

CHAPTER VII

ATROCITIES ON SC & ST

The Scheduled Castes and Scheduled Tribes are the two most disadvantaged segments of the weaker sections of our society. Atrocities are committed on them on account of their economic dependence on non-SC/ST landowners, educational backwardness and social discrimination. The Scheduled Castes suffer from the stigma of untouchability. Age-old caste prejudices and practice of untouchability against them lead to commission of atrocities.

7.2 For ensuring alround development of SC and ST and to protect them from all types of exploitation a number of safeguards have been provided in the Constitution of India. Under Article 15 no citizen shall on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to (a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of general public. "Untouchability" stands abolished under Article 17 and its practice in any form is forbidden and punishable under law. Traffic in human beings and forced labour are prohibited under Article 23 of the Constitution of India. Special enactments have been made by the Central and State Governments to protect SC and ST from all forms of exploitation. The SC and ST constitute major bulk of agricultural and other types of labour and majority of the bonded labour also belong to SC and ST. The Minimum Wages Act, 1948, provides for fixing minimum wages for different types of labour and the Bonded Labour System (Abolition) Act, 1976, provides for abolition of the bonded labour system and for release and rehabilitation of freed bonded labourers.

7.3 There are two important legislations related to Article 17, viz., The Protection of Civil Rights Act, 1955 (PCRA), and The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PAA). Initially the Untouchability (Offences) Act, 1955, had been enacted to abolish the practice of untouchability and social disabilities arising out of it against members of the Scheduled Castes. It was amended in 1977 and is now known as the Protection of Civil Rights Act, 1955. Under the revised Act the practice of untouchability was made both cognizable and non-compoundable and stricter punishment was provided for the offenders. To check the commission of atrocities on SC and ST, The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, came

into force on 31-1-90. The Act, inter alia, specifies some types of offences as atrocities, provides for imposition of stricter penalties for the guilty and setting up of Special Courts for speedy trial of such cases. The crimes under the PCRA were brought under the purview of the PAA as the latter provides for stricter punishment to the offenders. The salient features of the PCRA and the PAA have been discussed in detail in the First Annual Report of the Commission. The trend of cases under the PCRA and the PAA over the last two years, the working of the various provisions of these Acts by the Central and State Governments, the steps taken to check occurrence of such cases, the provision of monetary relief/rehabilitation measures to victims of atrocities, the setting up of Special Courts for speedy trial of such cases and the nature of their disposal have been discussed in this Report.

7.4 Under Article 338 of the Constitution the Commission is required to inquire into specific complaints with respect to the deprivation of rights and safeguards of SC and ST. It is also the duty of the Commission to investigate and monitor all matters relating to the safeguards provided for SC and ST under the Constitution or under any law or any order of the Government. The present Report presents an account of the work done by the Commission during 1993-94 in dealing with specific cases of complaints and on-the-spot enquiries into cases of untouchability offences and atrocities.

Working of The Protection of Civil Rights Act, 1955

7.5 The Twelfth Annual Report of the Ministry of Welfare on the Protection of Civil Rights Act, 1955, for the year 1991 was laid on the Table of Lok Sabha on 24-2-94 and that of Rajya Sabha on 4-3-94. The Report provides information regarding the number of cases registered during 1991, the nature of their disposal at the police and the Court levels and the trend in registration of cases from year to year. State-wise number of cases registered under the Act during 1990 and 1991 may be seen in Annexure I. A comparative analysis of the number of cases registered during three years from 1989 to 1991 indicates that though the number of cases registered increased from 3,700 during 1989 to 3,730 during 1990, it came down to 3,406 during 1991 indicating a decrease of 9.51% in registration of cases over the previous year. As compared to 1990 the decrease in reporting of cases during 1991 was marked in Rajasthan (207:107), Karnataka (807:722), Madhya Pradesh (463:384) and Uttar Pradesh (357:296) while during the same period an increase was noticeable in Andhra Pradesh (203:365), Maharashtra (257:340), Tamil Nadu (787:861) and Gujarat (172:209).

7.6 Majority of the cases were reported from Tamil Nadu (861) followed by Karnataka (722), Madhya Pradesh (384), Andhra Pradesh (365), Maharashtra (340), Uttar Pradesh (296), Gujarat (207) and Rajasthan (107) while no cases were reported from Assam, Punjab and Chandigarh. It is significant that majority of the cases were reported from the southern States. The total number of 1,948 cases reported from Andhra Pradesh (365), Karnataka (722) and Tamil Nadu (861) constituted 57.2% of the total number of cases registered in the country during 1991.

7.7 Measures taken by the State Governments/UT Administrations for effective implementation of the provisions of the PCR Act have not been quite encouraging. Special Courts to try cases registered under the Act were reportedly not set up in Assam, Gujarat, Haryana, Jammu & Kashmir, Kerala, Maharashtra, Orissa, Punjab, Tripura, West Bengal and the Union Territories of Chandigarh, Dadra & Nagar Haveli, Delhi and Pondicherry. The proposal to set up such courts was being considered by the State Governments of Goa and Uttar Pradesh. For taking preventive action in checking untouchability offences, untouchability-prone areas/districts were identified only by four States, viz., Gujarat, Maharashtra, Tamil Nadu and Uttar Pradesh. No State Government had conducted any periodical survey about the working of the Act during 1991 as envisaged under the Act.

7.8 During 1993-94 a sum of Rs.4,40,05,584 was released by the Ministry of Welfare as grants-in-aid to 14 States and one U.T. for implementation of the PCR Act as per details given in Annexure II. It is observed that no grant-in-aid was released to the Governments of Rajasthan and Uttar Pradesh and the U.T. Adm. of Dadra & Nagar Haveli during 1993-94 on account of the fact that these Governments could not utilise the grants released to them during 1992-93 and so did not seek further grants during 1993-94. The Commission is deeply concerned that these State Governments did not appreciate the need and urgency for implementation of the PCR Act, 1955, and did not come forward for availing of grants-in-aid from the Ministry of Welfare.

Working of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989

7.9 The implementation of the provisions of the PAA by the State Governments/UT Administrations has not been quite satisfactory. Though Section 14 of the Act provides for setting up of Special Courts for speedy trial of atrocity cases, only Andhra Pradesh and Rajasthan have set up such Special Courts to exclusively deal with atrocity cases.

While in **Andhra Pradesh** three such courts are located at Chittoor, Guntur and Mahbubnagar, in **Rajasthan** ten such courts have been set up at Alwar, Pali, Pratapgarh, Jaipur, Ajmer, Udaipur, Jodhpur, Kota, Bikaner and Merta. In other States the courts of some of the existing Sessions Judges have been notified as Special Courts to try atrocity offences in addition to their normal duties. It is doubtful if these courts can do full justice to trial of all atrocity cases. The achievements of the Special Courts set up in **Andhra Pradesh** and **Rajasthan** are also not known as no evaluation study has been conducted to assess their impact. The Commission recommends that the Ministry of Welfare may get sample studies conducted by the Tribal Research Institutes, Universities and other research organisations to evaluate the working of the Special Courts dealing with atrocity cases and suggest remedial measures to overcome the problems faced by these courts for ensuring speedy trial of these cases. In order that atrocity cases get priority over other cases and delay is minimised in awarding punishment to the guilty the Commission further recommends that the remaining State Governments/UT Administrations may set up Special Courts exclusively to deal with atrocity cases.

7.10 A positive step to check occurrence of atrocities is to identify atrocity-prone areas and take preventive measures so that incidents of atrocities do not occur. Section 21 of the PAA enjoins upon the State Governments/UT Administrations to conduct periodic surveys of the working of the Act with a view to suggesting measures for better implementation of the provisions of the Act and for identification of areas where SC and ST persons are likely to be victims of atrocities so as to take preventive action to check occurrence of such crimes. According to the information available with the Ministry of Welfare only eight States had identified 69 districts and villages in such districts as atrocity-prone and sensitive areas. Eleven districts each in Bihar and Gujarat, five in Haryana, six each in Karnataka and Maharashtra, seven in Madhya Pradesh, eight villages in three districts of Punjab and twenty districts in Uttar Pradesh have been identified under this category. In order that timely preventive measures could be taken to check incidents of atrocities resulting in loss of life and property it is desirable that all the State Governments/UT Administrations conduct periodic surveys and identify atrocity-prone areas for taking preventive measures.

7.11 Atrocities resulting in death or permanent incapacitation or grievous hurt to SC/ST victims, destruction of their property due to arson or otherwise and social ostracization imposed on them by the dominant caste people hit them hard. To mitigate the financial and other

hardships faced by SC/ST victims of atrocities monetary relief and rehabilitation facilities are provided to them by the concerned State Government/UT Administration. Section 21(2) (iii) provides for the State Governments to take measures for economic and social rehabilitation of victims of atrocities. Barring a few States like Gujarat, Karnataka, Kerala and Orissa other State Governments have not revised the scale of monetary relief paid to victims of atrocities since 1981. The Governments of Jammu & Kashmir, Punjab and West Bengal have not adopted any scale of monetary relief for victims of atrocities. In its First Annual Report the Commission had stressed that the scale of relief needed to be revised as done by the Government of Gujarat and at least Rs.1 lakh provided to the family of an SC/ST person killed in a case of atrocity, particularly if the deceased was an earning member or physically fit to earn. The Commission also recommended that the States which had not prescribed any scale of monetary relief and rehabilitation facilities to SC/ST victims of atrocities might do so without further delay. These recommendations of the Commission are reiterated.

