



Date: September 11, 2023

To,

Mr Vijay Sampla,
Chairperson,
National Commission for Scheduled Castes,
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Subject: Complaint against several anti-Dalit atrocities reported from multiple states from July 2023 to date

Respected Sir,

We, at Citizens for Justice and Peace are concerned about the increasing number of anti-Dalit incidents being reported from the states of Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu, Telangana and Uttar Pradesh. In the face of such grave atrocities, marginalised communities are left grappling with fear and uncertainty, and it there is an urgent for the commission's intervention to ensure that justice is meted out to the victims.

Since the month of July 2023, a number of anti-Dalit incidents have happened which we have highlighted in this complaint. These incidents depict a manifestation of the troubling psyche that is behind caste discrimination, urgently requiring for an increase in conviction in cases of such kind.

These incidents are as follows:

Madhya Pradesh

1. Sagar

Incident: On August 24, a young Dalit man named Nitin Ahirwar was mercilessly beaten to death by a group of assailants wielding sticks and batons. As per reports, it was later revealed by the family that the assailants had been pressuring them relentlessly, and had even threatened murder, to withdraw a four-year-old police case involving sexual harassment. Notably, the case had been filed by the murdered youth's sister. When the victim allegedly refused to withdraw the case, the goons came to his home, vandalised his house and beat him.

The family of the victim have stated that the accused would engage in harassing the victim's sister while she would walk to her school. The mother has alleged that her son was beaten in front of her own eyes and when she tried to defend him from the assailants, she was also attacked and the men attempted to disrobe her. The family has also alleged that since the 'Thakur family' has members who are Sarpanch, and Parshad, and are well off too – the police did not listen to the victim's family.

Action Taken: The Khurai police-station had filed a case against nine individuals, including the main accused, under Section 307. After the death of the victim at the hospital, Section 302 and the SC/ST Act were also invoked.

Maharashtra

1. Ahmednagar

Incident: On August 27, 2023, a video surfaced on X (formerly known as Twitter) which showed four individuals being subjected to a horrifying assault. The video showed the boys being brutally and inhumanely thrashed while they were hung upside down from a tree. It was later reported that the four boys present in the video were Dalit and were subjected to such beating on allegations of stealing goats and pigeons. Notably, the incident had taken place on August 25 in Haregaon, Srirampur tehsil of Ahmednagar district. The distressing videos of the incident rapidly spread on various social media platforms. As per the reports, it has also been alleged that two of the four victims were minors.

Action Taken: As per media reports, a First Information Report (FIR) has been registered in this case on the complaint of one of the victims, Shubham Magde. Six people namely Yuvraj Galande, Manoj Bodke, Pappu Parakhe, Deepak Gaikwad, Durgesh Vaidya and Raju Borag, have been booked under Sections 307, 364 of IPC and Atrocity Act. While one accused has been arrested, the police is on the lookout for the remaining five accused.

2. Jalna

Incident: On the night of August 26, in Jawaskheda village of Badnapur tehsil, Jalna district, a 25-year-old Dalit man named Siddharth Mandale was murdered. Allegedly suspected of stealing a two-wheeler, Siddharth Mandale was subjected to a fatal assault, resulting in his immediate death. A video of the heart-wrenching incident was also uploaded on social media. The sequence of events unfolded with the accused capturing Siddharth Mandale and accusing him of stealing a two-wheeler. The situation took a horrifying turn as he was brutally beaten by the group and then callously thrown into a quarry, leading to his tragic demise.

Action taken: In response to this horrifying incident, authorities took action by registering a case under various sections of the Indian Penal Code (IPC), including Section 302

(Punishment for murder), and invoking the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act. Subsequently, four individuals were arrested on August 27. These suspects have been identified as Akash Jadhav, Kailash Jadhav, Kundlik Tirkhe, and Tulsiram Gaikwad, all of whom are residents of Daregaon in Jalna tehsil.

3. Satara

Incident: On August 26, a Dalit woman faced public humiliation and assault for daring to demand the return of money she was reportedly owed. As per media reports, the widow was from Maan Taluka in Satara and had lent money to a group of individuals. Upon requesting repayment, she was subjected to a brutal attack by four assailants in Panavan village, Maan Taluka. She was also molested. The disturbing incident was caught on video. As per reports, the attackers also used sharp weapons in the assault and abused her as they beat her brutally in public view. The victim had sustained severe injuries and had to undergo treatment at a hospital.

