

Review of Prevention of Atrocities on Scheduled Castes held with the Principal Secretary, Home, DGP, Addl. DGP, IG and other senior Police Officers of Government of Rajasthan held on 23

1.5.1 The DG Police, Rajasthan, Additional Chief Secretary, SW Rajasthan, Addl. DGP, IGs and other senior Police Officers of Rajasthan participated. The DG Police, Rajasthan welcomed the Commission.

- The Chairman / NCSC in his opening remarks said that the Commission was in Rajasthan as a part of its Constitutional mandate to monitor the implementation of safeguards and rights of the Scheduled Castes in the state. The review is an exercise undertaken to point out the areas of concern of NCSC and to sensitize the Government and State Police towards the same. The Commission had sent detailed proforma to the State Government and DGP for submitting detailed information on action taken regarding trends in atrocity cases, investigation, action taken for prevention of atrocities, payment of compensation to victims of atrocities, action taken by police on cases regarding death / injuries during manual cleaning of sewers / manual scavenging etc .
- Analysis of the replies to the various proformae and questionnaires of the Commission, data of NCRB, MSJE etc has been made by the Commission and detailed discussions will be held after a brief presentation on the findings and concerns of the Commission is given to the officers present. Responses of the State Government and DGP will be invited on the findings in the presentation during detailed discussions.

The main issues highlighting the areas of concern of the Commission in the presentation were:

1.5.2 Atrocities

- Reluctance of police to register cases and apply the sections of the amended PoA Act. Old provisions applied in many cases of 2017.
- Delay by District Administration to sanction monetary compensation at FIR stage, as per sections applicable.
- Recommendation for paying compensation as per POCSO Act not being made to DM

- Police not registering case under SC/ST PoA Act (as amended 2015) in cases of deaths during manual cleaning of sewers when victim is SC.
- As per Rules 46 of the SC/ST Act, the additional relief like pension to the widow , education up to graduation level of the children of the victim , 3 month rasanetc , has not been provided as recommendations not sent to DM by police.
- Setting up of exclusive Special Courts - necessary as per Section 14 of PoA Act
- Appointment of exclusive public prosecutors - necessary as per Section 15 of PoA Act.
- Outcome - Trial is completed in only 10-12% of pending cases p.a.

1.5.3 The total no of crimes against SCs show an decreasing trend from 2014 to 2017.

Table 1.13

Yr.	Total Cases		Rate of Crime		Murder Cases		Rape Cases		Other Cases	
	All India	Raj.	All India	Raj.	All India	Raj.	All India	Raj.	All India	Raj.
2014	40401	6735	20	55.1	704	83	2233	348	21541	6122
2015	38670	5911	19.2	48.3	707	71	2326	318	22632	5358
2016	40801	5134	20.3	42	786	66	2541	327	24328	4569
2017	NA	4046	NA	33.1	NA	61	NA	282	NA	3597
2018	NA	1164	NA	6.3	NA	19	NA	71	NA	1010

- 25 Exclusive special Courts have been set up , but status of 8 districts is to be ascertained.
- No exclusive public prosecutors - necessary as per Section 15 of PoA Act
- 15.60 % and 12.6 % of total crimes against SCs in India were found committed in Rajasthan in 2015 & 2016.
- State was ranked at no 3, 3 and 2 in crimes against SCs in 2014, 2015 & 2016 respectively.
- 13 districts are identified as sensitive.

- DM & SSP do not visit the spot where atrocities against SCs occur, while Rule 12 of the SC /ST PoA Rules mandates the visit.

1.5.4 Jaipur details :

- Jaipur ranks at no 1,2& 3 respectively in 2014, 2015 & 2016 in no. of atrocities among cities in India.
- In 2016 out of 219 cases of atrocities , 157 were closed and charge sheets filed only in 93.
- Of the 4 cases where trial finalised - 3 were acquitted.

1.5.5 Cases registered under section 156(3) of atrocities against SCs:

- 2014-15 – 3147 cases (c/s in 618 cases)
- 2015-16 – 2786 cases (c/s in 538 cases)
- 2016-17 – 1777 cases (c/s in 359)
- 2017-18 – 697 cases (c/s in 83 cases)
- Alwar , Bharatpur & Hanumangarh are top 3 districts with 156(3) cases in all the 4 years

This data shows that the SCs have to resort to approaching the Court for registering cases of atrocities against them.