7.12 During 1993-94, an amount of Rs.2,66,13,316 was released by the Ministry of Welfare to 10 States and one Union Territory for implementation of the PAA as per details given in Annexure II. No grants were released to Goa, Himachal Pradesh, Madhya Pradesh, Orissa, Punjab, Tamil Nadu and Pondicherry as the grants-in-aid released to them during the previous year were not fully utilised and no proposals were received from them seeking further financial assistance from the Ministry of Welfare. The position was alike during 1992-93 as States like Maharashtra, Orissa, Punjab and Tamil Nadu did not avail of any grants from the Ministry of Welfare for implementation of the PAA. Apathy on the part of some of the States/Union Territories in utilising the grants-in-aid from the Centre does not indicate a healthy trend. The Commission urges that sincere efforts be made by all States/UTs for availing of the grants from the Ministry of Welfare and for ensuring proper utilisation of the amount in implementation of the PCRA and the PAA.

Cases registered under The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989

7.13 State-wise and crime-wise numbers of cases of atrocities on SC and ST registered during 1992 have been given in Annexures III and IV. The total number of atrocity cases in the country during 1992 was 22,049. It may be observed that since the promulgation of the PAA there had been progressive increase in the number of atrocity cases from 19,422 during 1989 to 21,245 during 1990 and 22,424 during 1991. But during 1992 the number of such cases decreased to 22,049 indicating a marginal decrease of 1.7% over the previous year.

7.14 Crime-wise classification of the number of atrocity cases during 1990, 1991 and 1992 is given below:

Table 1

S. Type of Nb. cases		Nb. of cases reported during								
		1990			1991			1992		
		SC	ST	Total	SC	ST	Total	SC	ST	Total
1	2	3	4	5	6	7	8	9	10	11
1. Murder		584	124	708 (3.33)	610	146	756 (3.37)	693	118	811 (3.68)
2. Grievous hurt		1,691	259	1,950 (9.18)	1,706	320	2,026 (9.03)	1,619	232	1,851 (8.40)
3. Rape		885	339	1,224 (5.76)	784	334	1,118 (4.99)	835	383	1,218 (5.52)
4. Arson		599	59	658 (3.10)	602	70	672 (3.00)	619	61	680 (3.08)
5. Other IPC offences		13,908	2,797	16,705 (78.63)	13,944	3,908	17,852 (79.61)	14,574	2,915	17,489 (79.32)
Total		17,667	3,578	21,245	17,646	4,778	22,424	18,340	3,709	22,049

N.B. Figures in brackets show the percentage of crimes to the total number of crimes.

7.15 The State/Union Territory-wise number of atrocities reported during 1992 was as follows:

Table 2

S.No.	State/U.T.	No. of cases of atrocities		
		SC	ST	Total
1	2	3	4	5
1.	Andhra Pradesh	724	123	847
2.	Bihar	926	5	931
3.	Goa	3	-	3
4.	Gujarat	1,560	304	1,864
5.	Haryana	86	-	86
6.	Himachal Pradesh	39	-	39
7.	Jammu & Kashmir	25	-	25
8.	Karnataka	720	27	747
9.	Kerala	703	157	860
10.	Madhya Pradesh	4,571	1,957	6,528
11.	Maharashtra	751	331	1,082
12.	Manipur	-	1	1
13.	Orissa	383	129	512
14.	Punjab	18	-	18
15.	Rajasthan	2,204	636	2,840
16.	Sikkim	21	20	41
17.	Tamil Nadu	677	-	677
18.	Uttar Pradesh	4,891	-	4,891
19.	West Bengal	15	14	29
20.	Chandigarh	20	-	20
21.	Dadra & Nagar Haveli	-	5	5
22.	Delhi	2	-	2
23.	Pondicherry	1	1	1
Total		1,8340	3,709	2,2049

It may, however, be noted that these figures do not faithfully reflect the ground situation. These are only the figures reported by the State Governments/U.T. Administrations to the Ministry of Welfare. The actual number of cases of atrocities on SC & ST may be much more than those furnished in the above table. For example, Delhi reported only two cases of atrocities during 1992 but during that year five cases of atrocities that occurred during 1992 were dealt with in the Commission. The break-up of these five cases was: murder 3, rape 1 and other IPC offences 1. Obviously all the cases of atrocities on SC & ST did not come to the notice of the Commission.

Atrocities on Scheduled Castes

7.16 As compared to 1991, there was an increase of 3.93% in the number of cases of atrocities on the Scheduled Castes during 1992. The steady increase in the number of murders of SC persons over the years is a matter of deep concern. The total number of cases of atrocities on SC reported from the two States of **Madhya Pradesh** (4,571) and **Uttar Pradesh** (4,891) alone constituted 51.6% of the total cases of atrocities on SC reported in the country during 1992. The other States which reported more than 500 cases each of atrocities on SC were **Rajasthan** (2,204), **Gujarat** (1,560), **Bihar** (926), **Maharashtra** (751), **Andhra Pradesh** (724), **Karnataka** (720), **Kerala** (703) and **Tamil Nadu** (677).

7.17 The correlation between the size of the SC population and the number of atrocities committed on them in a State/UT gives a correct picture of the incidence of the problem in that State/UT. The number of atrocities on SC per one lakh SC population in the different States/UTs is given in the descending order in the following table:

Table 3

Ranking of States in terms of incidence of crimes against Scheduled Caste persons during 1992

S.No.	State/UT	No. of cases per one lakh SC population
1	2	3
1.	Sikkim	87.19
2.	Gujarat	50.97
3.	Madhya Pradesh	47.48
4.	Rajasthan	28.97
5.	Kerala	24.35
6.	Chandigarh	18.87
7.	Uttar Pradesh	16.71

	<u>All India</u>	<u>13.27</u>
8.	Goa	12.31
9.	Karnataka	9.77
10.	Maharashtra	8.58
11.	Orissa	7.47
12.	Bihar	7.37
13.	Andhra Pradesh	6.84
14.	Tamil Nadu	6.32
15.	Himachal Pradesh	2.98
16.	Haryana	2.65
17.	Pondicherry	0.76
18.	Punjab	0.31
19.	Delhi	0.11
20.	West Bengal	0.09

Atrocities on Scheduled Tribes

7.18 As compared to 1991, there was a significant decrease of 22.4% in the number of cases of atrocities on the Scheduled Tribes during 1992. The maximum number of cases were reported from Madhya Pradesh (1,957) followed by Rajasthan (636), Maharashtra (331) and Gujarat (304).

7.19 The number of atrocities on ST per one lakh ST population in the different States/UTs is given in the descending order in the table below:

Table 4

Ranking of States in terms of incidence of crimes against Scheduled Tribe persons during 1992

S.No.	State/UT	No.of cases per one lakh ST population
1	2	3
1.	Kerala	48.91
2.	Sikkim	22.00
3.	Madhya Pradesh	12.71
4.	Rajasthan	11.62
	<u>All India</u>	<u>5.47</u>
5.	Gujarat	4.93
6.	Dadra & Nagar Haveli	4.57
7.	Maharashtra	4.52
8.	Andhra Pradesh	2.93
9.	Orissa	1.83
10.	Karnataka	1.41
11.	West Bengal	0.37
12.	Manipur	0.16
13.	Bihar	0.08

It is surprising that in spite of the highest literacy rate in Kerala the incidence of atrocities per one lakh ST population is the highest (48.91) in that State.

Disposal of cases registered under the PCR Act and the PAA

7.20 The Twelfth Annual Report of the Ministry of Welfare on the implementation of The Protection of Civil Rights Act for the year 1991 provides the latest information about the disposal of cases registered under the Act by the police and courts during that year. The details are given in Annexures V and VI. It is observed that the disposal of such cases during 1991 has not been satisfactory. Out of 4,280 cases with the police 791 cases (18.48%) were closed after investigation, 2,184 cases (51%) challaned in courts and the remaining 1,305 cases (30.49%) were pending investigation with the police at the end of the year. The situation was no better at the trial stage as out of 8,029 cases in the courts 6,537 cases were pending trial by them. During 1991, 1,492 cases were disposed of by the courts out of which only 125 cases (8%) ended in conviction while 92% ended in acquittal.

7.21 Information regarding disposal of cases registered under The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act by the police and courts during 1990 is contained in the First Annual Report of the Ministry of Welfare on the implementation of that Act for that year laid on the table of Lok Sabha on 25-8-94. Out of 3,778 cases with police during 1990, 632 cases (16.73%) were closed after investigation and 882 cases (23.34%) were pending for investigation. The number of cases challaned in the courts was 2,264 (59.93%). Out of these 2,602 cases with the courts 2,366 cases (90.93%) were pending trial while 236 cases were decided by the courts. Out of the 236 cases disposed of by the courts only 22 cases (9.3%) ended in conviction while 90.7% of the cases ended in acquittal.

7.22 Disposal of cases registered under the PCRA and the PAA by the police and their trial by courts do not indicate a satisfactory situation. Pendency of 30.49% of cases by the police under the PCRA during 1991 and 23.34% of atrocity cases during 1990 goes against the interests of the aggrieved SC/ST parties as delay in investigation tends to weaken the merits of the case at the trial stage. In case of delay in trial due to delay in investigation and challaning of cases the aggrieved persons as well as the witnesses tend to lose interest in the case which may fail due to lack of strong evidence by witnesses at the trial stage. Due care need also be taken by the police during investigation and the SP/ASP should review the cases which are closed by the SHO after investigation to minimise the lapses, if any, at the lowest level.

