

**Minutes of the State Review Meeting of NCSC regarding Prevention of Atrocities on Scheduled Castes held with the Principal Secretary, Home, DGP, Addl. DGP, IG and other senior Police Officers of Government of Haryana on 09.03.2018 at 11.00 a.m**

---

The Principal Secretary, Home, Director General of Police , Addl. DGP, IG and other senior Police Officers of Haryana participated. List of participants is placed at Annexure – II.

Principal Secretary, SC/BC welcomed the Commission and informed that atrocities cases are increasing in Haryana and Police has to take action expeditiously.

The Chairman / NCSC in his opening remarks said that the Commission was in Haryana as a part of its Constitutional mandate to monitor the implementation of safeguards and rights of the Scheduled Castes in the state. The review is an exercise undertaken to point out the areas of concern of NCSC and to sensitize the Government and State Police towards the same. The Commission had sent detailed proforma to the State Government and DGP for submitting detailed information on action taken regarding trends in atrocities , investigation conducted , filing of charge sheets , action taken for prevention of atrocities , payment of compensation to victims of atrocities, action taken by police on cases regarding death / injuries during manual cleaning of sewers / manual scavenging etc.

Analysis of the replies to the various proformae and questionnaires of the Commission, data of NCRB , MSJE etc has been made by the Commission and detailed discussions will be held after a brief presentation on the findings and concerns of the Commission is given to the officers present. Responses of the State Government and DGP will be invited on the findings in the presentation during detailed discussions.

The main issues highlighting the areas of concern of the Commission in the presentation were :

- Reluctance of police to register cases and apply the sections of the amended PoA Act.

- Reports from police on the status of cases needs to be sent to DM for release of compensation at FIR / Medical / Postmortem , charge sheet , conviction stages as the amended Scheduled Castes & Scheduled Tribes Prevention of Atrocities Rules , 2016 provide for stage wise payment of compensation. There is delay by District Administration to sanction monetary compensation at various stages, as per sections applicable since no information being sent from Police to DM on the stages at which cases have reached.
- Sections of the Manual Scavenging Act and PoA Act are not being added in FIRs where there are cases of death / injury to SC persons during manual cleaning of sewers, despite the issue being emphasized by NCSC State Office , Chandigarh. Between 2014-15 and 2017-18 there have been 18 deaths and 2 injured caused due to manual cleaning of sewers, and the proper sections were not added in the FIRs. In the 9 cases during 2017-18 , the relevant section of SC/ST PoA Act was added in Sonapat & Gurgaon only after the cases were taken up by the Commission. In Palwal and Rewari cases the sections have not yet been added .
- Recommendation for paying compensation as per POCSO act not being made to DM in cases where the POCSO Act sections have been applied in the FIR .
- As per Rules 46 of the SC/ST Act, the additional relief like pension to the widow , education up to graduation level of the children of the victim , 3 month rasan etc has not been provided as recommendations not sent to DM by police.

**The total no of crimes against SCs show an increasing trend from 2014 to 2017 ( upto Sept 2017) and rate of crime is also increasing , though it is below the All India average.**

**There is an increase in the total no of murder cases from 2014-2017 ( sept)**

**Other crimes against SCs show a sharp increase in 2017**

**Conviction rate of 0, 6.97 and 7.74 is much below the All India rate of 28.8 25.8 & 24.9 in 2014, 2015 & 2016 respectively.**

**Approximately 25% of the cases are closed by the police .**

***Details of action taken in grave cases of murder and rape were as follows:***

**2014**

- 37 cases of murder - charge sheets in only 25. Compensation given to 12
- 127 cases of rape - charge sheets in only 111. Compensation to 16
- 2 case of Arson - charge sheets in only 1. Compensation to 1
- 326 cases of other - charge sheets in only 217. Compensation to 109

**2015**

- 21 cases of murder - charge sheets in only 13. Compensation to 8
- 120 cases of rape - charge sheets in only 94. Compensation to 26
- 8 cases of Arson - charge sheets in only 3. Compensation to 5
- 386 cases of other - charge sheets in only 253. Compensation to 133