1.5.6 Cases pending with Police

% of cases closed as final without charge sheets is very high ie. >50%

Table 1.14

Year	Total Cases for Investigation	Cases Charge sheeted	Total Cases with final report	Cases Pending Investigation at the end of the Year	Pendency Percentage	Pendency Percentage(All India)	Percentage of cases closed/ FR
2014	7723	2794	4041	488	11.5	25.1	52.32
2015	6799	2420	3639	732	10.8	29.7	53.52
2016	5866	2391	2953	521	8.9	29.6	50.34
2017	4121	1885	1775	461	11.18	NA	43.07

The percentage of cases which are closed or in which final reports are filed is very high ranging from 43 % to 53.52 % , while % of cases chargesheeted ranges from 35.5% to 45%.

1.5.7 Cases Pending in Court

- Trial is completed in only 10-12% of pending cases p.a

Table 1.15

Year	Total Cases for Trial During the Year)	Cases in which Trials were Completed	Cases Convicted	Cases Disposed off by Courts	Cases Pending Trial at the end of the Year	Pendency Percentage	Pendency % (All India)	Conviction rate Rajasthan(All India)
2014	12855	1691	750	1846	11009	85.6	85.5	44.3 (28.2)
2015	13429	1866	755	2009	11420	85.0	87.8	40.46 (27.1)
2016	13811	1215	541	1305	12506	90.6	89.6	44.5 (25.6)

1.5.8 District Level Vigilance and Monitoring Committee Quarterly meetings are to be held. In 33 districts a total of 132 meetings required annually.

- SSPs must participate in the DLVMC meetings to
 - inform DM of the stage wise progress of FIRs of atrocities against the SCs in the district
 - cases with minor victims so that the DM can release the compensation due as per rules.

1.5.9 Compensation given

Table 1.16

Year	Total Murder (murder cases where C/s filed)	Total Rape cases (rape cases where C/s filed)	Total Other (other cases where C/s filed)	Compensation due as per Rules {murder & rape} (in lakh)	Compensation due as per Rules Arson & Other cases (in lakh)	Expenditure (in Lakh) /Actual as per rule	No. of victims / dependents received compensation	Less Compensation paid (in Lakh)
2014-15	83(51)	348(204)	6122(2239)	701.64	230.50	847.36 932.14	2097	84.78
2015-16	71(54)	318(179)	5358(2103)	618.48	476.16	897.75 1094.64	1536	196.89
2016-17	66(33)	327(166)	4569(1821)	1770.75	406.62	999.99 2177.37	1440	1177.38
2017-18	61(7)	282(41)	3575(399)	1560.75	972.95	2562.62 2533.70	3054	28

1.5.10 Cases wise Information

2014-15

- 83 cases of murder - charge sheets have been filed in only 51 cases.
- 348 cases of rape - charge sheets have been filed in only 204.
- 20 case of Arson - charge sheets have been filed in only 11.
- 6122 cases of other - charge sheets have been filed in only 2239.

2015-16

- 71 cases of murder - charge sheets have been filed in only 54.
- 318 cases of rape - charge sheets have been filed in only 179.
- 21 cases of Arson - charge sheets have been filed in only 9.
- 5358 cases of other - charge sheets have been filed in only 2103.

2016-17

- 66 cases of murder - charge sheets have been filed in only 33.
- 327 cases of rape - charge sheets have been filed in only 166.
- 11 cases of Arson - charge sheets have been filed in only 4.
- 4569 cases of other - charge sheets have been filed in only 1821.

2017-18

- 61 cases of murder - charge sheets have been filed in only 7.
- 282 cases of rape - charge sheets have been filed in only 41.
- 5 cases of Arson - charge sheets have been filed in only 2.
- 3575 cases of other - charge sheets have been filed in only 399.

1.5.11 Implementation of Prohibition of Manual Scavenging Act

Sections of the Manual Scavenging Act and PoA act are not being added in FIRs where there are cases of death / injury during manual cleaning of sewers, despite the issue being emphasized by NCSC State Office ,Ahemdabad. Between 2015-16 and 2017-18 there have been 25 deaths caused due to manual cleaning of sewers, and the proper sections were not added in the FIRs. The above Act & the Judgement of Hon'ble Supreme Court has not been properly implemented.