7.23 The high rate of pendency of cases in the courts under the PCRA (81.4%) during 1991 and atrocity cases (90.93%) during 1990 is also a matter of deep concern. As has been discussed earlier, Special Courts to exclusively deal with atrocity cases have not been set up by the States/UTs except Andhra Pradesh and Rajasthan and designating some of the Sessions Courts as Special Courts to try atrocity cases alongwith their normal duties does not serve the purpose. For speedy trial and prompt disposal of cases it is high time that Special Courts be set up by all the States/UTs exclusively to deal with atrocity cases. It is also highly regrettable that more than 90% of the PCRA and PAA cases taken up for trial by the courts ended in acquittal. In the absence of any specific study it is not possible to state the factors and forces responsible for this dismal state of affairs. However, delay in investigation and challaning of cases by the police and delay in trial of cases in the courts weaken the cases and may be one of the factors in determining the outcome of the cases. The Commission, therefore, recommends that the Ministry of Welfare may impress upon the State Governments/UT Administrations to conduct sample studies to evaluate the working of the PCRA and the PAA with special reference to the problems faced by the police and the judiciary in prompt disposal of cases.

Work done by the National Commission for SC & ST during 1993-94

7.24 The Atrocities and Protection of Civil Rights (APCR) Wing of the Commission deals with all matters relating to the practice of untouchability against members of SC and atrocities committed on SC & ST, incidence of bonded labour and non-payment of minimum wages to members of SC and ST. The cases which come to the notice of the Commission through complaints/representations received from SC/ST aggrieved persons or their kins, communications received from the Welfare Associations and Voluntary Organisations working for the uplift of SC and ST and from publicmen like MPs and MLAs are examined in the Commission. Incidents of atrocities and untouchability offences also come to the notice of the Commission through the press. These matters are taken up with the concerned authorities for factual reports. In important cases wireless messages are sent to the district authorities for furnishing detailed reports containing facts of the case and information about the action taken by the local administration, e.g., legal action, action to restore peace and provide protection, monetary relief and other rehabilitation measures, measures to prevent recurrence of incidents of atrocities, etc. In cases of atrocities of serious nature wireless messages are sent to the concerned field offices of the Commission to conduct on-the-spot enquiries and submit enquiry reports

urgently. In selected cases the Chairman and Members of the Commission or officers of the Commission Headquarters visit the places of occurrence of the crimes and conduct detailed enquiries. The reports received from the local administration and the field offices and all the on-the-spot enquiry reports are examined and lapses/shortcomings on the part of the concerned authorities are brought to their notice for taking prompt remedial measures. Issues on which the local administration is urged to take action include prompt registration and investigation of cases by the local police, challaning of cases in courts, application of relevant Sections of the PCRA and the PAA, arrest of the accused, payment of monetary relief of relevant Sections of the PCRA and the PAA, arrest of the accused, payment of monetary relief to victims of atrocities or their families, provision of rehabilitation measures for them and taking adequate security measures for maintaining law and order in the area.

7.25 During 1993-94, 2,394 complaints were received in the APCR Wing out of which no action was taken on 425 complaints. Thirtytwo of these complaints which were filed were unsigned, 3 did not involve any atrocities, 364 were not addressed to the Commission and were mere endorsements and 26 cases were of miscellaneous nature not coming within the purview of the Commission. A total of 797 complaints pertaining to 418 cases including 44 on-the-spot enquiry reports were dealt with in the APCR Wing during the year under report. Crime-wise classification of the 418 cases pertaining to 17 States is given in Annexure VII. It may be observed that 388 cases (92.8%) related to SC and 20 cases (4.8%) to ST and 10 cases (2.4%) were of general nature relating to the problems of both SC and ST. The maximum number of cases were received from Uttar Pradesh (188) followed by Rajasthan (62), Delhi (60), Bihar (22), Haryana (21), Orissa (16), Madhya Pradesh (13) and Maharashtra (10). Less than 10 cases each were from the remaining nine States of Tamil Nadu (6), Kerala (5), Karnataka (4), Andhra Pradesh (3), Gujarat (2), Jammu & Kashmir (2), West Bengal (2), Assam (1) and Tripura(1).

7.26 The crime-wise break-up of these 418 cases is as follows:

Practices of untouchability	44 (10.5%)
Murder	65 (15.6%)
Grievous hurt	2 (0.5%)
Rape	32 (7.6%)
Arson	5 (1.2%)
Other IPC offences	260 (62.2%)
Miscellaneous	10 (2.4%)

It is significant that a majority of the cases registered under the PCR Act were from ~~Uttar Pradesh~~ and ~~Delhi~~. The State-wise break-up of the 44 cases is as follows:

Delhi	17	Haryana	3
U.P.	13	Orissa	2
Rajasthan	8	Maharashtra	1

A majority of these cases related to abuse of SC persons by mentioning the names of their castes in a derogatory manner.

7.27 Representations received in the field offices of the Commission from aggrieved SC and ST persons and from other sources are also dealt with by the respective offices and efforts are made with the local authorities to mitigate the suffering and hardships of SC/ST victims. (The details of the cases relating to atrocities and untouchability offences received and dealt with in the field offices of the Commission during 1993-94 are given in Annexure VIII). It may be observed that out of 1,291 cases received by them 1,072 related to SC and 177 to ST while 42 related to problems faced both by SC and ST. The total number of cases dealt with by the field offices was 1,273 and 18 cases were pending disposal. Out of the total number of cases, 145 were PCR Act cases majority of which were from Rajasthan (40) followed by Madhya Pradesh (38) and Tamil Nadu (22).

On-the-spot enquiries into incidents of atrocities

7.28 In addition to taking up complaints relating to atrocities and untouchability offences with the local administration, on-the-spot enquiries into specific incidents of atrocities on SC and ST were conducted by the Commission in 44 cases during 1993-94. Out of the 44 cases 38 relate to SC while in 6 cases ST persons are victims of atrocities. State-wise break-up of the 44 cases is as under:

Uttar Pradesh	19	Tamil Nadu	3
Orissa	6	Maharashtra	2
Karnataka	4	Gujarat	1
Rajasthan	4	Madhya Pradesh	1
Bihar	3	Delhi	1

In 6 cases the Chairperson/Members and officers of the Commission Headquarters visited the places of occurrence of the atrocities for on-the-spot enquiry while 38 enquiries were conducted by the field offices of the Commission.

7.29 Crime-wise break-up of the 44 cases of atrocities into which enquiries were conducted by the Commission is as follows:

Murder	22
Rape	6
Other IPC offences	15
Practice of untouchability	1

While 32 cases involved atrocities on individuals, 12 cases involved mass atrocities or those on more than one SC/ST person.

7.30 A review of the cases dealt within the Commission and the on-the-spot enquiry reports on incidents of atrocities gives an insight into the causes of atrocities, role of the police in taking prompt action in investigation and challaning of cases in courts, arrest of the accused, payment of monetary relief, extension of rehabilitation facilities to victims and their families and lapses, if any, on the part of the police and other officials in dealing with the cases.

Causes of atrocities

7.31 Factors and forces leading to perpetration of atrocities on members of SC and ST are well known. These are committed by the dominant caste groups on the disadvantaged groups due to socio-economic considerations. Economic dependence of the poor on rich non-SC/ST persons, social discrimination arising out of the practice of untouchability and the age old urge to subjugate the weakest of the weaker sections of the people make SC and ST vulnerable and victims of atrocities. The causes of atrocities in the 418 cases dealt with in the Commission during 1993-94 are classified in the table below:

Table 5

<u>(1) Untouchability and social disabilities</u>		
(i)	Abuse in caste name	56
(ii)	Denial of use of water from the common pitcher in the school	3
(iii)	Obstruction to use common pathway	3
(iv)	Dashing against a non-SC person by an SC cyclist	2
(v)	Quarrel over drawing water from a public tap	1
(vi)	Refusal to serve tea in a teashop	1
(vii)	Refusal to perform traditional occupation of beating drum	1
(viii)	Inter-caste marriage	1

(2) Economic causes

(i)	Land dispute	62
(ii)	Dispute over financial transactions	7
(iii)	Exploitation by non-SC/ST employers; non-payment of wages/forced and bonded labour	7
(iv)	Looting/damaging standing crop of SC person	4
(v)	Dispute over irrigation of field	2
(vi)	Atrocity by a doctor for non-payment of fees	1
(vii)	Cutting down tree from the land of an SC person	1
(viii)	Dispute over cutting grass	1
(ix)	Business rivalry	1
(x)	Forcible occupation of a petrol pump	1
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(3) Rape 32

(4) Political causes

(i)	Political rivalry	4
(ii)	Compelling SC persons to vote for a particular party	1
		<hr/> 5 <hr/>

(5) Miscellaneous causes

(i)	Demolition/forcible occupation of house/shop of SC	8
(ii)	Charges of theft/looting/dacoity	6
(iii)	Misusing official position for harassing SC/ST persons	6
(iv)	Dispute over drainage and other problems between SC and their neighbours	4
(v)	Long standing personal enmity	3
(vi)	Clashes on account of installation of the statue of Dr.B.R.Ambedkar	3
(vii)	Retaliation by non-SC persons against teasing of their women by SC	3
(viii)	Illicit relations between members of SC and non-SC/ST	3
(ix)	Atrocity under influence of liquor	1
(x)	Retaliation against registration of complaint in the police station against a non-SC	1
(xi)	Police firing	6
(xii)	Death due to police excess	2
(xiii)	Cases of miscellaneous nature which were not atrocities	10
		<hr/> 56 <hr/>

(6) Uncertain causes 170

7.32 It may be noted that in 170 cases the reasons of commission of atrocities were not known and some of these might have been committed due to some spontaneous reasons. The break-up of the causes of atrocities may be summarised as follows:

Economic causes	87(35.1%)
Untouchability and social disabilities	68(27.4%)
Rape	32(12.9%)
Political causes	5(2.0%)
Miscellaneous causes	56(22.6%)

Cases of extreme violation of human dignity

7.33 It is extremely unfortunate that in recent years, say for the last 10 years or so, there has been an increase in cases of atrocities violating human dignity like stripping, of SC/ST women, forcing SC and ST persons to drink urine and eat human excreta, blackening their faces, shaving their heads and parading them in village streets. Some such cases which came to the notice of the Commission during the year under report are mentioned below:

(1) In village Dauna, P.S.Ghurpur, District Allahabad, Uttar Pradesh, a Scheduled Caste woman was stripped naked and paraded through the village by some members of OBC on 21-1-94. The Chairperson visited the place of occurrence for an enquiry. The incident was an outcome of slapping of an OBC boy by the son of the SC victim for stealing peas from her field five days before the occurrence of the incident of stripping. The police had full knowledge that the accused had threatened to take revenge against the victim but no timely preventive action was taken by them to defuse the growing tension in the village.