**2016**

- 40 cases of murder - charge sheets in only 28. Compensation to 12
- 114 cases of rape - charge sheets in only 94. Compensation to 20
- 6 cases of Arson - charge sheets in only 3. Compensation to 3
- 525 cases of other - charge sheets in only 320. Compensation to 205

**2017**

- 19 cases of murder - charge sheets in only 15. Compensation to 4
- 45 cases of rape - charge sheets in only 34. Compensation to 11
- 281 cases of other - charge sheets in only 117. Compensation to 164

After the presentation by NCSC detailed discussions were held during which the Commission enquired as to reasons why the charge sheets in 2014, 2015, 2016 and 2017 (upto September 2017) cases have not yet been submitted. The delay is particularly serious in 2016 & 2017 cases as the amended PoA Act and Rules have laid down a 60 day time limit for the completion of investigation . The delay in filing charge sheets puts a pressure on the poor SC victims to compromise with the accused.

Details of on spot investigation in murder , rape and arson cases by DC & SP of districts was not available. The amended PoA Act and Rules have laid down that the DM/ DCs & SSPs / CPs of the districts must make on the spot investigation for murder , rape and arson cases involving SC /ST victims within 48 hours of the crime.

In the case of death during manual cleaning of sewers in Rewari on 18.02.2018, the sections of PoA Act was not included in FIR . The SP / CO and DA Legal concerned were called to this review meeting. They informed that the section of PoA Act cannot be included as there was no manual scavenging. It was seen that they were unaware of the sections of Prohibition of Manual scavenging Act and PoA Act as well as the judgement of Hon'ble Supreme Court on the issue. The DG Police had to direct them to impose the section of the PoA Act .

Prior to the review, a list of 25 cases being followed up by NCSC state office Chandigarh , was sent to the DGP for response on uptodate action taken in the FIRs.

When the cases were taken up for discussion , it was seen that the senior officers were unprepared with the details , even for murder and rape cases , reasons for closure of 25% cases and chargesheets not being filed in 2014, 2015 , 2016 & 2017 ( upto Sept ) were not available. ADGP Shri OP Singh was found to be particularly argumentative and not prepared to respond with any reply despite the fact that the figures quoted by NCSC were from the data supplied by the State Government and NCRB.

This was viewed seriously by the Commission and the review was immediately stopped as the officers were clearly unprepared and indifferent towards resolving issues of the Scheduled Castes.

The Principal Secretary Home & DGP were advised that the officers particularly the ADGP concerned should be counseled to be responsive and prepared for review meetings . A report on the same is to be sent to the Commission.

The review will now be held in NCSC headquarters in New Delhi . The date will be informed subsequently. The Commission expects DGP & Principal Secretary Home , Punjab to be better prepared when they are called to NCSC for the resumed review.

**Officers present for the State Review**

<b>Sr. No.</b>	<b>Name of Officer</b>	<b>Designation</b>	<b>Name of Deptt.</b>	<b>Mobile No.</b>
1.	Sh. Anil Kumar	PS WSCBC.	WSCBC. Department	9216378900
2.	Sh. B.S Sandhu	DGP	Police	9876030006
3.	T.P Singh	IGP	Police	9888034441
4.	Mamta singh	IGP	Pllice	8527000264
5.	Dr CS Rao	IGP South Range	Police	7056668102
6.	Sh. Subhash	IGP Karnal Range	Police	7056670000
7.	Sh. Rajesh Kalia	Sp/ Yamuna Nagar	Police	8818000100
8.	Sh. Kirat Pal Singh	DCP NIT FBD	Pllice	9582200104
9.	Sh. Kuldeep Singh	DCP./ East Gurugram	Police	9999981804
10.	Arun singh UPS	SP Jind Hry.	Police	8814011500
11.	Sh. Samar singh Marthan DDA	Dy. District Attorney Rewari	Prosecution	9868550362
12.	Sh. Satyapal Yadav	DY. S.P. Rewari	Police	7056666104