

**GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

**UNSTARRED QUESTION NO.1444
TO BE ANSWERED ON 26.07.2022**

ACTS UNDER SOCIAL JUSTICE

**1444. PROF. RITA BAHUGUNA JOSHI:
SHRIMATI APARUPA PODDAR:
DR. HEENA GAVIT:
DR. SUJAY RADHAKRISHNA VIKHE PATIL:
SHRI RAJENDRA DHEDYA GAVIT:
DR. SHRIKANT EKNATH SHINDE:
SHRI UNMESH BHAIYYASAHEB PATIL:
SHRI RAMESH CHAND BIND:
DR. KRISHNA PAL SINGH YADAV:**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether the Government has any mechanism for monitoring the implementation of recent acts related to social justice and if so, the details thereof;
- (b) whether there is any requirement of infrastructure and officers for implementation of these acts and if so, the details thereof;
- (c) whether the Government has provided adequate funds to the States for the said purpose; and
- (d) if so, the details thereof, State-wise including Uttar Pradesh, Gujarat, West Bengal and Maharashtra?

ANSWER

**MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT
(SHRI A. NARAYANASWAMY)**

(a) to (d): Yes Sir, Department of Social Justice and Empowerment is implementing following Acts:-

1. To abolish untouchability and forbade its practice in any form, an Act of Parliament namely the Protection of Civil Rights {PCR} Act, 1955 is in force.
2. To check and deter crimes against the members of the Scheduled Castes and the Scheduled Tribes, an another Act of Parliament namely the "The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989" is in force.
3. Maintenance and Welfare of Parents and Senior Citizens Act.
4. Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
5. The Transgender Persons (Protection of Rights) Act, 2019.

PCR & POA Acts

To abolish untouchability and forbade its practice in any form, an Act of Parliament namely the Protection of Civil Rights {PCR} Act, 1955 is in force.

Further, to check and deter crimes against the members of the Scheduled Castes and the Scheduled Tribes, an another Act of Parliament namely the "The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989" is in force.

The Protection of Civil Rights Rules, 1977 and the SC/ST (PoA) Rules, 1995 have been also framed to effectively implement the provisions of the Acts.

Since 'Police' and 'Public Order' are State subjects under the Seventh Schedule (List-II) to the Constitution of India. The primary responsibility for implementation of the PCR Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 rests with the State Governments/UT Administrations.

However, the Government of India has set up the National Helpline against Atrocities against SCs and STs to register grievances and follow up for their redressal at various levels. The Government also conducts national reviews of implementation of the Acts, including timely criminal action, and payment of compensation. The Government also issues advisories to the State Governments/UT Administrations from time to time for effective implementation of the PoA Act and Rules made thereunder in the letter and spirit.

A Centrally sponsored Scheme for implementation of the PCR Act, 1955 and the SC/ST (PoA) Act, 1989 is also in force under which the Central assistance is provided to the States/UTs for effective implementation of the Acts and Rules framed thereunder. The Centrally Assistance is mainly provided for :-

- i. Functioning and strengthening of the Scheduled Castes and Scheduled Tribes Protection Cell and Special Police Stations.
- ii. Setting up and functioning of exclusive Special Courts.
- iii. Relief and Rehabilitation of atrocity victims.
- iv. Incentive for Inter-Caste Marriages, where one of the spouses is a member of a Scheduled Castes.
- v. Awareness generation.

The funding pattern of the Scheme is as such that total expenditure over and above the committed liability is shared on 50:50 basis between the Central Government and concerned State Government and the Union Territory Administration receives 100% Central assistance.

Monitoring Mechanism at the State Level:

Rule 16, Rule 17 and 17A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 provide for setting up of State Level Vigilance and Monitoring Committees (SLVMC) under the Chairpersonship of the Chief Minister, District level Vigilance and Monitoring Committees (DLVMC) under the Chairpersonship of the District Magistrate and Sub-Divisional Level Vigilance and Monitoring Committee under the Chairpersonship of Sub-Divisional Level Magistrate to review the implementation of the provisions of the PoA Act.

