government to spread its intelligence network upto at least sub-divisional level in the States and obtain independent reports about the occurrences and likely happenings there and initiate remedial measures, wherever necessary, in consultation with the State Governments.

(1)	(2)	(3)
20	98	The Committee recommend that with a view to inspire confidence and credibility in the public about the fairness and impartiality of the Administration, there should be an automatic judicial inquiry into the cases where there is a large scale arson, looting, murder and indiscriminate firing by the police involving Scheduled Castes and Scheduled Tribes.
21	108	The Committee note that the quantum and type of relief provided to the victims of atrocities is left to the discretion of the State Governments and that there are no guidelines or scheme for the grant of relief in such cases. The State of Andhra Pradesh have drawn a scheme for providing immediate relief to the victims of atrocities without waiting for the results of the criminal proceedings which normally take considerable time and the States of Himachal Pradesh, Maharashtra and Uttar Pradesh have decided to follow the footsteps of Andhra Pradesh. Other State Governments are yet to take a decision in the matter. Though the Andhra Pradesh Scheme is commendable, the Committee feel that the quantum of relief provided by the Scheme is inadequate and should be increased to a considerable extent keeping in view the rising cost of living and prices of various material and commodities.
22	100	Considering the distressing frequency of the atrocities on Scheduled Castes and Scheduled Tribes, the Committee recommend that the Central Government should consider the feasibility of drawing up a comprehensive scheme laying down the quantum and type of relief to be provided to the victims of atrocities as is the practice in the case of air or rail accidents.
23	110	The Committee further recommend that the entire expenditure on this account should be met

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		by the Central Government for which a special fund at the central level should be constituted as already recommended by the Committee in their 51st Report (Fifth Lok Sabha).
24	111	The Committee further recommend that for proper rehabilitation of the dependents of the victims of atrocities, Government should provide suitable employment to them and other adequate financial and material assistance to the aggrieved.
25	145	The Committee are constrained to note that although the Protection of Civil Rights Act, 1955, as amended, came into force w.e.f. November, 1976, neither any of the State Governments has so far made efforts to identify the areas where untouchability is still practised nor they have conducted any survey about the working of the Act with a view to suggesting measures for the better implementation of the provisions of the Act as per the provisions of the Act. The Committee are strongly of the view that it is essential to identify areas before embarking upon programmes/action plans for the eradication of this evil from those areas. The Committee, therefore, desire that the Government of India should impress upon the State Governments to undertake identification of such areas with utmost expedition.
26	146	The Committee are distressed to note that as reported by the Commissioner for Scheduled Castes and Scheduled Tribes in his 24th Report, the funds to the tune of Rs. 5 crores sanctioned by the Central Government to the State Governments for the enforcement and implementation of the provisions of the Protection of Civil Rights Act, 1955 during the Fifth Five Year Plan remained unutilised largely due to dismal performance of the Directorate General, Backward Classes Welfare, which is under the administrative control of Ministry of Home Affairs.

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- 27 147 The Committee are perturbed to note that so far there was no machinery in the Ministry of Home Affairs to ensure effective implementation of the provisions of the Protection of Civil Rights Act, 1955 and that the machinery in the States was also not adequate and required to be strengthened for which the Government of India propose to provide financial assistance to the States from this year. With a view to achieve a high degree of efficiency in the implementation of the provisions of the Act in spirit of the objective laid down, the Committee would strongly urge the Government to strengthen the implementing machinery both at the Centre and at the State levels. Special cells should be created forthwith in each of the State Headquarters and in all the district headquarters and in the Ministry of Home Affairs to closely coordinate the various programmes, act on plans and supervise the working of the provisions of the Protection of Civil Rights Act, 1955.
- 28 148 The Committee further recommend that the mass media, i.e., newspapers, films, radio and T.V. should be extensively made use of for educating and shaping the public opinion and to fight against discrimination and untouchability. Wide publicity should be given to the provisions of the Act. Documentary films should be produced on the subject and those already produced should be dubbed into different regional languages and compulsorily exhibited in every cinema show in the rural areas and in the sensitive districts particularly. Suitable cinema slides should be made and widely exhibited. Appropriate slogans should also be printed in bold letters on the postal stationery so that these get widely circulated.
- 29 149 The Committee feel that eradication of untouchability is a complex problem of social relations and attitude of higher castes towards the
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so called depressed classes of society and it can not be tackled effectively merely by passing legislation. The voluntary efforts by dedicated social workers can go a long way in creating the right type of social atmosphere and environment and prepare the people to accept the action plans|programmes drawn up by the Government for the removal of this evil.

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The Committee, therefore, reiterate their earlier recommendation made by them in their 21st Report (Fifth Lok Sabha) that more and more voluntary agencies should be encouraged and entrusted with this job. The Committee further desire that they should be given special programmes and action plans for eradicating the untouchability in their areas of operation. Financial assistance should not be a constraint in drawing and taking up such action plans|programmes by the voluntary agencies provided they are run and managed by dedicated social workers of proven record and integrity and competence. They should be more closely supervised to make them effective. The Central Government should, every year, place on the Table of each House of Parliament a report regarding the working of the Voluntary Agencies to whom financial assistance is given by the Central Government together with a copy of the review made by the Ministry of Home Affairs, in regard to their working.

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The Committee have been informed that no State Government has so far set up special court for trial of offences under the Protection of Civil Rights Act, 1955. The Governments of Maharashtra and Bihar, have, however, asked the High Courts to specify a particular court, already existing one, to deal exclusively with cases under the Act. The Committee note the arrangements made by the Governments of Maharashtra and

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Bihar and would like the Central Government to persuade other State Governments, where pendency of cases are more, to make similar arrangements or set up special courts as may conduct speedy disposal of the cases. The Committee desire that courts should not keep such cases pending for more than six months as that would by itself have its own impact on the problem of eradicating untouchability.

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Cases of atrocities on Scheduled Caste and Scheduled Tribe Government employees have also come to the notice of the Committee from time to time. The Committee consider such cases no less serious than other cases of atrocities. The Committee recommend that victims of such atrocities should be allowed to approach the Heads of Ministries/Departments direct without going through the proper channel. Where a Government employee desires to file a case in the court of law under the Protection of Civil Rights Act, 1955, he should invariably be permitted to do so.
