GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

RAJYA SABHA
STARRED QUESTION NO. *18

TO BE ANSWERED ON THE 03RD FEBRUARY, 2021/ MAGHA 14, 1942 (SAKA)

INCREASE IN CRIMES AGAINST SCs/STs

18. SHRI MALLIKARJUN KHARGE:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that crimes against members of Scheduled Castes and Scheduled Tribes communities have increased by 7.3 per cent and 26.5 per cent respectively in 2019, according to the latest 'Crime in India-2019' report by the National Crime Records Bureau (NCRB);

(b) if so, the reasons therefor; and

(c) the details of steps taken to address the growing concern of atrocities against SCs and STs across the country?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI G. KISHAN REDDY)

(a) to (c): A Statement is laid on the Table of the House.

STATEMENT REFFERED TO RAJYA SABHA STARRED QUESTION NO. *18 FOR 03RD February, 2021.

(a) Yes, Sir.

(b) & (c): 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens including investigation and prosecution of crime against members of Scheduled Castes and Scheduled Tribes rest with the respective State Governments. The State Governments are competent to deal with such offences under the extant provisions of laws.

However, the Government of India is committed to ensure protection of Scheduled Castes and Scheduled Tribes. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act) has been amended in 2015 to make it more effective. The amendments include new offences, expanded scope of presumptions, institutional strengthening, which inter-alia includes establishment of Exclusive Special Courts and specification of Exclusive Special Public Prosecutors to exclusively try the offences under the PoA Act to enable expeditious disposal of cases, power of Special Courts and Exclusive Special Courts to take direct cognizance of offence and as far as possible, completion of trial within two months from the date of filing of the charge sheet,

establishing rights of victims and witnesses, and strengthening preventive measures. Further, Section 18 of the PoA Act was amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018 (No. 27 of 2018) and enforced on 20.08.2018, and now conduct of a preliminary enquiry before registration of an FIR, or to seek approval of any authority prior to arrest of an accused, is no longer required.

Government of India has issued advisories from time to time for effective implementation of the PoA Act and Rules.

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