Monitoring Mechanisms at the Central Level

- At the Central Level, a committee under the Chairpersonship of Hon'ble Union Minister for Social Justice & Empowerment has been also constituted to review the implementation status of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in the States/UTs. The Committee has so far held 26 meetings in this regard.
- Hon'ble Union Cabinet Minister and MoS's visit States for review meetings to evaluate the progress of the Schemes.
- Officers from Central Government visit States/UTs for reviewing the performance of the schemes.

Maintenance and Welfare of Parents and Senior Citizens Act was enacted in December 2007 to ensure need based maintenance of parents and senior citizens and their welfare. The Act extends to whole of India and the onus for implementation of the Act lies mainly with the State Governments. Under the Act, the State Governments have constituted Tribunals and designated Conciliation Officers, Maintenance Officers and Presiding Officers for the Tribunals. Old Age Homes for indigent senior citizens have been set up in different districts. Provisions for medical care of senior citizens are being covered under Ministry of Health and Family Affairs National Programme for Health Care of Elderly. The Central Government seeks Annual Progress Report from all the State Governments/UTs in order to monitor the progress of implementation of the various provisions of the Act.

Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 provides for a well laid down monitoring mechanism through Central Monitoring Committee, State Level Monitoring Committees and Vigilance Committees at District and Sub-Division Level to monitor implementation of various provisions of MS Act, 2013. In addition, progress of implementation is also monitored through periodic reports, regular meetings with senior officers of the States and Union Territories and meetings of the Central Monitoring Committee under the Chairmanship of Minister of Social Justice and Empowerment from time to time. No funds are required for implementation of MS Act, 2013 by State Governments.

The Transgender Persons (Protection of Rights) Act, 2019 came into force on 10th January, 2020. As per Section 17(b) of the said Act, the National Council for Transgender Persons (NCTP) shall monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of Transgender Persons. The existing infrastructure and resources are to be utilized for implementation of the Act. An amount of Rs.25 crore was earmarked during the financial year 2021-22 under sub-component for the welfare of Transgender Persons under Central Sector Scheme of "Support for Marginalized Individuals and Livelihood Enterprise (SMILE)". Under the sub-scheme funds are released for setting up Garima Greh, Transgender Cell etc. derived from the Act.

Details of funds released to State Governments State-wise including Uttar Pradesh, Gujarat, West Bengal and Maharashtra during last 03 years under above Acts are at **Annexure**.

Annexure

Annexure referred to in reply to part (a) to (d) of the Lok Sabha Unstarred Question No. 1444 for 26.07.2022

1. The Central Assistance released to the State Governments/UT Administrations including the State of Uttar Pradesh, Gujarat, West Bengal and Maharashtra under the centrally sponsored scheme for the PCR Act, 1955 and the SC/ST (PoA) Act, 1989.

(Rs. in Lakh)

S. No.	States /UTs	2019-20	2020-21	2021-22
1.	Andhra Pradesh	4814.34	3429.99	920.00
2.	Assam	0.00	15.00	10.00
3.	Bihar	1220.00	1505.00	3500.00
4.	Chhattisgarh	1696.40	2159.19	1983.91
5.	Chandigarh	75.00	50.00	71.00
6.	Delhi	16.00	25.00	7.45
7.	Goa	4.00	3.00	3.00
8.	Gujarat	3981.16	3314.16	1978.63
9.	Haryana	1214.61	1360.00	1821.20
10.	Himachal Pradesh	477.00	382.75	314.96
11.	Jammu & Kashmir	0.00	0.00	93.20
12.	Jharkhand	266.00	28.83	319.33
13.	Karnataka	6867.25	6542.75	6185.26
14.	Kerala	2746.07	1099.15	1763.52
15.	Lakshadweep	0.00	0.00	12.00
16.	Madhya Pradesh	7900.33	8349.19	10341.53
17.	Maharashtra	6194.75	5813.52	773.00
18.	Odisha	3206.31	3508.79	4408.71
19.	Puducherry	209.00	787.55	365.63
20.	Punjab	0.00	18.66	780.49
21.	Rajasthan	2048.33	4770.06	7163.45
22.	Sikkim	25.00	0.00	0.83
23.	Tamil Nadu	1833.05	3852.48	3544.94
24.	Telangana	1993.88	819.20	1717.92
25.	Tripura	39.14	0.00	20.33
26.	Uttarkhand	102.87	94.82	78.30
27.	Uttar Pradesh	14136.04	11302.62	12671.72
28.	West Bengal	897.61	37.41	87.00
29.	Other(Plan Division)	0.00	3.89	0.00
30.	NHA	0.00	69.97	73.78
	Total	61964.14	59342.98	61011.09