(2) A 40-year old SC woman of village Bhagatpur Mirza, P.S. Kudh Fatehgarh, Moradabad District, Uttar Pradesh, was stripped and paraded naked by Yadavs of the locality on 11-2-94 due to an allegation of teasing of a Yadav girl by the son of the victim.

(3) Seven tribals of village Potgaon, District Bastar, Madhya Pradesh, were compelled to pay heavy fines and made to drink urine and excreta water on suspicion of theft of an idol of the village temple. They were made victims of the inhuman treatment by non-tribal villagers on the instigation of a local magician.

(4) An SC person of Kotaganahalli village in Kolar District, Karnataka, was beaten by non-SC villagers on 28-1-94 and forced to eat his own excreta on refusal to perform the customary rite of beating drum and making an announcement in the village regarding the change of date of a village festival.

7.34 Cases of such inhuman treatment meted out to members of SC and ST by the dominant non-SC/ST castes, usually some groups of the Other Backward Classes, are a matter of deep concern for the nation. The victims of such crimes are not only subjected to physical torture but they suffer from life long trauma. Such incidents do not normally take place abruptly, but are the outcome of growing tension between members of different caste groups over a period of time on petty matters. The Commission recommends that the police must take prompt preventive action in defusing tension at the initial stage. However, where such incidents of extreme violation of human dignity take place exemplary punishment should be awarded to the accused after summary trial.

Application of appropriate Sections of PAA and PCRA

7.35 The PAA prescribes stricter penalties for commission of atrocities than those provided under the IPC and the PCRA. In order that the accused found guilty for committing atrocities on SC and ST are awarded penalties under the provisions of the PCRA and the PAA the Commission examines the complaints carefully and advises the police to ensure that relevant sections of the PAA and the PCRA are applied to all cases of atrocities and untouchability offences. In 306 out of the 418 cases dealt with in the Commission during the year it was not known whether appropriate sections of these two Acts were applied by the police while registering the cases against the accused as replies from the concerned police officers were awaited. Out of the remaining 112 cases, appropriate sections of the PAA and the PCRA were applied only in 49 cases (43.75%). In the remaining cases either the relevant sections of these two Acts had not been applied or wrong sections thereof had been applied by the police. This shows that either the local police are not fully conversant with the provisions of the two legislations or do not take due care in examining the cases after investigation and incorporating relevant sections in the cases. The PAA is a recent enactment and many functionaries including police officials are not aware of its provisions, partly or fully. For proper application of the provisions of this Act the Commission recommends that police officials, particularly SHOs, should be imparted training by conducting orientation courses on this subject. The PAA also needs to be translated in regional languages and widely circulated to create awareness about the law not only among the police and other officials but among the general population.

Monetary relief and rehabilitation measures

7.36 Section 21 (iii) of the PAA provides for economic and social rehabilitation of SC/ST victims of atrocities. Death or permanent incapacitation of an earning member or a

member physically fit to earn, destruction of their houses, crops, livestock or other properties and imposition of social boycott on them hit the economy of the SC/ST families hard. Besides security and police protection they need urgent economic support for their sustenance. Unfortunately the working of this important provision of the PAA has not been up to the mark. Some of the State Governments like Jammu & Kashmir and West Bengal have not felt the need to adopt a scheme of monetary relief and rehabilitation measures for SC/ST victims of atrocities. The position in the remaining States is also not satisfactory. Barring a few States like Karnataka, Orissa and Rajasthan the old scales of monetary relief have not been revised in most of the States and the present monetary relief is too meagre to compensate the loss suffered by the affected families. In Kerala no monetary relief is provided to an SC/ST victim of rape. Finally, the purpose of the scheme is defeated in many cases where the victims of atrocities are not paid any compensation or there is inordinate delay in sanction of such relief to them. A review of the 418 cases cited above reveals that in 120 cases the victims of atrocities were eligible for monetary relief. But out of these the position regarding payment of monetary relief was not known in 67 cases. In 20 out of the remaining 53 cases the victims were not paid monetary relief while it was sanctioned in 33 cases. The position was not known in 67 cases and in 15 out of the remaining 23 cases no rehabilitation measures were taken up to relieve the hardships faced by the victims of atrocities or their families.

7.37 Non-payment of monetary relief and lack of rehabilitation facilities, delay in sanction and provision of such facilities and inadequate relief provided to victims defeat the very purpose of these provisions of the PAA. In the First Annual Report the Commission had urged for prompt sanction of monetary relief and implementation of rehabilitation measures for SC/ST victims of atrocities and also urged for enhancing the scale of relief for different types of atrocities as had been done by the Government of Rajasthan. The Commission had recommended that in the case of loss of life of an SC/ST person or permanent incapacitation of an earning member or a person physically fit for earning his livelihood in cases of atrocities at least Rs.1 lakh should be paid as monetary relief to the affected family. That recommendation is reiterated here.

The role of police

7.38 Official functionaries, particularly the police, play a key role in checking occurrence of atrocities against SC and ST and in taking prompt action in maintaining peace and normalcy in the atrocity affected area. The police are responsible for maintaining law and

order which helps in preventing commission of atrocities and after atrocities are committed the police are mobilised to provide protection to life and property of the victims, arrest the accused, promptly investigate and challan the case so that the guilty do not go unpunished. Unfortunately the role of the police in matters relating to incidents of atrocities on SC and ST has not been without blemish. On-the-spot enquiries conducted and the cases dealt with by the Commission reveal direct involvement of the police in commission of atrocities in some case and their negligence leading to perpetration of atrocities on members of SC and ST in quite a few cases. Out of the 418 cases cited above 75 cases (17.94%) revealed lapses on the part of the police while in 2 cases both the police and other officials of the local administration were negligent in discharging their duties in dealing with the cases of atrocities. Lapses on the part of the local officials other than the police came to light in 8 cases. The cases of direct involvement of police in atrocities on SC and ST included:

Death in police custody	2
Death in police firing	2
Death due to chasing by the police	1
Torture in police custody	3
Rape by police	3
Other cases of police harassment/excess	38
Involvement/negligence on the part of the police leading to commission of atrocities	3

52

In the remaining 23 cases the lapse of the police was evident in matters like registration of FIR, arrest of the accused and provision of security to the victims of atrocities.

7.39 Some of the cases showing the involvement/negligence of the police in incidents of atrocities are mentioned below:

(1) An SC youth died on 20-2-94 in P.S. Sarai, Vaishali District, Bihar, due to police beating.

(2) An SC person died on 12-9-93 in P.S. Kalavai, North Arcot District, Tamil Nadu, during police interrogation.

(3) In P.S. Karari, Allahabad District, Uttar Pradesh, the police opened fire on a truck on 20-1-94 resulting in death of an SC person.

(4) On 30-3-94 two SC persons were killed in Shastrinagar, Meerut District, Uttar Pradesh, as the police chased a mob and opened fire on them.

- (5) According to a newsitem in The Pioneer of 17-6-93 the police attacked the tribals of Manibeli village, Dhule District, Maharashtra, for their participation in the Narmada Bachao Andolan and allegedly raped two tribal women on 16-4-92 when the women fled with their children to escape from the police assault.
- (5) The Hindi daily Janasatta of 14-7-93 reported the case of an SC woman who was detained at P.S. Triveniganj, Saharsa District, Bihar, for three days and raped by the police. The issue was raised in the Bihar State Assembly on 9-7-93 and the Chief Minister gave an assurance that the case would be inquired into by the Home Commissioner.
- (6) The Indian Express of 2-8-93 published a news that a tribal girl who was allegedly raped by an ASI of Kadma P.S. of Jamshedpur in Bihar had attempted to commit suicide in front of the office of the Superintendent of Police when the police refused to lodge an FIR in the case.
- (7) Caste clashes at Rajapalayam town, Kamarajar District, Tamil Nadu, resulting in death of an SC person and a non-SC person and destruction of property and crops were on account of a minor incident on 24-5-93 in which a non-SC person carrying firewood on his head accidentally hit an SC boy standing on the road. The tension mounted in the village and an SC person stabbed a non-SC person to death on 26-5-93. In retaliation on 28-5-93 the non-SC stabbed an SC person who succumbed to his injuries on his way to the hospital. Although the police were aware of the mounting tension between the SC and non-SC in village, no precautionary measures were taken by them to defuse the tension. Had the police taken prompt action after the incident on 24-5-93, the lives of two persons could have been saved.
- (8) In a similar incident at Badanavalu village in Nanjangud Taluk, Mysore District, Karnataka, failure on the part of the police in providing protection resulted in killing of three SC persons on 25-3-93. The genesis of the incident was the demand of the SC residents for entry into the Siddeswara temple on 2-2-93 which was not favoured by the Lingayat youths. Although the SC moved the police to resolve the issue, no timely action was taken by them.
- (9) Apathy of the local police in taking precautionary measures is evident in the caste clash at Pet-Ammapur village, P.S. Sholapur, Gulbarga District, Karnataka, resulting in killing of an SC person and inflicting of injuries to many on 7-12-93. The incident was a sequel to annoyance of non-SC persons over refusal of the Holey (SC) to perform customary rite of digging grave for burial of the body of a non-SC woman on 30-10-93. Had the police taken steps to settle the issue this unfortunate incident would not have happened.