Action Taken: The police lodged a complaint and arrested two suspects based on the same. However, two more culprits remain at large. The case has been registered under the SC/ST Atrocities Act and Section 354 of the Indian Penal Code.

Rajasthan

1. Parbatsar

Incident: Two Dalit youths tragically lost their lives, and another was injured in a devastating incident that occurred in Ranasar village of the Didwana-Kuchaman district. The incident transpired during the night of August 28 when a high-speed Bolero jeep collided with their motorcycle. The victims, identified as Rajuram and Chunni Lal from Bidiyad village in Parbatsar, in Rajasthan's Nagaur, were on their way back home after attending a religious fair. Reportedly, during a halt at a hotel along the way, an altercation erupted between them and a group of men. The situation escalated, resulting in the group chasing the victims and deliberately ramming their Bolero jeep into the youths' motorcycle, leading to the untimely demise of Rajuram and Chunni Lal. Another individual, Kishnaram, also sustained injuries during the incident. As per a media report, the vehicle repeatedly crushed the legs of the victims to the point where their legs were discovered separate from the body.

Action Taken: The police have launched an investigation to apprehend the culprits, and the family members of the deceased are urging for a CBI inquiry to ensure a thorough and impartial investigation into this distressing incident.

2. Kotputali-Behrur

Incident: On the night of August 22, a class 10 Dalit student, Sachin Kuldeep, died by suicide owing to the harassment, abuse and discrimination faced by at the hands of two teachers. As per media reports, prior to his death, Sachin had spoken to his father, revealing that he had been subjected to casteist slurs and humiliation by the teachers, Vivek and Rajkumar, at Jawahar Navodaya Vidyalaya in Paota. Sachin had lodged complaints with the principal and vice principal about their behaviour, but no action was taken. Tragically, a few hours after his call, Sachin was found hanging in a classroom within the residential school. His uncle shared that Sachin's classmates also claimed he was mistreated and threatened by the teachers, impacting his mental and physical well-being.

Action Taken: The two teachers from the school have been charged with murder following the alleged suicide of the Dalit child. The teachers have also been charged under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. Both teachers have been suspended, and investigations are ongoing to determine whether the case is a suicide or murder.

Tamil Nadu

1. Karur

Incident: In August, a young Dalit boy and his grandmother were attacked by a group of young dominant caste boys. According to a media report, the 14-year-old Dalit boy was alleged to have engaged in a verbal altercation with a dominant caste boy, resulting in a brawl aboard a government school bus. The altercation took a more sinister turn the following day, as the 20 boys appeared at the Dalit boy's residence, assaulting him and his grandmother Kaliyammal. The minor Dalit boy filed a police complaint based on the aforementioned incident.

Action taken: The police had first alleged that no attack took place. However, two individuals, Ilango and Manikantan, along with two minors, were taken into police custody based on the complaint. Meanwhile, the minor Dalit boy and his grandmother, who has been his sole caretaker following the loss of both his parents, were swiftly transferred to the Karur Government Hospital for medical attention. Notably, a case has been filed under various sections of the Indian Penal Code, including 294 B (related to obscene acts) and 323

(pertaining to voluntarily causing hurt). Additionally, they face charges under the Prohibition of Harassment of Women Act and the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, reflecting the gravity of their actions.

2. Valliyoor

Incident: On August 10, a group of six-seven students barged into the house of the Dalit teen and attacked him with sickles. When the victim's younger sister tried to intervene, she was also attacked and sustained injuries as a result. As per media reports, the assailants were armed with sickles as forcibly entered the victim's residence, leading to a violent altercation during which the victim's sister attempted to shield him. The victim and his sister were immediately rushed to a hospital, where they are reportedly out of danger.

It was reported that the victim Dalit teen was allegedly being constantly harassed by the group of students belonging to the intermediate dominant caste. The victim had endured casteist slurs, extortion, and demeaning tasks assigned by the accused boys, compelling him to skip from school for several days. Fearing harassment, the 17-year-old had stopped going to school.

Fearing harassment, the 17-year-old had stopped going to school. When the school principal found out the reason, he summoned all the students and gave them a strict warning. Despite assurances from his class teacher and the headmistress that the issue would be addressed, the situation escalated dramatically. On Wednesday evening, prior to attack, the Dalit teen had been warned of dire consequences by the accused persons. Later in the night, the group had barged into his house and attacked him with sickles.