Details of FIRs lodged , MS Act & section 3(i) (j) of PoA Act if applied & arrests made have not been informed in the following cases :

2015-16

- 3 deaths during manual cleaning of sewers in Ajmer ,
- 2 deaths during manual cleaning of sewers in Jaipur
- 2 deaths during manual cleaning of sewers in Jaipur

2016-17

- 3 deaths during manual cleaning of sewers in Bikaner.
- deaths in Udaipur

2017-18

- 4 deaths during manual cleaning of sewers in Udaipur.
- 2 deaths during manual cleaning of sewers in Dholpur .
- 4 deaths during manual cleaning of sewers in Alwar .

- 1 deaths during manual cleaning of sewers in Barmer .
- 2 deaths during manual cleaning of sewers in Jaipur .

1.5.12 Details of FIRs in 2 deaths in each year , in the following districts respectively have also not been given :

- 1995-96 (Naguar),
- 1996-97(Jodhpur) ,
- 2009-10 (1 each in Jhunjhunu&Alwar) ,
- 2013-14(Nagaur),
- 2014-15 (Alwar)

1.5.13 Implementation of Prohibition of Manual Scavenging Act

- The SC/ST PoA Act has not been applied in the cases whereas section 3(i) (j) of Act applies.
- Provisions of the MS Act also have to be applied in FIRs .
- Workers have to be fully equipped with safety apparatus & oxygen masks etc ,in case they have to clean sewers manually. Hence the FIRs have to be lodged against officials responsible / contractors responsible for sending un equipped persons for manual cleaning of sewers.
- DM has to be informed of the post mortem and other stages of investigation in order that the compensation is paid in time.

1.5.14 The DG Police then gave a presentation on crime against Scheduled Castes, as the detailed data in both the NCSC presentation & the Rajasthan Police presentation were based on NCRB statistics , the conclusions were essentially the same.

Response on the points raised by NCSC :

1.5.15 DGP agreed that the state has a very high number of FIRs filed after the orders of court ie after 156 (3) CPC but stated that the same is now showing a declining trend from 2015 onward due to strict monitoring.

Pendency % was 9.54 in 2017 and rate of conviction was 25.4 % in 2017 .

1.5.16 DGP stated that the number of charge sheets filed (atrocity wise) as stated by the Commission does not tally with the details available with them. When shown that the

data was taken from the information supplied by the State Government to the Commission, he agreed that there was some error and promised to send the year wise details to the Commission within 1 month.

1.5.17 There was a detailed discussion with each IG range on the action taken and status of grievous cases of atrocities like murder & rape as well as cases filed u/s 156(3) and the officers gave the details as follows :

1.5.18 Bikaner (Bikaner , Churu, Hanumangarh & Sriganganagar):

2017: 8 pending cases of murder & 2 of rape, 106 cases of 156(3)

1.5.19 Bharatpur (Bharatpur, Dholpur , SawaiMadhopur, Karoli):

- In 2017 out of 3 cases of murder in 1 case F/R was filed & in 2018 out of 6 cases of murder, FR was filed in 5 cases – reasons for FRs in murder cases need to be informed.
- Charge sheets were filed in only 6 out of 15 rape cases in 2017 & 3 out of 12 rape cases of 2018 . The outcome of the remaining 9 cases of 2017 is not known despite the time limit of 2 months for investigation having ended several months ago.
- There are 221 cases of 156(3).

1.5.20 Kota – [Kota (city) Kota (rural) , Bundi , Jhalawar & Bala]:

- 8 cases are pending and FR has been filed only in 15 cases of rape in 2017 out of a total of 45 FIRs registered. Of the 6 cases of murder in 2017 final report has been filed in 1 case.
- 2018 data was not available.

3.5.21 Udaipur :

- In 40 cases of rape in 2017 charge sheets have been filed in 27 only & final reports have been filed in 12 cases. Charge sheets have been filed in all 3 cases of murder. In 11 cases of rape in 2018 , charge sheet has been filed in 6 cases & 1 has been closed & charge sheets have been filed in 2 cases of murder.
- There are 19 cases under 156(3).

1.5.22 Ajmer (Ajmer , Tonk , Nagaur, Bhilwara):

- In 46 cases of rape in 2017, chargesheets have been filed in 25 cases only & details of the remaining 21 cases were unknown. Charge sheets have been filed in 8 cases of murder & details of the remaining case was unknown. In 17 cases of rape in 2018 , chargesheet has been filed in 6 cases .

- There are 173 & 49 cases under 156(3) in 2017 and 2018 respectively. In 48 out of these 173 and 16 out of 49 cases, charge sheets have been filed.