(10) Large scale arson and clashes took place at Kudala Hangargi village, P.S. Aland, Gulbarga District, **Karnataka**, on 24-11-93 on account of long standing enmity between Holeyas (SC) and Lingayats (non-SC) on the pretext that an SC person did not clear way for a non-SC lorry driver. The police failed to take any preventive action.

(11) Caste clash and arson took place at Hagargundagi village, P.S. Farathabad, Gulbarga District, **Karnataka**, on account of delay in serving tea to SC persons by a non-SC teastall owner. The police did not take any preventive action.

(12) Delay on the part of the police in searching a missing SC girl of village Kalandpur, P.S. Makhi, Unnao District, **Uttar Pradesh**, led to her gang rape and murder on 25-2-94.

(13) The police were silent spectators to the incident on 28-1-94 in which Yadavs (non-SC) of village Gauripura, P.S. Dhanari, Budayun District, **Uttar Pradesh**, attacked the SC villagers and looted their properties.

7.40 The police are also often found guilty of the charge of supporting non-SC perpetrators of atrocities as will be evident from the following instances:

(1) In village Bara, P.S. Nawabganj, Bareilly District, **Uttar Pradesh**, Kurmis (non-SC) assaulted an SC person on 18-1-94 and urinated on his face. Instead of registering an FIR and helping the aggrieved SC person the police refused to register any complaint and thereafter made him to compromise the case under threat. On taking up the matter with the SSP, Bareilly, a case was registered against the accused under relevant sections of the PAA and action initiated against the erring police officials.

(2) An SC resident of village Jhandapur, P.S. Link Road, Ghaziabad District, **Uttar Pradesh**, was forcibly evicted from his house by some non-SC residents of the village on 21-2-91. Although the aggrieved SC person reported the matter to the police and the District Magistrate and the Civil Court, Ghaziabad, granted stay not to dislodge the SC person from his house, the accused non-SC persons took law into their own hands and constructed houses and shops on the disputed land by evicting the SC person from his house and demolishing his house on 6-2-91. The police failed to provide any protection to the SC person and registered false cases against him at the instance of the non-SC persons. The DSP (CID) inquired into the matter and held that there was dereliction of duty on the part of the SHO. The aggrieved person represented his case to the field office of the Commission at Lucknow on 20-4-93 and after an on-the-spot enquiry the matter was taken up with the Govt.

of Uttar Pradesh for provision of monetary relief to the victim to compensate the loss suffered by him and to take action against the erring police official under the provisions of the PAA.

(3) In village Chowferwa, Sadar Kotwali of Fatehpur, Uttar Pradesh, two SC persons, father and son, were done to death by some Yadavs (non-SC) due to political rivalry and land dispute, and the culprits put the dead bodies inside their house and set fire to them. The local police treated the case as fire accident and deleted the name of the main accused in the FIR.

(4) In village Khilawanpur, P.S. Bindki, Fatehpur District, Uttar Pradesh, an SC person was murdered by his employer as he availed of a loan for purchase of a fodder-cutting machine and a buffalo in the name of the deceased. Although the father of the deceased lodged three complaints, the police did not initiate any action in the matter. On the contrary, the police supported the accused who had a long criminal record and registered a false FIR mentioning names of persons who were not involved in the incident. The case was thereafter investigated and a final report submitted treating the allegations as false.

7.41 Non-application of appropriate sections of the PAA in atrocity cases also shows the negligence of the police in handling such cases with due care. A reference has been made to this aspect in para 35 above. Out of 112 cases, sections of the PAA were applied by the police only in 47 cases (41.96%). In 2 cases these were applied only after the Commission took up the matter with the police. In as many as 63 cases (56.25%) there were lapses on the part of the police as relevant sections of the PAA had not been invoked.

7.42 In its First Annual Report the Commission made a number of recommendations for effective implementation of the PAA and to check the occurrence of incidents of atrocities. All those recommendations continue to hold good and need be implemented in letter and spirit so that incidents of atrocities are minimised to a great extent, victims of atrocities provided adequate relief and rehabilitation facilities promptly for overcoming hardships faced by them, speedy police and judicial actions taken against the accused and preventive and precautionary measures taken in atrocity-prone areas. Needless to emphasise rapid socio-economic development of SC and ST will save them from various forms of exploitation and atrocities. The Commission also reiterates that in the interests of SC & ST the recommendation of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes for entrusting the subject of 'atrocity' to the Ministry of Home Affairs need be implemented without further delay.

Brief notes on important cases of atrocities on SC & ST enquired into by the Commission during 1993-94

1. Killing of three SC persons in a group clash at Badanavalu village, P.S. Nanjangud (Rural), Mysore District, Karnataka, on 25-3-94

The field office of the Commission at Bangalore conducted an on-the-spot enquiry into the incident of killing of three SC persons by Lingayat youths in Badanavalu village, P.S. Nanjangud (Rural), Mysore District, on 29/30-3-94. The incident which took place on 25-3-94 was on account of the entry of SC persons into a private Siddeswara temple.

Lingayats comprising about 200 families are the predominant non-SC community in Badanavalu village followed by about 150 Adi-Karnataka (SC) families. The Lingayats are not well educated and are mostly agriculturists while the Adi-Karnatakas (SC) are educationally advanced and hold good official positions in the Central and the State Governments. Practice of untouchability was rampant in the village. The Lingayats did not allow the SC villagers to enter into the Siddeswara temple on 30-1-94 for the inaugural function. On intervention of the police only selected important persons belonging to all communities including SC were allowed entry into the temple. Apprehending obstruction for further entry into the temple on Ugadi (Karnataka New Year) falling on 26-3-94 the SC filed a complaint in the Police Station for police protection in case any untoward incident happened on account of their entry into the temple on 26-3-94.

The Lingayat youths did not favour the entry of the SC into the temple and took revenge on them on 25-3-94 when 15 SC were returning from a neighbouring village after witnessing a cricket match. They attacked the SC with deadly weapons. Two SC persons died on the spot and another succumbed to injuries on his way to the hospital.

A case was registered against the accused but Section 3(2)(V) of the PAA, 1989, and Section 7 of the PCRA, 1955, were not applied to the case. Out of the 36 accused identified only 20 could be arrested. The Chief Minister and the Minister for Social Welfare, Karnataka, visited the place on 29-3-94 and agreed to a CBI inquiry into the incident. The Circle Inspector of Police, Nanjangud, was suspended.

Monetary relief of Rs.1 lakh was paid to the kin of each of the three deceased and each of the three seriously injured was paid Rs. 15,000. No rehabilitation measures were adopted by the local administration.

The Home Secretary, Govt. of Karnataka, was addressed demi-officially to intimate to the Commission about the decision of the State Govt. for handing over the case to the CBI, the arrest of all the accused and their trial in a Special Court to avoid delay, application of relevant Sections of the PAA, 1989, and the PCRA, 1955, provision of rehabilitation measures for the kin of the deceased and taking effective measures for eradication of the evil practices of untouchability.

2. Mass atrocity on the Scheduled Castes of village Gauripura, P.S. Dhanari, District Badayun Uttar Pradesh on 28-1-94

The news about the incident of mass atrocity on the Scheduled Castes of Gauripura village on 28-1-94 appeared in various newspapers on 1-2 February, 1994. Shri Ram Dhan, Chairperson and Dr. Sarojini Mahishi, Member of the Commission, visited Gauripura on 3-2-1994 for an on-the-spot enquiry.

Gauripura is exclusively inhabited by the Scheduled Castes (Jatav). The village is surrounded by Yadav dominated villages. The incident of looting and arson in Gauripura on 28-1-94 was an outcome of two earlier incidents of quarrel between the SC and Yadavs. Three months prior to the incident of dated 28-1-94 Popi, a Jatav youth of Gauripura, had collided with four non-SC persons while going on a bicycle to Dhanari. Popi was beaten up by them and in retaliation some SC persons of Gauripura beat these four youths. This enraged the non-SC and Yadavs from the neighbouring villages assembled in Gauripura. They came in 20-22 tractors, fully armed. The tension was defused when a policeman intervened and the SC begged excuse for the incident.

In another incident four armed persons belonging to Kachhi community from village Chandpura raided Gauripura on 4-1-94 and looted the houses of four Jatavs. Two SC persons were injured in firing by the aggressors. The accused had earlier attempted to molest a girl which was objected to by two of the victims and the aggressors settled the score by looting their houses.

A case was registered against the accused but no effective preventive steps were taken by the police to check any untoward incident. The two policemen who were put on patrolling duty were also never seen by the villagers.

In the incident on the night of 28-1-94 about 30 Yadavs from three neighbouring villages of Badayun and Moradabad districts raided Gauripura. They looted the

belongings of the SC and damaged their houses. A case was registered on 29-1-94 at 5.30 A.M. at Dhanari P.S. under relevant sections of the IPC and the PAA. Twelve out of the 13 named accused were arrested. Orders were issued for setting up a temporary Police Post in the village.