Action Taken: Six minor boys have been apprehended by the Tamil Nadu Police for their alleged involvement in the attack. Notably, all six accused individuals belong to the Maravar community, and two of them were classmates of the victim at a school in Valliyoor. The accused minors have been charged under various sections of the Indian Penal Code, the Juvenile Justice Act, and the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act.

3. Chennai

Incident: On July 13, 2023, a 25-year-old Dalit man died shortly after being questioned by the MGR Nagar police bringing to the fore the concerns over the treatment of detainees from marginalized communities in police custody. As per media reports, Sridhar passed away only a few hours after being interrogated by the MGR Nagar police. The police had initially brought Sridhar in for questioning regarding a theft on July 12, and requested him to return the following day. Accompanied by his wife, Manju, Sridhar went to the police station on July 13 and returned home around 1:15 pm. However, he soon complained of chest

discomfort, and subsequently he was rushed to KK Nagar Government Hospital where he later succumbed to his death. Notably, Sridhar was a sanitation worker.

Action Taken: No concrete action has been taken in the said case against the police officers involved. After the death of Sridhar, police released a statement stating that Sridhar experienced seizures which resulted in his death. The police also said that Sridhar was brought to the ESI hospital but was already deceased when he suffered the seizures. Notably, the wife of the deceased, Manju, filed a police complaint and an investigation into Sridhar's death is currently ongoing.

Telangana

1. Mancherial

Incident: On September 2, an incident surfaced where a Dalit youth and his friend were subjected to a brutal assault after being accused of stealing a goat. Kiran, belonging to a Scheduled Caste, and Teja worked as daily wage labourers in local areas. They were accused of goat theft by four members of an upper caste family. As per media reports, the accused hung the two boys in a shed and subsequently subjected them to torture by surrounding them with smoke while they were being assaulted. A viral video also captured this incident. In the video, the two men could be heard pleaded for help while they were suspended over the smoke. Despite this, the farm owner and his accomplices continued in their brutal actions. Notably, the incident had occurred in a shed on the outskirts of Mandamarri town in Mancherial district. It was further stated that the accused had used caste-based slurs against the victim.

Action Taken: This horrifying and gruesome incident unfolded under the jurisdiction of the Mandamarri Police Station. The Bellampalli Police, under the Ramagundam commissionerate, arrested all four individuals responsible for violence a day after the incident took place. The police have registered cases under Sections 342 (punishment for wrongful confinement) and 307 (attempt to murder), in conjunction with section 34 (acts done by several persons with common intention) of the IPC, along with Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act. It is also crucial to note here that a "missing person" case was also registered as both victims left the village following the assault.

Uttar Pradesh

1. Sultanpur

Incident: An 18-year-old Dalit youth was beaten to death in Sultanpur, allegedly for demanding the wage promised to him for four days of labour at a farm in Baramadpur village

of the district. As per the elder brother of the victim, his younger brother was killed over a matter of just Rs 1200 owing to his caste identity. The family of the victim also provided that Anuj Yadav's son Digvijaya Yadav and one unknown person took the victim to the hospital where he succumbed to his injuries. Both Digvijaya and the person with him fled the hospital.

Action Taken: As per Inspector Sanjay Kumar Verma, Station Officer at the Akhandnagar police station, Digvijaya has been taken into police custody while the search for the unknown person named in the FIR is ongoing. The sections used in the FIR have not been provided.

It is disheartening to see that despite the numerous laws and provisions made for the protection of Dalits, there continues to be an increase in the number of incident where Dalits are subjected to atrocities and are denied even basic human rights. It is even more alarming that these acts of violence are often perpetrated with impunity and are rarely met with appropriate legal action. The denial of basic human rights to Dalits is a grave concern. This incident is a classic example of blatant discrimination and social prejudices against the Dalits.

Social discrimination against Dalits remains a pervasive issue and they face violence over the most insignificant acts. These indicate that segregation is still persistent in society and Dalits face exclusion in daily activities on a daily basis. If such acts are let off with impunity, it is a clear violation of the fundamental right of Dalits against discrimination and also untouchability. Sir, in this day and age if such practices remain prevalent and are allowed to go unpunished, the future of Dalits in the country will continue to remain under shadows and their upliftment will continue to remain a far-fetched dream.

These incidents of violence are stark reminders of the deeply rooted caste-based discrimination that continues to plague society across the length and breadth of the nation. Respected Sir, in addition to highlighting the instances of anti-Dalit atrocities above, we have also provided the status of the action taken by the police over them. Through this complaint, we are urging that the National Commission for Scheduled Castes to closely monitor the case through the investigation and prosecution to ensure that substantive and exemplary justice is delivered.

