

Provided that the appropriate Government may having regard to the type of work carried on in any department or establishment, by notification subject to such conditions, if any as may be specified in such notification, exempt any establishment from the provisions of this section.

As per Section 39 of the PwD Act, 1995, all Government educational institutions and other educational institutions receiving aid from the Government, shall reserve not less than three per cent seats for persons with disabilities.

Government has issued instructions that PwDs should be provided reservation in all Groups of identified posts, in the matter of direct recruitment and in Group 'C' and 'D' posts identified, in the matter of promotion. *Vide* O.M. dated 26th December, 2012, Government has issued instructions to ensure that Persons with Disabilities (PwDs) get a equal opportunity in consideration for appointment to an identified post.

(d) and (e) The Government has finalized a Draft Rights of Persons with Disabilities Bill proposing reservation of not less than 5% of the posts for the persons with disabilities.

#### **Disposal of cases of Dalit harassment**

†139. SHRI THAAWAR CHAND GEHLOT: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that the National Commission for Scheduled Castes has reported tardy disposal of Dalit harassment cases in the country;

(b) if so, the details thereof;

(c) whether Government is formulating any policy in view of speeding up the disposal of Dalit harassment cases; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI MANIKRAO HODLYA GAVIT): (a) The National Commission for Scheduled Castes has informed that no such information with regard to 'tardy disposal of cases' has been reported/furnished by them.

(b) Does not arise.

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†Original notice of the question was received in Hindi.

(c) The Central Government has issued the advisories to the State/Union Territories for speeding up the disposal of cases of atrocities against the Scheduled Castes.

(d) The Ministry of Home Affairs in a detailed advisory dated 01.04.2010 to all States/UTs on crimes against members of Scheduled Castes (SCs) and Scheduled Tribes (STs) has stated that 'Police' and 'Public Order' are State subjects under the Seventh Schedule (List-II) to the Constitution of India and, therefore, the State Governments and Union Territory Administrations are primarily responsible for prevention, detection, registration, investigation and prosecution of all crimes within their jurisdiction including crimes against members of SCs and STs. Nevertheless, the Union Government attaches the highest importance to matters relating to the prevention of crime and has been advising the State Governments/UT Administrations from time to time to give more focused attention to the administration of the criminal justice system with emphasis on prevention and control of crime including crimes against members of SCs and STs. The advisory, *inter-alia*, includes following steps:

- (i) No delay in the registration of FIR in cases of crimes against members of SCs and STs.
- (ii) To ensure proper supervision of cases of crimes against members of SCs and STs, from the recording of First Information Report to the disposal of the case by the competent court.
- (iii) To conduct a separate review involving criminal cases filed by members of SCs and STs under investigation, by the District Magistrate and District Superintendent of Police (SP) in the monthly meeting with the Investigating Officers (I.Os) to expedite investigation.
- (iv) To discuss on regular basis, delay in trial of cases of crimes against members of SCs and STs, in the Monitoring Committee/monthly meetings Chaired by the District and Sessions Judge, attended by District Magistrate, Superintendent of Police and Public Prosecutor of the district.
- (v) The District SPs to ensure timely attendance and protection of all prosecution witnesses including Police Officers and official witnesses for speedy trial of such cases in the trial courts.