Monetary relief of Rs.65,000 was provided to 50 affected persons and the District Magistrate, Badayun, moved the State Govt. for enhancing the ceiling of Rs.2000 towards compensation for loss of property as the extent of damage was very high. The incident is a clear case of police negligence. Had proper preventive action been taken by the police to check the series of incidents, the incident would not have taken place on 28-1-94.

The policemen who were put on patrolling duty were not present when the incident occurred, nor did the firemen reach the place. No prompt action was taken by the SHO and senior police officials even after a complaint was lodged by the victims. The police also did not get the injured medically examined.

The Chairperson wrote a D.O. letter to Chief Minister of U.P. about the lapses of the police and urged for penal action against the erring police officials u/s 4 of the PAA. The Chief Minister was also requested to provide adequate compensation to the SC victims and for implementing various socio-economic programmes for integrated development of Gauripura village.

3. Rape of a 16 year old SC girl of village Kucheel, P.S. Kishangarh, District Ajmer, Rajasthan

Raigarh Yuva Shakti Sangathan, New Delhi represented to this Commission regarding alleged rape and murder of an SC girl of village Kucheel, P.S. Kishangarh, District Ajmer. An on-the-spot enquiry conducted by the field office of the Commission at Jaipur revealed that Kumari Sushila (16), daughter of Shri Nathu Ram (SC), was raped and murdered by a Muslim youth of the village when the victim went to graze her cattle in the field on 17-8-93. Her body was found lying in the field on 18-8-93. The accused confessed the commission of the crime. He was arrested and a case registered against him under appropriate sections of the IPC and wrongly under section 3(1)(5) of the PAA which should have been section 3(2)(v). Monetary relief of Rs.10,000 was paid to the parents of the deceased and security of police guard provided for them.

The district police authorities were urged by the Commission to apply sections 3(2)(v), 3(1)(xi) and 3(1)(xii) to the case.

Death of an SC person of village Bairagipur, P.S. Sarai-Akil, District Allahabad, Uttar Pradesh, on 20-1-94 in police firing

The incident of killing of an SC person of Bairagipur village by police firing came to the notice of the Chairman of this Commission during his visit to village Douna in connection with the enquiry into the incident of stripping an SC woman and parading her naked on 1-2-94. An on-the-spot enquiry was conducted by the field office of the Commission at Lucknow.

The incident occurred on 20-1-94 when the police of P.S. Karari opened fire on a truck which was being loaded with potato in Mukhampur village. The police fired on the suspicion that decoits who were involved in a dacoity and firing in a neighbouring village were hiding inside the truck. In spite of shouting by the innocent workers engaged in loading of potato in the truck and without verifying the truth the police resorted to firing causing death of one SC person and injuring three others including an SC person.

The widow of the deceased was sanctioned monetary relief of Rs.10,000 by the district administration and Rs.1,500 by the S.P. (Rural), Allahabad. Two bighas of Gram Sabha land were also allotted to her and a house under the Indira Awas Yojana was being constructed for the family of the deceased.

Since the crime was committed by the police, the Home Secretary, Govt. of Uttar Pradesh, was addressed for arrest of the erring police officials and action against them under relevant sections of the IPC and sections 3(1)(x), 3(2)(v) and 4 of the PAA.

5. Murder of five SC persons and serious injuries to eight others by Kurmis of village Khilawanpur, P.S. Bindki, District Fatehpur, Uttar Pradesh on 24-12-93

The news of killing of five SC persons, assault and arson in Kanjar Ba'sti of Khilawanpur village appeared in various newspapers and shocked the Commission. An on-the-spot enquiry was jointly conducted by Shri Ram Dhan, Chairperson, Dr. Sarojini Mahishi and Chaudhari Hari Singh, Members, on 29-12-93.

The cause of the incident was old enmity between Kanjars (SC) and Kurmis (non-SC) and a minor quarrel between a Kanjar and a Kurmi when both were under the influence of liquor. One Kurmi named Ramkishore misbehaved

with Shyam Lal (SC) and in retaliation the members of Shyam Lal's family went to the house of Ramkishore misbehaved with his wife and daughter. This infuriated the Kurmis and Kurmis of the neighbouring villages attacked Kanjars on 24-12-93. Their houses were looted and set on fire. Four Kanjar men and two women who were fleeing to escape were caught and murdered. Although the Incharge of Bindki Police Station visited the village on 23-12-93 and was aware of the mounting tension in the village, he did not report the matter to his superiors for taking preventive action to check occurrence of any untoward incident. Other police officials also failed to take timely action in preventing commission of the crimes.

A case was registered against the Kurmis and out of the 89 accused 51 were arrested till 25-12-93. The main accused was at large till 29-12-93. The kin of the deceased were provided Rs.1 lakh each. An amount of Rs.5000 each was sanctioned to the seriously injured and Rs.2,500 each to those not seriously injured.

The Chairperson of the Commission wrote to the Chief Minister, Uttar Pradesh, for investigation of the case by the Special Investigation Cell of the State Govt. and for taking action against the erring police officials u/s 4 of the PAA for their lapses.

6. Murder of an SC person of village Momasar, Tahsil Dungargarh, District Churu, Rajasthan, on 18-11-93

Smt. Bhanwari Devi, wife of Shri Rewant Ram, village Momasar, Tahsil Dungargarh, District Churu, represented to the Commission regarding killing of her husband by a Jat villager. The field office of the Commission at Jaipur conducted an on-the-spot enquiry into the incident on 18/20-2-94.

The enquiry revealed that while the deceased Rewant Ram, his wife Bhanwari Devi, and his nephew Kheta Ram were working in their field, one Gopi Ram S/o Bhanwara Ram (non-SC), tried to drive his camel cart through their field. On being resisted by them Gopi Ram retreated his cart but came back with his father Bhanwara Ram and abused them in caste name and attacked Rewant Ram with a sharp agricultural instrument. The victim died on the spot. Bhanwari Devi, her son and daughter and Kheta Ram were also attacked by Bhanwara Ram and were seriously injured.

A case was registered in P.S. Dungarpur with appropriate sections of the IPC and the PAA and was challaned in the court. Monetary relief of Rs.10,000 was paid to the widow of the victim. The Chairperson of the

Commission wrote a D.O. letter to the Chief Minister, Rajasthan, recommending sanction of at least Rs.1 lakh to the widow as monetary relief, sanction of widow pension to her and monetary relief to other injured persons.

7. Death of a tribal youth of village Mohammedpur Bujurg, P.S. Sarai, District Vaishali, Bihar, on 22-2-94 in police custody

The field office of the Commission at Patna conducted an on-the-spot enquiry into the incident of death of a tribal youth of village Mohammedpur Bujurg, P.S. Sarai, District Vaishali, in custody. The enquiry revealed that five policemen in plain clothes came to the village on 19-2-94 and took one Mahesh, son of Shri Ram Shobhit, to the police station for interrogation regarding a murder case. He was beaten by the police on 20-2-94 and succumbed to the injuries.

A case was registered against the five accused police officials and monetary relief of Rs.10,000 sanctioned to the kin of the deceased. Since the death occurred due to the police brutality, the case was referred to the National Human Rights Commission for taking further action in the matter. The NHRC informed the Commission that it had taken up the matter with the Government of Bihar.

8. Killing of eight SC persons and injuries to 30 others on 26-12-93 in village Damani, P.S. Haspura, District Aurangabad, Bihar

The field office of the Commission at Patna conducted an on-the-spot enquiry into the incident of killing of eight SC persons in village Damani, P.S. Haspura, District Aurangabad. The enquiry revealed that the incident was on account of clashes between the supporters of the Indian Peoples Front (IPF) and the Mazdoor Kisan Sangram Samity (MKSS). On 25-12-93 the supporters of the MKSS held a meeting to condole the killing of three of their supporters by the IPF men on 30-11-93 in village Kasturipur, P.S. Obra, District Aurangabad. The meeting was held at Pachrukha village which is a stronghold of the IPF activities. The IPF supporters attacked the gathering, pelted stones at them and opened fire injuring two persons. In retaliation, the supporters of the MKSS raided village Dhamni Bigaha, one kilometre from Pachrukha, in police outfit and set fire to the houses. They also fired at the police who reached the village after getting the news. Out of the ten who died, eight were SC while one of the injured belonged to SC.

Thirtyfive houses belonging to SC were destroyed in arson.

Monetary relief of Rs.25,000 each was paid to the families of the deceased. The SC families whose houses were burt were sanctioned one house each under the Indira Awas Yojana. Sixtytwo accused were arrested and four cases registered against them in P.S. Haspura. The SHO, Haspura, and the Inspector of Police were placed under suspension. The police authorities were advised to apply relevant sections of the PAA to the case.

9. Alleged rape of two SC hostellers in the Girls' Residential School, Arah, Bhojpur District, Bihar

On the basis of a newsitem appearing in the Patna edition of the Hindustan Times regarding alleged rape of two SC inmates of the Residential Girls' School, Arah, the field office of the Commission at Patna conducted an on-the-spot enquiry into the incident.

It was found that no complaint had been leged at the local police station about the incident. Both the victims denied that they were raped by the Hostel Superintendent. No criminal case, therefore, could be instituted against the Hostel Superintendent but he was transferred and placed under suspension.

The incident revealed that some basic amenities including a compound wall for providing safety to the inmates of the hostel had not been provided and the hostel was also located in a secluded place. The district authorities were, therefore, urged to shift the hostel to a safer place and appoint female staff including the Hostel Superintendent.