The rising frequency of crimes against Dalits can also be reflection of the number of anti Dalit incidents reported in the National Crime Records Bureau (NCRB). In the NCRB report, it was revealed that as many as 50,900 cases of crimes against Scheduled Castes (SC) were registered in 2021 in India, an increase of 1.2 percent from 2020. Given the spate in recent incidents, a special advisory by your respected self, as chairperson of the esteemed commission would also go a long way in ensuring that authorities in the states pay careful attention to application of the law under the amended SC/ST Prevention of Atrocities Act, 2015.

It is essential that tragic lives lost, most of whom are young, must be reasonably compensated for by justice and full reparation. Often after the first flush of media attention when the furore

dies down, the investigation falters and when evidence is not properly collected, the prosecution fails. It would be in the fitness of things that the NCSCST Commission takes an interest in deliverance of justice in this case till justice is delivered.

Here are a few relevant sections of the law that the Commission must ensure are applicable in these cases committed against Dalits:

Violation of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

3. (1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,—

(r) Intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

(s) Abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;

(za) obstructs or prevents a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to— (A) using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing *ghat*, any public conveyance, any road, or passage;

Shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine

(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe, —

(v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property [knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member], shall be punishable with imprisonment for life and with fine;

Targeted Crimes against India's SCs, a Pattern of Abuse

Through this complaint, CJP would like to highlight the current caste oppressive environment in India, wherein people belonging to the dominant class have the power and audacity to act in an unlawful, exploitative and vicious way towards the Dalit community along with the connections to get away with it. While some measure of space and political representation has been ensured due to the affirmative action of reservations, even decades after independence, the Dalits have not achieved total emancipation. Even today, Dalits continue

to be vulnerable to such attacks which are not just violent in nature but also emerge from trivial social stigma.

The nature of cases reported against members of the Dalit community include rape of women and children, attempt to rape, sexual harassment, acid attack, assault on women with intent to outrage her modesty, stalking, voyeurism, kidnaping and abduction, riots, robbery, arson, criminal intimidation, intentionally insult or intimidate with intent to humiliate, occupy/take possession of lands belonging to SCs and STs, prevent/deny or obstruct usage of public places/passages, force to leave the place of residence or social boycott and practices of untouchability. As per the NCRB report, there are a total of 70,818 cases of atrocities against SCs and 12,159 against STs that remained pending for investigation at the end of the year 2021. A total of 2,63,512 cases of SCs and 42,512 cases of STs were placed for trial in the courts. At the end of the year, more than 96 percent of the total cases were still pending for trial. Though the charge-sheeting percentage was more than 80%, but the conviction rate remained below 40%.

This shows the status of our criminal justice administration specially access of vulnerable victims to speedy trial and justice. It is also being argued by social activists and researchers working on implementation of POA Act, 1989 that the reported data by the Home Department were the cases registered in different police stations of the state while there were equal number of cases that are underreported due to a number of reasons, as it is not easy to get the cases registered due to non-cooperation by police and many cases are being settled

under pressure by influential people of dominant castes and by mostly those belonging to ruling parties.

In many recent cases of the past where a crime involving a person of the dominant caste was involved, there have been reports of the families of the Dalit victims and witnesses being harassed and coerced to take their complaints back. In July, 2019, a Dalit woman in Bhopar village of Rajasthan's Dausa district was allegedly raped by two boys, Mahendra and Jeetram, belonging to the Gujjar community. When her family members lodged an FIR, the dominant caste was so enraged that they burnt her house, thrashed her family members and even threatened to kill all of them. Petrified by the repeated threats, the victim and her family fled to Mahua town, about 10 km from their village, where they eke out a living as labourers earning only Rs 500-600 a day.

In the same Dausa district, five men in a car allegedly raped a minor during a wedding ceremony at her neighbourhood in June 2017 in Dhigariya Kapur village. Some of the accused belonged to the upper caste. After an FIR was registered, the victim's family was

threatened and told to settle the case. But when they did not, the threats increased to such an extent that the minor's family fled to the neighbouring Bharatpur district.

In 2014, a dozen lower caste families had to leave Bihar's Gaya district following the murder of a Dalit youth. Arjun Manjhi. He was killed allegedly after he filed his nomination papers to contest the panchayat elections.

