Chapter - 7

Crime against Scheduled Castes & Scheduled Tribes

India is committed to the welfare and development of its people in general and of vulnerable sections of society in particular. Equality of status and opportunity to all citizens of the country is guaranteed by the Constitution of India, which also provides that no individual shall be discriminated against on the grounds of religion, caste or sex, etc. Fundamental rights and other specific provisions, namely, Articles 38, 39 and 46 in the Constitution of India stand testimony to the commitment of the State towards its people. The strategy of the State is to secure distributive justice and allocation of resources to support programmes for social, economic and educational advancement of the weaker sections in general and persons belonging to Scheduled Castes and Scheduled Tribes in particular.

Constitutional Rights

The Indian Constitution vide Article 15 lays down that no citizen shall be subjected to any disability or restriction on the grounds of religion, race, caste, sex or place of birth. It also guarantees that every citizen shall have equality of status and opportunity.

The problems of social inequality and class divide in a country like India with heterogeneous groups and sub-groups needs to be recognised and resolved by all available democratic measures including special legislations to deal with particular acts constituting offences against such weaker sections of the society. ‘Scheduled Castes’ and ‘Scheduled Tribes’ are two such identified social groups. Article 46 of the constitution of India expressly provides that the State shall promote the educational and economic upliftment of the weaker sections of the society, in particular of SCs & STs with special care and shall protect them from injustice and all forms of exploitation.

Legal Rights

Special social enactments have come into force from time to time for SCs and STs in order to uphold the constitutional mandate and safeguard the interests of these sections of the society.

The major legal enactments at the national level are:

(i) The Protection of Civil Rights Act, 1955

The Protection of Civil Rights Act, 1955 was enacted in furtherance of Article 17 of the Constitution to abolish untouchability and its practice in any form.

The Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 was brought into force from 30th January 1990 in order to check and deter crimes against persons belonging to SCs/STs by persons belonging to other communities. These enactments have extended the positive discrimination in favour of SCs and STs to the field of criminal law in as much as they prescribe penalties that are more stringent than the corresponding offences under Indian Penal Code (IPC) and other laws. Special Courts have been established in major states for speedy trial of cases registered exclusively under these Acts.

Classification of Crimes

Considering the data requirements of various stakeholders, the classifications of crimes have been revised recently for collection of comprehensive data on crime committed against SCs and STs.

The new classification of crimes against persons belonging to SCs & STs broadly categorized under three major crime heads, namely:-

(i) the Protection of Civil Rights Act, 1955 for measuring incidents of discriminations against persons belonging to SCs & STs by Non-SCs/STs.
(ii) Atrocities committed against persons belonging to SCs and STs by Non-SCs and STs i.e. where SC/ST (Prevention of Atrocities) Act has been applied along with various sections of IPC. Incidents of various sections of IPC viz. murder, grievous hurt, rape etc. along with the SC/ST (PoA) Act.

(iii) Crime committed against SCs and STs where SC/ST (PoA) Act has not been applied and only IPC sections have been involved.

Besides these three major heads, data on following crime heads have also been collected:

(iv) The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1923

(v) Other SLL crimes

In the revised proforma of Crime in India, comprehensive information on crimes committed against SC/ST women under various crime heads namely assault on SC/ST women with intent to outrage her modesty (section 354 IPC) along with further breakup of sub-section 354A IPC (sexual harassment), section 354B IPC (assault or use of criminal force to women with intent to disrobe), section 354C IPC (voyeurism) & section 354D IPC (stalking); insult to modesty of SC/ST women (under section 509IPC) took place in office premises or at public transport or other places related to works; etc. have been collected.

The ‘Crime Rate’ for crimes committed against SCs and STs has been calculated using the population of SC and ST respectively only, based on The Population Census 2011. Since mid-year projection in respect of SCs & STs population is not available.

