

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO- 2028
TO BE ANSWERED ON- 19/12/2022

NATIONAL COMMISSION FOR SCHEDULED TRIBES

2028. MS. RAMYA HARIDAS:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the Government has taken cognizance of the fact that there has been an increase in the cases of atrocities committed against the tribal community in the country;
- (b) if so, the details thereof and the total number of cases reported/registered in the National Commission for Scheduled Tribes (NCST) regarding the persecution of tribal society in Kerala during the last three years and the current year and the action taken by the Commission in this regard; and
- (c) the details of steps taken/being taken by the Government to prevent the atrocities being committed against the tribal society?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI BISHWESWAR TUDU)

(a): 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, and investigation and prosecution of crime including crime against members of Scheduled Castes and Scheduled Tribes rests with the respective State Governments. The State Governments are competent to deal with such offences under the extant provisions of law.

As per the latest data provided by National Crime Records Bureau (NCRB), details of State/UT-wise Cases Registered (CR), Cases Charge-sheeted (CCS), Cases Convicted (CON), Persons Arrested (PAR), Person Charge-sheeted (PCS) and Persons Convicted (PCV) under Crime/ Atrocities against Scheduled Tribes (STs) during 2019-2021 is enclosed at **Annexure-I**.

(b): As per information provided by the National Commission for Scheduled Tribes (NCST), Cases registered in the NCST regarding the persecution of tribal society in Kerala are as under:

Year	No. of cases
2019-20	Nil
2020-21	2
2021-22	3
2022-23 (up to 14.12.2022)	Nil

The NCST has taken the action in these cases as per rules of procedure of the NCST. Notices were issued to the concerned authorities by NCST.

(c): An Act of the Parliament namely the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989 was enacted to prevent atrocities against members of Scheduled Castes (SCs) and Scheduled Tribes (STs) which has been amended in 2015 to make it more effective. The amended act includes 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 offences 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. This Act also provides relief / compensation to the victims and also prescribes action to be taken by the law implementing agencies in conjunction with IPC in the country. Police and Public Order are State Subjects under the Seventh Schedule of the Constitution of India. The State Governments/ Union Territory Administration are primarily responsible for prevention, detection, registration, investigation and prosecution of crimes within their jurisdiction including crimes against members of Scheduled Castes (SCs) and Scheduled Tribes (STs), as also for implementation of the Protection of Civil Rights (PCR) Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989. The Government has been reviewing with the law implementing agencies of the State Government for ensuring prompt registration of atrocities, speedy investigation of the offences and timely dispensing of cases by the Courts. Further, Government of India has issued advisories to the State Governments/UT Administration from time to time for effective implementation of the PoA Act and Rules in letter and spirit.

Annexure-I

Annexure referred to in the reply of LOK SABHA UNSTARRED QUESTION NO. 2028 TO BE ANSWERED ON 19.12.2022 regarding “National Commission for Scheduled Tribes”

State/UT-wise Cases Registered (CR), Cases Chargesheeted (CCS), Cases Convicted (CON), Persons Arrested (PAR), Persons Chargesheeted (PCS) and Persons Convicted (PCV) under Crime against Scheduled Tribes (STs) during 2019-2021

SL	State/UT	2019						2020						2021					
		CR	CCS	CON	PAR	PCS	PCV	CR	CCS	CON	PAR	PCS	PCV	CR	CCS	CON	PAR	PCS	PCV
1	Andhra Pradesh	330	193	2	511	454	4	320	234	1	491	582	7	361	346	3	496	768	3
2	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0
3	Assam	4	1	0	3	1	0	10	0	0	4	0	0	16	9	0	22	12	0
4	Bihar	97	85	2	127	161	3	94	75	0	107	94	0	103	66	4	56	123	4
5	Chhattisgarh	427	387	39	660	624	55	502	462	47	825	798	50	506	512	27	932	934	35
6	Goa	2	2	0	0	2	0	2	2	0	0	6	0	5	4	0	2	6	0
7	Gujarat	321	289	5	727	752	7	291	253	1	659	663	2	341	328	0	881	865	0

8	Haryana	1	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
9	Himachal Pradesh	1	1	0	1	1	0	3	1	0	2	1	0	7	6	0	23	21	0
10	Jharkhand	342	242	10	237	302	10	347	86	8	143	143	9	250	144	17	193	191	23
11	Karnataka	327	249	3	800	769	9	293	262	1	828	844	8	361	346	0	964	925	0
12	Kerala	140	94	2	139	119	2	130	109	7	115	140	7	133	112	9	142	140	9
13	Madhya Pradesh	192	184	41	264	3132	638	240	236	151	3532	437	251	262	254	336	266	4557	497
		2	5	4	3			1	2			1		7	7		8		
14	Maharashtra	559	447	30	110	888	47	663	633	12	1475	141	14	628	557	12	128	1132	13
					5							1					0		
15	Manipur	2	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0
16	Meghalaya	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17	Mizoram	8	8	0	8	8	0	0	0	0	0	0	0	0	0	8	0	0	8
18	Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19	Odisha	576	682	0	481	752	0	624	575	0	564	652	0	676	647	0	290	715	0
20	Punjab	1	0	0	1	0	0	4	1	0	3	1	0	0	0	0	0	0	0
21	Rajasthan	179	832	19	158	1674	327	187	918	114	1933	188	222	212	950	125	197	1955	215
		7		4	5			8				3		1			9		
22	Sikkim	2	2	1	2	2	1	0	0	0	0	0	0	1	1	0	1	1	0
23	Tamil Nadu	31	28	6	81	46	10	23	14	0	48	26	0	39	18	0	54	27	0
24	Telangana	530	420	31	868	710	33	573	407	2	710	726	3	512	505	7	820	952	17
25	Tripura	2	2	0	0	3	0	2	0	0	1	0	0	0	0	0	0	0	0
26	Uttar Prade	36	51	1	94	144	1	3	3	1	9	9	30	4	3	0	8	8	0

Note : '+' Combined data of erstwhile D&N Haveli UT and Daman & Diu UT during 2019												
*' Data of erstwhile Jammu & Kashmir S tate including Ladakh during 2019												
§ Revised data for 2019 has been furnished by Uttar Pradesh State in 2021. Therefore, comparatively there may be difference in the old published data of Crime/Atrocities against STs in regard of year 2019												