2. Detail of funds released during last 03 years to various State/Union Territories under SAPSrC is as under:-

Rs. In Cr.

Sl. No.	State/UT	Funds Released 2019-20	Funds Released 2020-21	Funds Released 2021-22
1.	ANDAMAN & NICOBAR ISLANDS	0.375	0.0	0.0
2.	ANDHRA PRADESH	1.000	0.0	0.0
3.	ARUNACHAL PRADESH	0.375	0.0	0.0
4.	ASSAM	0.750	0.0	0.22
5.	BIHAR	1.500	0.0	0.0
6.	CHANDIGARH	0.375	0.0	0.0
7.	CHHATTISGARH	0.750	0.0	0.0
8.	DADRA NAGAR HAVELI and DAMAN & DIU	0.75	0.0	0.0
9.	GOA	0.500	0.0	0.0
10.	GUJARAT	0.750	0.0	0.0
11.	HARYANA	0.750	0.0	0.0
12.	HIMACHAL PRADESH	0.750	0.0	0.0
13.	JAMMU & KASHMIR	0.750	0.0	0.0
14.	JHARKHAND	0.750	0.0	0.0
15.	KARNATAKA	1.500	0.0	0.0
16.	KERALA	0.750	0.0	0.0
17.	LAKSHADWEEP	0.375	0.0	0.0
18.	MADHYA PRADESH	1.500	0.0	0.0
19.	MAHARASHTRA	1.500	0.0	0.0
20.	MANIPUR	0.375	0.0	0.0
21.	MEGHALAYA	0.375	0.0	0.0
22.	MIZORAM	0.500	3.04	0.0
23.	NAGALAND	0.375	0.0	1.98
24.	NCT OF DELHI	0.750	0.0	0.0
25.	ODISHA	1.000	0.0	0.0
26.	PUDUCHERRY	0.375	0.0	0.0
27.	PUNJAB	0.750	0.0	0.0
28.	RAJASTHAN	1.500	0.0	0.0
29.	SIKKIM	0.500	0.0	0.16
30.	TAMIL NADU	1.500	0.0	0.0
31.	TELANGANA	1.000	4.02	0.0
32.	TRIPURA	0.500	0.0	0.0
33.	UTTAR PRADESH	1.500	0.0	0.0
34.	UTTARAKHAND	0.750	0.19	0.0
35.	WEST BENGAL	1.500	0.0	0.0
	TOTAL	29.00	7.25	2.36

3. **The funds released to States/ UTs under sub-component for the welfare of Transgender Persons under Central Sector Scheme of "Support for Marginalized Individuals and Livelihood Enterprise (SMILE)" during the financial year 2021-22**

Sl.	Name of the State	Amount released (Rs. in lakh)
1.	Bihar	14.586
2.	Delhi	14.586
3.	Chhatisgarh	14.586
4.	Gujarat	14.586
5.	Maharashtra	14.586
6.	Orissa	14.586
7.	Rajasthan	14.586
8.	Tamil Nadu	14.586
9.	West Bengal	14.586
	Total	131.274
