

**Help to Scheduled Caste and Scheduled Tribe category  
persons in fighting legal cases**

1550. SHRI TARUN VIJAY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of cases of atrocities against Scheduled Caste (SC) and Scheduled Tribe (ST) category persons being heard in courts, as on date, along with the details of region/case specification *i.e.* burning, looting, murder etc. as also the dates on which these cases were filed and convictions made, if any, so far;

(b) the manner in which SC and ST category persons are helped to fight their cases in the court; and

(c) whether there is a special help centre to provide guidance to them for justice, if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA):

(a) 'Police' and 'Public Order' are State subjects under the Seventh Schedule (List-II) to the Constitution of India and, therefore, the State Government/UT Administrations are primarily responsible for prevention, detention, registration, investigation and prosecution of all crimes within their jurisdiction including crimes against members of Scheduled Castes/Scheduled Tribes (SCs/STs).

As per the information furnished by the Ministry of Social Justice and Empowerment and based on the latest data furnished by the National Crimes Record Bureau (NCRB) for the year 2014, the requisite details in regard to number of cases in courts related to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) (POA) Act, 1989 in conjunction with the IPC, are given below;

No. of cases in courts including brought forward cases	No. of cases disposed of by courts	No. of cases ending in conviction	No. of cases compounded or withdrawn	No. of cases pending in courts at the end of the year
1,40,068	19,847	5,710	752	1,19,469

Offence-wise data pertaining to the POA act in conjunction with the IPC is not furnished by NCRB.

(b) and (c) The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)

Rules, 1995, were notified on 31.3.1995, under the PoA Act. The Schedule to Rules at Annexure-I, thereof, provides for the 'Norms for Relief Amount' to the victims of atrocity, which was between ₹ 20,000/- to ₹ 2,50,000/-, depending on the nature of the offence. Nevertheless, the relief amount have been enhanced twice in December, 2011 and in June, 2014 and the existing relief amount is between ₹ 75,000/- to ₹ 7,50,000/- depending upon the nature of offences.

As regards assisting members of SCs and STs being victims of offences of atrocities under PoA Act, Section 15 of the PoA Act stipulates that for conducting the cases in special courts, the concerned State Government is required to specify a Public Prosecutor or appoint an advocate as a Special Public Prosecutor. Rule 4 (5) of the POA Rule, 1995, also specifies that the District Magistrate or the Sub-Divisional Magistrate may, if deemed necessary or if so desired by the victims of atrocity engage an eminent Senior Advocate for conducting cases in Special Courts.

Further, in regard to help centres, Rule 3 (ix) of the POA Rules specifies that with a view to prevent atrocities on the members of Scheduled Castes and the Scheduled Tribes, the State Government shall encourage Non- Government Organizations for establishing and maintaining Awareness Centre and fertilizer Workshops.

In addition under the Legal Services Authorities Act, 1987, the persons belonging to SC and ST category are provided free legal services for filing & defending any case in the court of law. Under the Act, Legal Services Authorities and Legal Services Committees have been constituted at State/District/Supreme Court/High court/Taluk levels for providing free legal services to the persons, belonging to SC and ST.

- (i) Services of an advocate
- (ii) All relevant charges payable or incurred in connection with any legal proceedings.
- (iii) Charges for drafting, preparing, filing or any legal proceedings and representation by a legal practitioner in legal proceedings
- (iv) Cost of obtaining any certified copy/copies of judgments, orders and other miscellaneous expenses in legal proceedings
- (v) Cost of preparation of paper book (including paper, printing and translation of documents) in legal proceedings and expenses incidental thereto

Legal Services Clinics/Centres have also been established for providing free legal services. As on September, 2015, 19598 legal services clinics/centres have been set up all over the country for assisting the people including SC and ST persons to provide free legal services.