Crime against Persons belonging to Scheduled Caste

Incidence of Crime – National
(Incidence: 45,003 Rate: 22.3)

A total of 45,003 cases of total crimes committed against SCs (which include atrocities as well as non-atrocities cases) were registered in the country as compared to 47,064 cases registered in 2014, showing a decrease of 4.4% in 2015 over 2014. It may be mentioned that during 2015, out of 45,003 cases of crime against SCs 38,564 cases under various section of IPC along with the SC/ST(POA) Act (atrocities cases i.e. where SC/ST(POA) Act applied), 6,009 cases under various section of IPC wherein the SC/ST (POA) Act was not applied, 324 cases under other SLL crimes. The highest incidents of crime against SCs were reported from Uttar Pradesh (8,358 cases) followed by Rajasthan (6,998 cases), Bihar (6,438 cases) and Andhra Pradesh (4,415 cases), they accounted for 18.6%, 15.5%, 14.3% and 9.8% of total such crimes registered during 2015 respectively. During 2015, crimes rate of 22.3 was reported under crimes committed on persons belonging to SCs.

Protection of Civil Rights Act
(Incidence: 106 Rate: 0.1)

A total of 106 cases under this Act were registered during 2015. Maximum cases under this Act were reported in Bihar (74 cases) followed by Karnataka (11 cases), Maharashtra (9 cases), Himachal Pradesh (3 cases) and Odisha & Delhi UT (2 cases each) during 2015.

Incidence of Atrocities against SCs
(Incidence: 38,564 Rate: 19.2)

A total of 38,564 cases of atrocities against SCs (in which SC/ST(POA) Act applied) were registered in the country during 2015. The highest incidents of atrocities against SCs were reported from Uttar Pradesh (8,459 persons) followed by Bihar (6,552 persons), Rajasthan (5,979 persons) and Madhya Pradesh (3,693 persons).

The highest rate of atrocities against SCs was reported from Goa (51.1) followed by Rajasthan (48.4), Bihar (38.0) and Daman & Diu (32.7) compared to 19.2 at all India level during 2015.
Incidence of IPC Crimes against SCs (in which the SC/ST(PoA) Act not applied i.e. Non-atrocities Cases) (Incidence: 6,009 Rate: 3.0)

A total of 6,009 cases of IPC without the SC/ST(PoA) Act (in which SC/ST(PoA) Act not applied i.e. non-atrocities) were also registered in the country during 2015. The highest number of such cases were reported from Andhra Pradesh (2,050 cases) followed by Rajasthan (1,040 cases), Chhattisgarh (790 cases), Madhya Pradesh (671 persons) and Odisha (482 cases). The highest number of victims in such cases were also reported from Andhra Pradesh (2,062 persons) followed by Rajasthan (1,048 persons), Chhattisgarh (790 persons), Madhya Pradesh (671 persons) and Odisha (530 persons). Among the above States, the highest rate of crime was reported from Andhra Pradesh (24.3) followed by Chhattisgarh (24.1), Rajasthan (8.5), Odisha (6.7) and Madhya Pradesh (5.6). Table 7.2 contains State/UT-wise details on IPC cases where the SC/ST (POA) Act has been applied, as well as cases where this Act was not applied & number of victims in above two categories of cases and crime rate during 2015.

Disposal of Crimes Committed against SCs by Police

Out of 59,834 cases of crime against SCs for investigation (including 45,003 cases registered during 2015), 42,459 cases were disposed of by police during 2015. Of these cases, the charge-sheets were submitted in 31,852 cases and in 2,028 cases charge-sheets were not laid but final reports were submitted as true, thus showing charge-sheet rate of 94.0%. A charge-sheet rate of 97.5% and 93.5% were reported under the Protection Civil Rights Act and atrocities against SCs respectively. A total of 17,375 cases were remained pending for investigation at the end of 2015. The details may be seen in Table 7.3.

Disposal of Crimes Committed against Scheduled Castes by Courts

A total of 1,40,340 cases of crimes committed against persons belonging to Scheduled Castes were for trial in the country during 2015. Trials were completed in 17,012 during 2015 out of which 4,702 cases ended in conviction and in 12,310 cases accused persons were acquitted or discharged. At the end of 2015, a total of 1,22,083 cases remained pending for trial. The conviction rate of 27.6% and pendency rate of 86.9% under crime against SCs were reported during 2015. The details may be seen in Table 7.4.

Disposal of Persons Arrested for Committing Crime against Scheduled Castes by Police

Out of 97,786 persons (consisting of 21,932 persons either in the custody or on bail at the beginning of the year and 75,854 persons arrested during 2015), charge-sheets were submitted against 66,880 persons (consisting of 65,244 males and 1,636 females) during the year 2015. Investigation by police was pending in respect of 24,280 persons at the end of 2015. The details may be seen in Table 7.5.

