

Cases regarding atrocities against SC/ST

4567. SHRI PRAVEEN RASHTRAPAL: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the Ministry of Social Justice and Empowerment is aware about the observation made by Hon'ble Prime Minister on 9 December, 2006 while addressing the 10th meeting of inter State Council on the matter of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) at 1989;

(b) if so, the details regarding institutional instrumentalities for striking at the roots of the causes that feed atrocities on the under-privilege sections;

(c) whether the Ministry is aware about high pendency of atrocities cases before court; and

(d) if so, the actions proposed to expedite the disposal of cases?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) Yes, Sir.

(b) The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, aims at preventing commission of offences by persons other than Scheduled Castes and Scheduled Tribes against Scheduled Castes and Scheduled Tribes. Comprehensive Rules under this Act, titled "Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995" were also notified in the year 1995. The Act extends to whole of India except Jammu and Kashmir. The Act is implemented by the respective State Governments and Union Territory Administrations, which are provided due central assistance under the Centrally Sponsored Scheme for effective implementation of the provisions of the Act.

Institutional instrumentalities for implementation of the said Act are incorporated in the Act and the Rules there under. As per available information, various State Governments and Union Territory Administrations have set up special and exclusive courts for speedy trial of cases, appointed Special Public Prosecutors, nodal and special officers, set up SC/ST Protection Cells, identified atrocity prone areas, constituted State and District Level Vigilance and Monitoring Committees etc.

(c) As per the data provided by the National Crime Records Bureau, Ministry of Home affairs, percentage of pendency of cases under the said Act with courts, at the end of 2006, 2007 and 2008, was as under:—

Year	Percentage of cases pending at the end of the year
2006	79.5
2007	78.9
2008	79.4

(d) Section 14 of the Act provides for designating for each District, a Court of Session as a Special Court for speedy trial of offences under the Act. Besides this provision, the State Governments have been *inter-alia*, advised to set up Exclusive Special Courts for prompt disposal of cases, especially in such Districts, where pendency is high.

The Central Government provides financial assistance under a Scheme, for implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, *inter-alia*, for strengthening of enforcement and judicial machinery. The pendency of cases is also reviewed during meetings of the High Powered Committee under the Chairpersonship of the Minister for Social Justice and Empowerment with various State Governments/Union Territory Administrations, for remedial action. The Committee since 2006, has held nine meetings in 25 States and 4 Union Territories.

Facilities for weaker section under CERD

4568. SHRI PRAVEEN RASHTRAPAL: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the Ministry is aware about facilities to be made available to the victims belonging to weaker sections of the society as per Para 19 of Committee on Elimination of Racial Discrimination (CERD) General Recommendation XXXI-2005;

(b) whether it is a fact that various State Governments are not making effective measure as required under Section 21(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act 1989; and

(c) if so, the actions proposed by the Central Government?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) Paragraph 19 of General Recommendation XXXI of the Committee on the Elimination of Racial Discrimination (CERD) pertains to prevention of racial discrimination in the administration and functioning of the criminal justice system.

(b) and (c) The Act is implemented by the concerned State Governments and Union Territory Administrations. Various State Governments are taking measures to implement provisions of the Act. In pursuance of Section 21 (4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Central Government for every year, is required to place on the table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of provisions of Section 21 (2) of the Act. The Report Up to the year 2007, has been laid in Parliament.

On the basis of a recommendation of Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, contained in its fourth report (Year 2006-2007), Central Government has constituted a Committee in 2006, under the Chairpersonship of Minister of Social Justice and Empowerment. The Committee has so far held nine meetings to review implementation of the Act in 25 States and 4 Union Territories.