10. Stripping of a Scheduled Caste woman of village Dauna, P.S. Ghoorpur, District Allahabad, Uttar Pradesh and parading her in the village by some non-SC/ST persons of the village

According to press reports an SC woman of village Dauna, P.S. Ghoorpur, District Allahabad, was stripped and paraded in the village on 21-1-94. Shri Ram Dhan, Chairperson of the Commission, visited the village on 1-2-94 for an on-the-spot enquiry.

This incident was the outcome of confrontation between Rajesh, son of the victim, Smt. Shivpatia, and one Chandrashekhar Patel (Kurmi) of the same village on 16-1-94 over plucking of peas from the field of her brother-in-law.

In course of heated argument Rajesh slapped Chandrashekhar. This enraged the Kurmis of the village who assembled in the S.C. locality and threatened them of dire consequences. On receipt of a verbal complaint from the Kurmis two police constables came to Dauna on 17-1-94 and the matter was compromised in their presence.

On 21-1-94 when Smt. Shivpatia alongwith two women was returning from the field, three Kurmis stopped them. Two of the Kurmis caught the hand of Smt. Shivpatia and assaulted her. Smt. Kabutari pleaded with them not to misbehave with Smt. Shivpatia as her son (Rajesh) was guilty of slapping the Kurmi boy and she should not be punished for the same. The Kurmis did not pay any heed to this appeal and assaulted Smt. Kabutari also. Thereafter they assaulted Smt. Shivpatia and stripped her. She was then paraded naked in the village. Some other Kurmis also joined them.

On the receipt of a complaint a case under relevant sections of the IPC and the PAA was registered at P.S. Ghoorpur. All the 15 accused were arrested. Although the local police was aware of the growing tension between the SC and Kurmis after the incident of 16-1-94, no preventive action was taken by them to avoid this unfortunate incident that occurred five years later. The Additional S.P., Jamunapur, the Circle Officer, Bara, the S.H.O., P.S. Ghoorpur, and four other police officials were placed under suspension and the SSP, Allahabad, was transferred. Gun licences of both the licence holders of the village were suspended and the PAC was deputed in the village.

Monetary relief of Rs.10,000 was given to the victim by the district administration and amount of Rs.1 lakh was sanctioned from the Chief Minister's Relief Fund. The case was also investigated by the Chairman, Revenue Board, U.P.

The Chief Secretary, Govt. of U.P., was demiofficially addressed for initiating action against the erring police officials u/s 4 of PAA, providing employment to the son of the victim and providing basic amenities in the SC locality of the village.

11. Death of two Scheduled Tribe persons of village Rampuri, P.S. Sirsi, District Guna, Madhya Pradesh

On the basis of a press report the field office of the Commission at Bhopal conducted an on-the-spot enquiry into the death of two ST persons of village Rampuri, P.S. Sirsi, District Guna. The enquiry revealed that Shri Door Singh and his son, Shri Karan Singh, were beaten up in the presence of other family members and kidnapped on the night of 19-1-94 from their village by dacoit Prahlad Bairagi and

his associates. The accused left his photograph alongwith a letter with the deceased declaring that he killed the two ST persons on account of personal enmity and hanged the bodies on a tree near the village.

A case was registered under appropriate sections of the IPC and the PAA. Monetary relief of Rs.2 lakhs was provided to the family of the deceased. Land measuring 15 Bighas was allotted and one member of the family provided employment as Waterman in the Tribal Hostel. Two plots under the Indira Awas Yojana and an amount of Rs.13,000 for construction of houses for the affected family on these plots were also sanctioned by the State Govt. For security of the family the District Administration had sanctioned to it an arms licence. The final outcome of the case was awaited.

12. Alleged police atrocities on SC persons of village Jaysankharpur, P.S. Kujang, District Jagatsinghpur, Orissa

On the basis of a press report the field office of the Commission at Bhubaneswar conducted an on-the-spot enquiry into the incident on 5-11-93. It was revealed that the incident was on account of a dispute over ownership of a piece of land cultivated by SC persons but sold to non-SC persons by the owner. The SC persons prevented the legal owners of the land in taking physical possession and cultivation of the land they had purchased. Since the SC was tillers of the land, they filed appeals in the court of Tahsildar under the OLR Act and in the court of the Sub-Collector, Jagatsinghpur, which were dismissed. The alleged police atrocity was the outcome of an attack on them by the SC when the police visited the village and arrested five SC persons for looting the standing crop and damaging a hut of a non-SC person.

The SC persons also alleged that their women were molested and one of them was raped by the police. But no FIR was lodged by them.

The State Commission for Women also conducted an enquiry and claimed that no rape had been committed. The Govt. of Orissa ordered a judicial inquiry into the incident.

13. Alleged attempt to rape and threat to kill a Scheduled Tribe woman of Balanga Road, Nimapara, District Puri, Orissa

Smt. Malati Das, a tribal woman of Balanga Road, Nimapara, represented to the Commission that one Shri Budha

Das of Bapanpura village had attempted to rape her, threatened to kill her and her family members and set fire to her house. An on-the-spot enquiry conducted by the field office of the Commission at Bhubaneswar confirmed the allegations. The accused had tried to set fire to the house of Smt. Malati Das but it did not catch fire due to rains.

The Commission took up the matter with the local administration for early investigation of the case and application of sections 3(1)(v) and 3(2)(iii) of the PAA to the case. The case has since been chargesheeted and the accused arrested and kept in judicial custody.

ANNEXURE I

Statement showing variation in the cases registered under The Protection of Civil Rights Act, 1955, in various States/UTs during the years 1991 and 1992

S.No.	State/UT	No. of cases registered with the police during		Variation between the year 1990 and 1991	%age variation
		1990	1991		
1	2	3	4	5	6
1.	Anuhra Pradesh	203	365	+162	+80.3
2.	Assam	Nil	-	-	-
3.	Bihar	371	NA	NA	NA
4.	Goa	5	8	+ 3	+60.1
5.	Gujarat	172	209	+ 37	+21.5
6.	Haryana	-	2	+ 2	+200
7.	Himachal Pradesh	NA	18	-	-
8.	Jammu & Kashir	2	3	+ 1	+50.0
9.	Karnataka	807	722	- 85	-10.5
10.	Kerala	24	21	- 3	-12.5
11.	Madhya Pradesh	463	384	- 79	-17.1
12.	Maharashtra	257	340	+ 83	+32.3
13.	Orissa	43	42	- 1	- 2.3
14.	Punjab	-	-	-	-
15.	Rajasthan	207	107	-100	-48.3
16.	Tamil Nadu	787	861	+ 74	+ 9.4
17.	Tripura	-	Nil	-	-
18.	Uttar Pradesh	357	296	- 61	-17.1
19.	West Bengal	-	1	+ 1	+100.0
20.	Chandigarh	Nil	-	-	-
21.	Delhi	5	3	- 2	-40.0
22.	Pondicherry	27	21	- 6	-22.2
Total		3730	3405	-325	(-)8.71

Source : Annual Report on the Protection of Civil Rights Act, 1955 for the year 1991 (twelfth Report), Ministry of Welfare.

ANNEXURE II

Statement showing the amounts released by the Ministry of Welfare to the State Govts./UT Admns. under the Centrally Sponsored Scheme of implementation of The Protection of Civil Rights Act, 1955, and The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, during 1993-94.

S.No.	State/UT	Amount released under	
		PCR Act	PA Act
		Rs.	Rs.
1.	Andhra Pradesh	61,82,000	29,20,000
2.	Bihar	6,50,000	20,00,000
3.	Goa	5,000	-
4.	Gujarat	36,65,500	56,09,000
5.	Haryana	4,69,000	52,500
6.	Himachal Pradesh	1,00,000	-
7.	Karnataka	1,12,10,800	36,76,000
8.	Kerala	5,03,100	14,96,000
9.	Madhya Pradesh	16,75,000	-
10.	Maharashtra	1,43,64,684	2,50,000
11.	Orissa	2,00,000	-
12.	Punjab	12,00,000	-
		1,40,000	
13.	Rajasthan	-	51,00,000
14.	Tamil Nadu	2,00,000	-
	1992-93		
	1993-94	67,36,500	
15.	Uttar Pradesh	-	49,59,816
16.	West Bengal	3,90,000	50,000
17.	Dadra & Nagar Haveli	-	5,00,000
18.	Pondicherry	13,14,000	-
Total		4,40,05,584	2,66,13,316

Grand total : Rs 7,06,18,900

ANNEXURE-III

Statement showing offence-wise distribution of cases
of atrocities on the Scheduled Castes during 1992

S.No.	State/U.T.	Nature of crime and number of cases reported					
		Murder	Grievous hurt	Rape	Arson	Other IPC offences	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	39	225	49	8	403	724
2.	Bihar	36	49	48	44	749	926
3.	Goa	1	-	-	-	2	3
4.	Gujarat	29	72	10	17	1432	1560
5.	Haryana	5	5	24	-	52	86
6.	Himachal Pradesh	1	7	5	-	26	39
7.	Jammu & Kashmir	-	3	2	4	16	25
8.	Karnataka	21	25	17	26	631	720
9.	Kerala	10	19	39	21	614	703
10.	Madhya Pradesh	97	236	287	70	3881	4571
11.	Maharashtra	15	35	36	22	643	751
12.	Orissa	11	16	17	25	314	383
13.	Punjab	7	5	4	-	2	18
14.	Rajasthan	63	148	114	79	1800	2204
15.	Sikkim	-	-	-	-	21	21
16.	Tamil Nadu	12	9	2	14	640	677
17.	Uttar Pradesh	343	762	174	289	3323	4891
18.	West Bengal	1	1	3	-	10	15
19.	Chandigarh	1	2	4	-	13	20
20.	Delhi	1	-	-	-	1	2
21.	Pondicherry	-	-	-	-	1	1
Total		693	1619	835	619	14574	18340

Source : Statistical returns received in the Commission
from the State Govts./U.T. Adms.