Disposal of Persons Arrested for Committing Crime against Scheduled Castes by Courts

A total of 3,03,605 persons were under trial for committing crimes against SCs in the country during 2015.

A total of 9,656 persons (consisting of 9,557 males and 99 females) were convicted and 25,385 persons (consisting of 24,716 males and 669 females) were acquitted. 500 persons were also discharged by courts for want of evidence or otherwise during 2015. The trials in respect of 2,65,905 persons were remained pending at the end of 2015. The details may be seen in Table 7.6.

District-wise Incidents of Total Crimes against SCs

A total of 16 districts have registered more than 300 cases of crimes against SCs during 2015, while 34 districts have reported IPC crimes between 200 and 300 and a bulk of them i.e. 765 of these districts have reported less than 200 such cases (including nil case) during 2015.

The police districts which have registered more than 300 cases of crimes against SCs during 2015 are:
CASES REGISTERED UNDER CRIME AGAINST SCHEDULED CASTES DURING 2015
(All India 45,003)

Number of Registered Cases

- Upto 10
- 11 to 100
- 101 to 1,000
- 1,001 to 2,000
- 2,001 to 5,000
- Above 5,000
Rate of Crime against Scheduled Castes during 2015 (All India 22.3)

Note:
Rate of Crime against Scheduled Castes means number of crimes against Scheduled Castes per 1,00,000 population of SCs. Population of SCs is based on the Population Census 2011 as mid-year projection population is not available.

Map Powered by DevInfo, UNICEF
Crime against Scheduled Tribes

Incidence of Crimes – National
(Incidence: 10,914  Rate: 10.5)

A total of 10,914 cases of crimes committed on persons belonging to Scheduled Tribes (include atrocities as well as non-atrocities cases) were registered in the country during 2015 against 11,451 cases registered in 2014, indicating a decrease of 4.7% during 2015 in comparison to 2014. It may be mentioned that during 2015, out of 10,914 cases of crime against STs, 6,275 cases under various section of IPC along with the SC/ST(POA) Act (atrocities cases i.e. where SC/ST(POA) Act applied), 4,203 cases under various section of IPC wherein the SC/ST (POA) Act was not applied, 435 cases under other SLL crimes and 1 case of the Protection of Civil Rights Act was registered during 2015.

Rajasthan has reported the highest number of such cases 3,207 which accounted for 29.4% of the total such cases (10,914 cases) reported in the country. Madhya Pradesh (1,531 cases) and Chhattisgarh (1,518 cases) also had significant share of 14.0% and 13.9% of total such crimes respectively. The details may be seen in Table 7.7 & 7.8.

Incidence of Atrocities against STs
(Incidence: 6,275  Rate:6.0)

A total of 6,275 cases of atrocities against person belonging to Scheduled Tribe (in which SC/ST(POA) Act applied) were registered in the country during 2015, showing a decrease of 8.1% (from 6,826 cases in 2014 to 6,375 cases in 2015) during 2015 over 2014. The highest incidents of atrocities against STs were reported from Rajasthan (1,409 cases) followed by Madhya Pradesh (1,358 cases) during 2015. The highest rate of atrocities against STs was reported from Kerala (34.0) followed by Rajasthan (15.3), Andhra Pradesh (13.8), Telangana (11.7) and A & N Island (10.5) compared to 6.0 at all India level during 2015.

Incidence of IPC Crimes against STs(in which the SC/ST(POA) Act not applied i.e. Non-atrocities Cases)
(Incidence: 4,203  Rate: 4.0)

A total of 4,203 cases of IPC without the SC/ST(POA) Act (in which SC/ST(POA) Act not applied i.e. non-atrocities) were also registered in the country during 2015. The highest number of such cases were reported from Rajasthan (1,746 cases) followed by Chhattisgarh (816 cases), Odisha (696 cases), Andhra Pradesh (352 cases) and Telangana (302 cases). Among the above States, the highest rate of crime was reported from Rajasthan (18.9) followed by Andhra Pradesh (13.4) and Chhattisgarh (10.4) compared to all India level of 4.0. Table 7.8 contains State/UT-wise details on IPC cases where the SC/ST (POA) Act has been applied, as well as cases where this Act was not applied & number of victims in above two categories of cases and crime rate during 2015.