In the year 2015, a Dalit girl, 15, of Sobhavad village was dragged to her school library and raped. Soon, the friend of the attacker, too, raped her, threatening to expose her ordeal with the first accused. Four more joined and raped the girl, forcing her to go to various places, and the act was filmed. Later the accused blackmailed the victim's sister, also a minor, with the video of her sister and raped her repeatedly. Sometime later in May, a cousin visiting the girls on a religious occasion was also raped by the accused by threatening to expose the video of her two cousins.

Since this facing atrocities and hatred became a constant pattern for families of the Dalit victims, there have been cases in the recent past where police protection has been granted to them as a result of media outrages and consistent protests by human rights and Dalit rights defenders. In the year 2016, seven members of a Dalit family were assaulted by self-styled cow vigilantes. Four members were later tied to a car, and stripped, flogged and marched them half naked for about 25 km to Una village. In the year 2018, after the family registered an FIR stating that they were threatened to withdraw the case, the court ordered for security to be provided to the family, which included four armed guards.

In the case of rape of a nine-year old Dalit girl from southwest Delhi's Old Nangal village, fulltime security was being provided to the parents of the child as they belonged to the poorest sections of the of society and were illiterate, and were under the force and influence of various groups having vested interest.

The most recent instance is that of the Hathras Rape Case. In the case of the alleged gang rape and murder of a 20-year-old woman in Hathras in Uttar Pradesh, the Supreme Court bench comprising the then Chief Justice of India S A Bobde and Justices A S Bopanna and V Ramasubramanian had asked the UP state government if witnesses in the case had been provided protection and if the family of the victim had a lawyer. In a compliance affidavit filed in the top court, the Yogi Adityanath-led government said "in order to ensure the security of victim's family/witnesses, three-fold protection mechanism has been devised" — armed constabulary component, civil police component comprising of guard, gunners and shadows and installation of CCTV cameras and lights.

These examples simply serve to highlight the daily struggles that many Dalit atrocity victims go through. The trauma and ignominy of the targeted crime is made worse by the hurdles in the access to justice. The struggles of many Dalit families who experience atrocities do not end with the crime perpetrated against them, just like the family of the Hathras rape victim, who claims that Thakurs, the community to which the accused belong, are threatening them to leave the area. The upper castes harass the Dalits so severely that many are compelled to leave their village and go somewhere else, where they struggle to make a life without assistance from the government. The political will to address such crimes is not there, and the societal structure has not altered. As a result, the government does little to stop the oppression of Dalits and other inferior castes by dominant castes.

It is pertinent for this Hon'ble Commission to take steps to assure the Dalit community that Justice will be delivered to the victims as well as the families of the victims.

Therefore, keeping in mind the gravity of the situation, we urge further protection be provided to the families of the victims in each of the cases provided above under the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989:

Section 15A. Rights of victims and witnesses—

(1) It shall be the duty and responsibility of the State to make arrangements for the protection of victims, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence

(3) A victim or his dependent shall have the right to reasonable, accurate, and timely notice of any Court proceeding including any bail proceeding and the Special Public Prosecutor or the State Government shall inform the victim about any proceedings under this Act.

(4) A victim or his dependent shall have the right to apply to the Special Court or the Exclusive Special Court, as the case may be, to summon parties for production of any documents or material, witnesses or examine the persons present.

(5) A victim or his dependent shall be entitled to be heard at any proceeding under this Act in respect of bail, discharge, release, parole, conviction or sentence of an accused or any connected proceedings or arguments and file written submission on conviction, acquittal or sentencing.

(6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), the Special Court or the Exclusive Special Court trying a case under this Act shall provide to a victim, his dependent, informant or witnesses—

- (a) the complete protection to secure the ends of justice; (b) the travelling and maintenance expenses during investigation, inquiry and trial;
- (c) the social-economic rehabilitation during investigation, inquiry and trial;
- and
- (d) relocation

(7) The State shall inform the concerned Special Court or the Exclusive Special Court about the protection provided to any victim or his dependent, informant or witnesses and such Court shall periodically review the protection being offered and pass appropriate orders.

(8) Without prejudice to the generality of the provisions of sub-section (6), the concerned Special Court or the Exclusive Special Court may, on an application made by a victim or his dependent, informant or witness in any proceedings before it or by the Special Public Prosecutor in relation to such victim, informant or witness or on its own motion, take such measures including—

- (a) concealing the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to the public; (b) issuing directions for non-disclosure of the identity and addresses of the witnesses;
- (c) take immediate action in respect of any complaint relating to harassment of a victim, informant or witness and on the same day, if necessary, pass appropriate orders for protection:

Provided that inquiry or investigation into the complaint received under clause (c) shall be tried separately from the main case by such Court and concluded within a period of two months from the date of receipt of the complaint:

Provided further that where the complaint under clause (c) is against any public servant, the Court shall restrain such public servant from interfering with the victim, informant or witness, as the case may be, in any matter related or unrelated to the pending case, except with the permission of the Court.

