

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 6**

**TO BE ANSWERED ON THE 11th DECEMBER, 2018 / AGRAHAYANA 20, 1940
(SAKA)**

INCIDENTS OF ANTI-CASTE ACTIVITIES

**6. SHRI NALIN KUMAR KATEEL:
SHRI D.K. SURESH:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government is aware that there are rising incidents of anti-caste activities in the country and certain activists are causing violence against inter-caste couples;

(b) if so, the number of such incidents reported during the last three years in the country;

(c) whether the Law Commission in a report in 2012 had recommended for the need of a law to tackle such caste crimes in the country;

(d) the response of the Government in this regard; and

(e) the details of the measures taken by the Government to curb such incidents in the country?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a) & (b): National Crime Records Bureau (NCRB) does not maintain specific information on anti-caste activities in the country and violence against inter-caste couples. However, details of cases registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) [PoA] Act only are as below:

Year	Cases registered only under PoA Act	
	Crime against SCs	Crime against STs
2014	8887	1122
2015	6005	832
2016	5082	844

(c) & (d): The 242nd Report of the Law Commission on a proposal for a standalone legislation on ‘Prevention of Interference with the Freedom of Matrimonial Alliance (in the name of Honour and Tradition)’ has been examined by the Ministry of Law and Justice in consultation with the State Governments and Union Territory Administrations. In view of the policy of the Government to reduce the number of existing legislations and incorporate new proposals in the existing legislations and rules, a standalone legislation in this regard has not been considered desirable.

(e): The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been amended in 2015 to make it more effective. The amendments include new offences, re-phrased existing sections, 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 Act, 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. The Ministry of Home Affairs has also issued an advisory dated 26.09.2018 regarding 'Amendment to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989' requesting therewith to all States/UTs for the implementation of the same.

'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 rest primarily with the respective State Governments. The State Governments are competent to deal with such offences under the extant provisions of laws.

The Ministry of Home Affairs has, however, issued an advisory on crime against

L.S.US.Q NO. 6 FOR 11.12.2018

women dated 4th September, 2009, wherein the States/UTs have been directed to conduct a comprehensive review of the effectiveness of their law and order machinery in tackling the problem of violence against women and to take appropriate measures aimed at increasing responsiveness to such violence. The advisory specifically advised the States/UTs to take special steps to curb the 'Violation of Women's Rights by the so called Honour Killings, to prevent forced marriage in some northern States, and other forms of Violence'. The Advisory is available on <http://mha.gov.in>.

In pursuance of the Judgement dated 27.03.2018 passed by Hon'ble Supreme Court in the matter of Writ Petition (C) No. 231/2010 – Shakti Vahini vs. Union of India & ors, Ministry of Home Affairs vide its advisory dated 31.05.2018 has advised all States regarding preventive, remedial and punitive measures required to be implemented to address the issues related to honour crime. States/UTs were advised to comply with the directions as mentioned in the judgement, which inter-alia include identification of districts, subdivisions and/or villages where instances of honour killing or Khap Panchayats have been reported in the recent past, setting up of special cells in every district, which shall create a 24 hour helpline to receive and register complaints in this regard, and provide necessary assistance and advice and to protect the couple. The said advisory is available at <http://mha.gov.in>.