Table-7(A)
Police Districts Registering above 250 Cases under Total Crime against SCs during 2015

<table>
<thead>
<tr>
<th>SL</th>
<th>State/UT</th>
<th>Police District</th>
<th>No. of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Andhra Pradesh</td>
<td>Vijayawada City</td>
<td>1031</td>
</tr>
<tr>
<td>2</td>
<td>Andhra Pradesh</td>
<td>West Godavari</td>
<td>883</td>
</tr>
<tr>
<td>3</td>
<td>Rajasthan</td>
<td>Jhalawar</td>
<td>490</td>
</tr>
<tr>
<td>4</td>
<td>Rajasthan</td>
<td>Bharatpur</td>
<td>479</td>
</tr>
<tr>
<td>5</td>
<td>Rajasthan</td>
<td>Chittorgarh</td>
<td>452</td>
</tr>
<tr>
<td>6</td>
<td>Bihar</td>
<td>Patna</td>
<td>446</td>
</tr>
<tr>
<td>7</td>
<td>Rajasthan</td>
<td>Hanumangarh</td>
<td>441</td>
</tr>
<tr>
<td>8</td>
<td>Rajasthan</td>
<td>Ganganagar</td>
<td>399</td>
</tr>
<tr>
<td>9</td>
<td>Chhattisgarh</td>
<td>Bilaspur</td>
<td>375</td>
</tr>
<tr>
<td>10</td>
<td>Rajasthan</td>
<td>Alwar</td>
<td>371</td>
</tr>
<tr>
<td>11</td>
<td>Bihar</td>
<td>Nalanda</td>
<td>350</td>
</tr>
<tr>
<td>12</td>
<td>Telangana</td>
<td>Cyberabad</td>
<td>344</td>
</tr>
<tr>
<td>13</td>
<td>Uttar Pradesh</td>
<td>Pratapgarh</td>
<td>334</td>
</tr>
<tr>
<td>14</td>
<td>Andhra Pradesh</td>
<td>Prakasham</td>
<td>306</td>
</tr>
<tr>
<td>15</td>
<td>Rajasthan</td>
<td>Nagaur</td>
<td>304</td>
</tr>
<tr>
<td>16</td>
<td>Rajasthan</td>
<td>Barmer</td>
<td>301</td>
</tr>
</tbody>
</table>

Vijayawada city (1,031 cases) & West Godavari (883 cases) of Andhra Pradesh has reported the highest incidence of crimes against SCs followed by Jhalawar (490 cases), Bharatpur (479 cases) & Chittorgarh (452 cases) of Rajasthan, Patna of Bihar (446 cases), Ganganagar (384 cases) & Alwar (371 cases) of Rajasthan, Nalanda of Bihar (350 cases), Cyberabad of Telangana (344 cases), Pratapgarh of Uttar Pradesh (334 cases), Prakasham of Andhra Pradesh (306 cases), Nagaur (304 cases) & Barmer (301 cases) of Rajasthan during the year 2015.
CASES REGISTERED UNDER CRIME AGAINST SCHEDULED TRIBES DURING 2015
(All India 10,914)

Map Powered by DevInfo, UNICEF

Number of Registered Cases

- NIL
- 1 to 10
- 11 to 100
- 101 to 500
- 501 to 1,000
- Above 1,000

Crime in India-2015

115
Rate of Crime against Scheduled Tribes means number of crimes against Scheduled Tribes per 1,00,00 population of STs. Population of Census 2011 is used for ST population as mid-year population projection for STs is not available.
Disposal of Cases under Crimes Committed against STs by Police

A total of 13,655 cases of crime against STs were for investigation in the country during 2015. Of these cases, charge-sheets were submitted in 8,050 cases, in 204 cases charge-sheets were not laid but final report as true submitted. 3,242 cases were remained pending for investigation at the end of 2015. The charge-sheeting rate at all India level was 97.5%. The details are given in Table 7.9.

Disposal of crimes committed against scheduled tribes by courts during 2015

30,489 cases of crime against STs were for trial in the country during 2015. In 4,894 cases trials were completed. 1,349 cases ended in conviction and in 3,545 cases accused persons were acquitted or discharged. At the end of 2015, 25,321 cases were remained pending for trial. The conviction rate of 27.6% and pendency rate of 82.8% were reported under crimes against STs during 2015. The details are given in Table 7.10.