(9) It shall be the duty of the Investigating Officer and the Station House Officer to record the complaint of victim, informant or witnesses against any kind of intimidation, coercion or inducement or violence or threats of violence, whether given orally or in writing, and a photocopy of the First Information Report shall be immediately given to them at free of cost.

(10) All proceedings relating to offences under this Act shall be video recorded.

(11) It shall be the duty of the concerned State to specify an appropriate scheme to ensure implementation of the following rights and entitlements of victims and witnesses in accessing justice so as—

- (a) to provide a copy of the recorded First Information Report at free of cost;
- (b) to provide immediate relief in cash or in kind to atrocity victims or their dependents;
- (c) to provide necessary protection to the atrocity victims or their dependents, and witnesses;
- (d) to provide relief in respect of death or injury or damage to property; (e) to arrange food or water or clothing or shelter or medical aid or transport facilities or daily allowances to victims;
- (f) to provide the maintenance expenses to the atrocity victims and their dependents;
- (g) to provide the information about the rights of atrocity victims at the time of making complaints and registering the First Information Report;
- (h) to provide the protection to atrocity victims or their dependents and witnesses from intimidation and harassment;
- (i) to provide the information to atrocity victims or their dependents or associated organisations or individuals, on the status of investigation and charge sheet and to provide copy of the charge sheet at free of cost;
- (j) to take necessary precautions at the time of medical examination; (k) to provide information to atrocity victims or their dependents or associated organisations or individuals, regarding the relief amount;
- (l) to provide information to atrocity victims or their dependents or associated organisations or individuals, in advance about the dates and place of investigation and trial;
- (m) to give adequate briefing on the case and preparation for trial to atrocity victims or their dependents or associated organisations or individuals and to provide the legal aid for the said purpose;

(n) to execute the rights of atrocity victims or their dependents or associated organisations or individuals at every stage of the proceedings under this Act and to provide the necessary assistance for the execution of the rights.

(12) It shall be the right of the atrocity victims or their dependents, to take assistance from the Non-Government Organisations, social workers or advocates.]

Section 21. Duty of Government to ensure effective implementation of the Act.

(1) Subject to such rules as the Central Government may make in this behalf, the State Government shall take such measures as may be necessary for the effective implementation of this Act.

(2) In particular, and without prejudice to the generality of the foregoing provisions, such measures may include,--

(i) the provision for adequate facilities, including legal aid, to the persons subjected to atrocities to enable them to avail themselves of justice;

(ii) the provision for travelling and maintenance expenses to witnesses, including the victims of atrocities, during investigation and trial of offences under this Act;

(iii) the provision for the economic and social rehabilitation of the victims of the atrocities;

(iv) the appointment of officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act; (v) the setting up of committees at such appropriate levels as the State Government may think fit to assist that Government in formulation or implementation of such measures;

(vi) provision for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provision of this Act;

(vii) the identification of the areas where the members of the Scheduled Castes and the Scheduled Tribes are likely to be subjected to atrocities and adoption of such measures so as to ensure safety for such members.

(3) The Central Government shall take such steps as may be necessary to co-ordinate the measures taken by the State Governments under sub-section (1).



(4) The Central Government shall, every year, place on the table of each House of Parliament a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this section.

Sir, this needs your immediate attention and rapid action. We urge the National Commission for Schedule Castes to make an example of this case that on all appearances amounts to a targeted hate crime against one of our most vulnerable sections of society.

We therefore urge you:

- to immediately hold an investigation and inquiry into the matters highlighted with respect to the acts committed by the accused under the Indian Penal Code, the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989;
- to monitor the investigation undertaken by the respective state Police (Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu, Telangana and Uttar Pradesh) and ensure that there is a fast-track trial and speedy delivery of justice;
- to monitor the prosecution and trial of all the incidents highlighted in this criminal complaint until substantive justice is delivered;
- to ensure that the family of the victim receives the necessary relief and reparation; • to ensure that data on such monitoring is made public digitally and that progress in this case is also visible and made public electronically and digitally.
- to take any other action as you may deem fit.

Yours sincerely,

Nandan Malsute, President

Teesta Setalvad, Secretary