ANNEXURE-IV

Statement showing offence-wise distribution of cases
of atrocities on the Scheduled Tribes during 1992

S.No.	State/U.T.	Nature of crime and number of cases reported					
		Murder	Grievous hurt	Rape	Arson	Other IPC offences	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	14	26	21	3	59	123
2.	Bihar	-	-	-	-	5	5
3.	Gujarat	17	40	34	2	211	304
4.	Karnataka	1	-	1	2	23	27
5.	Kerala	-	4	11	3	139	157
6.	Madhya Pradesh	50	84	217	16	1590	1957
7.	Maharashtra	13	30	34	3	251	331
8.	Manipur	1	-	-	-	-	1
9.	Orissa	2	2	14	8	103	129
10.	Rajasthan	19	45	42	23	507	636
11.	Sikkim	-	1	-	-	19	20
12.	West Bengal	1	-	9	1	3	14
13.	Dadra & Nagar Haveli	-	-	-	-	5	5
Total		118	232	383	61	2915	3709

Source : Statistical returns received in the Commission
from the State Govts./UT Adms.

ANNEXURE V

Statement showing the analysis of cases disposed of by the police during 1991
under The Protection of Civil Rights Act, 1955

S.No.	State/UT	Total No. cases with the police 1991	No. of cases closed after investigation	Percentage of cases closed to total No. of cases	No. of cases challaned in the courts in 1991	Percentage of cases challaned to total No. of cases	No. of cases pending for investigation in 1991	Percentage of pending cases to total No. of cases
1	2	3	4	5	6	7	8	9
1.	Andhra Pradesh	781	190	24.35	201	25.73	390	49.93
2.	Assam	Nil	-	-	-	-	-	-
3.	Bihar	NA	-	-	-	-	-	-
4.	Goa	9	2	22.22	5	55.55	2	22.22
5.	Gujarat	216	13	6.01	177	81.94	26	12.03
6.	Haryana	3	1	33.33	1	33.33	1	33.33
7.	Himachal Pradesh	24	5	20.83	12	50.00	7	29.16
8.	Jammu & Kashmir	3	2	66.66	1	33.33	-	-
9.	Karnataka	818	82	10.02	510	62.34	226	27.62
10.	Kerala	30	9	30.00	11	36.66	10	33.33
11.	Madhya Pradesh	389	145	37.27	135	34.7	109	28.00
12.	Maharashtra	381	33	8.66	218	57.21	130	34.1
13.	Orissa	57	4	7.0	27	47.36	26	45.61
14.	Punjab	Nil	-	-	-	-	-	-
15.	Rajasthan	176	51	28.97	43	24.43	82	46.54
16.	Tamil Nadu	1032	214	20.72	647	62.69	171	16.6
17.	Tripura	Nil	-	-	-	-	-	-
18.	Uttar Pradesh	330	38	11.51	170	51.51	122	36.96
19.	West Bengal	1	-	-	1	100.00	-	-
20.	Chandigarh	Nil	-	-	-	-	-	-
21.	Delhi	5	-	-	4	80.00	1	20
22.	Pondicherry	25	2	8.00	21	84.00	2	8.00
Total		4280	791	18.48	2118	51.00	1305	30.49

Source : Annual Report on the Protection of Civil Rights Act, 1955,
for the year 1991 (Twelfth Report), Ministry of Welfare.

ANNEXURE VI

Statement showing the analysis of cases disposed of by the courts during 1991
under The Protection of Civil Rights Act, 1955

S.No.	States/UT	Total No. of cases with courts	No. of cases ending in convic- tion	Percentage of conviction to total No. of cases	No. of cases ending in acquittal	Percentage of acquittal to total No. of cases	No. of cases pending with courts	Percentage of cases pending to total No. of cases
1	2	3	4	5	6	7	8	9
1.	Andhra Pradesh	654	28	4.3	314	48.0	312	47.7
2.	Assam	-	Nil	-	-	-	-	-
3.	Bihar	-	-	Not available	-	-	-	-
4.	Goa	13	-	-	3	23.07	10	76.92
5.	Gujarat	494	-	-	64	12.95	430	87.04
6.	Haryana	1	-	-	-	-	1	100.00
7.	Himachal Pradesh	36	-	-	4	12.5	32	88.88
8.	Jammu & Kashmir	11	-	-	3	27.27	8	72.72
9.	Karnataka	1707	4	0.23	254	14.87	1449	84.88
10.	Kerala	60	3	5.0	15	25.00	42	70.00
11.	Madhya Pradesh	1440	13	0.90	45*	3.1	1382	96.00
12.	Maharashtra	434	-	-	-	-	434	100.00
13.	Orissa	415	-	-	31	7.46	384	92.53
14.	Punjab	-	-	-	Nil	-	-	-
15.	Rajasthan	282	20	7.09	75	26.6	187	66.3
16.	Tamil Nadu	1561	29	1.85	509	32.60	1023	65.5
17.	Tripura	-	-	-	Nil	-	-	-
18.	Uttar Pradesh	847	26	3.06	39	4.60	782	92.32
19.	West Bengal	1	-	-	-	-	1	100.00
20.	Chandigarh	-	-	-	Nil	-	-	-
21.	Delhi	18	1	5.55	-	-	17	94.00
22.	Pondicherry	55	1	1.81	11	20.00	43	78.18
Total		8029	125	1.55	1367	17.0	6537	81.4

* The State Government has shown 21 cases as compounded.

Source: Annual Report on the Protection of Civil Rights Act, 1955, for the year 1991 (Twelfth Report),
Ministry of Welfare.

ANNEXURE VII

Cases of atrocities dealt with in the APCR Wing of the Commission's Headquarters during 1993-94

S.No.	State/UT	Murder			Grievous hurt			Rape			Arson			Other IPC			PCR Act	Misc.	G.T.
		SC	ST	Total	SC	ST	Total	SC	ST	Total	SC	ST	Total	SC	ST	Total			
1.	Andhra Pradesh	1	-	1	-	-	-	-	-	-	-	-	-	2	-	2	-	-	3
2.	Assam	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	1
3.	Bihar	6	-	6	-	-	-	2	2	4	1	-	1	11	-	11	-	-	22
4.	Gujarat	-	-	-	-	-	-	-	2	2	-	-	-	-	-	-	-	-	2
5.	Haryana	1	-	1	-	-	-	1	-	1	-	-	-	16	-	16	3	-	21
6.	Jammu & Kashmir	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	1	2
7.	Karnataka	1	-	1	-	-	-	-	-	-	-	-	-	2	-	2	-	1	4
8.	Kerala	1	-	1	-	-	-	-	-	-	-	-	-	2	1	3	-	1	5
9.	Madhya Pradesh	2	-	2	-	-	-	1	-	1	-	-	-	8	-	8	-	2	13
10.	Maharashtra	1	1	2	-	-	-	-	1	1	-	-	-	3	3	6	1	-	10
11.	Orissa	2	-	2	-	-	-	-	-	-	-	-	-	8	4	12	2	-	16
12.	Rajasthan	8	2	10	-	-	-	2	-	2	-	-	-	40	1	41	8	-	62
13.	Tamil Nadu	4	-	4	-	-	-	-	-	-	-	-	-	2	-	2	-	-	6
14.	Tripura	-	-	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	1
15.	Uttar Pradesh	32	-	32	2	-	2	18	-	18	3	-	3	117	1	118	13	2	188
16.	West Bengal	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	1	2
17.	Delhi	3	-	3	-	-	-	1	1	2	-	-	-	37	-	37	17	1	60
Total		62	3	65	2	-	2	26	6	32	4	1	5	250	10	260	44	10	418

ANNEXURE VIII

No. of cases relating to atrocities and untouchability received and disposed of by the field offices of the Commission during 1993-94.

Sl.	Field office	Total number of cases									No. of PCR Act cases out of the total no. of cases
		Received			Disposed of			Pending disposal			
		SC	ST	Total	SC	ST	Total	SC	ST	Total	
1.	Ahmedabad	43	14	57	43	14	57	-	-	-	1
2.	Bangalore	29	4	33	29	4	33	-	-	-	11
3.	Bhopal	75	30	105	75	30	105	-	-	-	38
4.	Bhubaneswar	24	3	27	24	3	27	-	-	-	4
5.	Calcutta	6	-	6	6	-	6	-	-	-	1
6.	Chandigarh	31	-	31	31	-	31	-	-	-	-
7.	Guwahati	2	2	4	2	2	4	-	-	-	-
8.	Hyderabad	138	40	178	121	39	160	17	1	18	13
9.	Jaipur	109	20	149	129	20	149	-	-	-	40
10.	Lucknow	209	-	209	209	-	209	-	-	-	-
11.	Madras	84	1	85	84	1	85	-	-	-	22
12.	Patna	52	7	59	52	7	59	-	-	-	-
13.	Pune	213	56	311 *	213	56	311 *	-	-	-	5
14.	Shimla	16	-	16	16	-	16	-	-	-	2
15.	Thiruvananthapuram	21	-	21	21	-	21	-	-	-	8
Total		1072	177	1291	1055	176	1273	17	1	18	145

No cases pertaining atrocity and untouchability from Agartala and Shillong offices.

* Includes 42 cases of general nature relating to both SC and ST.