Disposal of Persons Arrested for Committing Crime against Scheduled Tribes by Police & Courts

Out of 17,141 persons under investigation, charge sheets were laid against 14,047 persons [Table 7.11]. Out of 58,161 persons under-trial, trials were completed in respect of 8,379 persons and 2,265 persons were convicted & 6,027 persons were acquitted. Details may be seen in Table 7.12.

District-wise Incidents of Total Crimes against STs

A total of 14 districts have registered more than 100 cases of crimes against STs during 2015, while 31 districts have reported IPC crimes between 51 and 100 and a bulk of them i.e. 770 of these districts have reported less than 50 such cases (including nil case) during 2015.

The police districts which have registered more than 100 cases of crimes against STs during 2015 are:

<table>
<thead>
<tr>
<th>SL</th>
<th>State/UT</th>
<th>Police District</th>
<th>No. of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Rajasthan</td>
<td>Udaipur</td>
<td>1338</td>
</tr>
<tr>
<td>2</td>
<td>Odisha</td>
<td>Sundargarh</td>
<td>482</td>
</tr>
<tr>
<td>3</td>
<td>Chhattisgarh</td>
<td>Surajpur</td>
<td>445</td>
</tr>
<tr>
<td>4</td>
<td>Rajasthan</td>
<td>Jhalawar</td>
<td>379</td>
</tr>
<tr>
<td>5</td>
<td>Chhattisgarh</td>
<td>Bilrampur</td>
<td>317</td>
</tr>
<tr>
<td>6</td>
<td>Telangana</td>
<td>Nizamabad</td>
<td>250</td>
</tr>
<tr>
<td>7</td>
<td>Andhra Pradesh</td>
<td>Vijayawada City</td>
<td>232</td>
</tr>
<tr>
<td>8</td>
<td>Chhattisgarh</td>
<td>Bilaspur</td>
<td>222</td>
</tr>
<tr>
<td>9</td>
<td>Odisha</td>
<td>Bolangir</td>
<td>198</td>
</tr>
<tr>
<td>10</td>
<td>Odisha</td>
<td>Mayurbhanj</td>
<td>177</td>
</tr>
<tr>
<td>11</td>
<td>Rajasthan</td>
<td>Chittorgarh</td>
<td>141</td>
</tr>
<tr>
<td>12</td>
<td>Rajasthan</td>
<td>Barmer</td>
<td>111</td>
</tr>
<tr>
<td>13</td>
<td>Chhattisgarh</td>
<td>Raipur</td>
<td>106</td>
</tr>
<tr>
<td>14</td>
<td>Telangana</td>
<td>Cyberabad</td>
<td>105</td>
</tr>
</tbody>
</table>

Udaipur of Rajasthan has reported the highest incidence of crimes against STs (1,338 cases) followed by Sundargarh of Odisha (482 cases), Surajpur of Chhattisgarh (445 cases), Jhalawar of Rajasthan (379 cases), Balrampur of Chhattisgarh (317 cases), Nizamabad of Telangana (250 cases), Vijayawada City of Andhra Pradesh (232 cases), Bilashpur of Chhattisgarh (222 cases), Bolangir(198 cases) & Mayurbhanj (177 cases) of Odisha, Chittorgarh (141 cases) & Barmer (111 cases) of Rajasthan, Raipur of Chhattisgarh (106 cases) and Cyberabad of Telanagana (105 cases) during 2015.
Crime Against Scheduled Castes & Scheduled Tribes (State/UT-wise) during 2015/2014

Percentage of Crime w.r.t to All India for 2015
Percentage of Crime w.r.t. to All India for 2014

For SCs – Other States/UTs include West Bengal, Punjab, Himachal Pradesh, Uttarakhand, Tripura, Delhi UT, Arunachal Pradesh, Assam, Goa, Jammu & Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, A & N Islands, Chandigarh, D&N Havelli, Daman & Diu, Lakshadweep and Puducherry

For STs – Other States/UTs include Tamil Nadu, Bihar, Goa, Himachal Pradesh, Tripura, Uttar Pradesh, Uttarakhand, Assam, Haryana, Jammu & Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Punjab, Sikkim, A & N Islands, Chandigarh, D&N Havelli, Daman & Diu, Delhi UT, Lakshadweep and Puducherry