1.5.23 Jodhpur (city):

- Details of murder & rape cases were not available.
- There were 19 & 37 cases under 156(3) in 2017 and 2018 respectively. In 5 out of these 19 and 2 out of 49 cases, charge sheets have been filed.

1.5.24 Jaipur (Alwar , Sikar , Dausa & Jhunjhunu):

- In 69 cases of rape in 2017, chargesheets have been filed in 29 cases only, in 26 cases final reports have been filed, details of the remaining 14 are not known. Chargesheets have been filed in 3 out of 11 cases of murder, final reports in 3 cases & details of the remaining 5 cases was unknown.
- The officers did not have 2018 data.
- There are 294 cases under 156(3) in 2017. In 32 out of these cases, charge sheets have been filed.

1.5.25 Jaipur (city):

- In 17 cases of rape in 2017, chargesheets have been filed in 8 cases only, in 9 cases final reports have been filed. Chargesheets have been filed in both cases of murder. In 10 cases of rape in 2018, chargesheet has been filed in 3 cases and final report in 3 cases.
- There are 62 cases under 156(3) in 2017. In 7 out of these cases, charge sheets have been filed.

1.5.26 Jodhpur Range :

- There are 117 cases under 156(3) in 2017. In 24 out of these cases, charge sheets have been filed.

1.5.27 Commission expressed its concern on the large number of final reports in rape & murder cases and the lack of information displayed by the officers on the fate of a number of even such heinous crime cases. The officers were also unable to give details of the number of cases where cross FIRs have been filed against SCs in cases registered by the SCs. Chairman, NCSC explained to the officers that the cross FIRs are often used by opposite parties to intimidate and harass the SCs in cases where SCs file cases of atrocities. The police should take into account this aspect during investigation of such cross FIRs. DGP assured that the data on cross FIRs and the outcome of all the

heinous crime cases of 2017 and 2018 (up to March) will be collected & sent to the Commission within 1 month.

- 1.5.28** A list of 33 cases of serious atrocities being pursued by the State office of the Commission pertaining to 2017 and 2018 had been given to the officers and the outcome was called for in the meeting . However the officers were unable to give upto date status. The DG, Police assured an upto date report on these cases will be sent within 1 month.
- 1.5.29** Regarding the action to be taken by the Police in cases of deaths / injuries during the manual cleaning of sewers , the officers were unaware of the action taken by the field level officers in the year wise cases highlighted by the Commission.
- 1.5.30** The DG Police assured that detailed instructions will be issued to all districts for application of relevant sections of SC/ST PoA Act (as amended in 2015) and MS Act in cases of death / injury of SC persons engaged in manual cleaning of sewers / manual scavenging. He also committed that an upto date report on the status of action taken in these cases will be sent within 1 month

Summing up by the Chairman NCSC :

- 1.5.31** Chairman NCSC stated that the PoA Act (as amended in 2015) and Rules (as amended in 2016) need to be implemented in Rajasthan and there should not be any delay in the completion of the investigations and in filing of charge sheets. The 60 day time limit as per the PoA Act should be adhered to.
- 1.5.32** All FIRs should be lodged and no persons should have to resort to approaching courts for lodging of FIRs. The senior officers of Police should work towards reducing the large number of cases lodged u/s 156(3).
- 1.5.33** Cross FIRs against SCs should be reexamined to ensure that they are genuine and not lodged for the simple purpose of pressurizing the SC complainants.
- 1.5.34** He further urged that the Police should send details of the stage wise progress on the cases of atrocities to the DM in time, so that the monetary compensation as per the Prevention of Atrocities Rules, 2016 can be paid in time to the victims / families.
- 1.5.35** The DMs and SSPs should visit the spot where atrocities against Scheduled Castes occur. This is mandated as per Rule 12 of the Prevention of Atrocities Rules.

1.5.36 He urged Director General of Police , Rajasthan and Principal Secretary (Home) to review the action taken under the PoA Act and Rules regularly, and asked them to ensure that the commitments made to the Commission today may be compiled with and reported to the Commission within the committed time frame.

Minutes of state review meeting held on 23.05.2018 in Jaipur with Chief Secretary and other senior officers.

Minister of Social Justice, Government of Rajasthan (GoR), Chief Secretary, Rajasthan, Additional Chief Secretaries, Principal Secretaries, Secretaries, Commissioners, Directors etc. of Government of Rajasthan participated in the review.

- The Chairman / NCSC in his opening remarks said that the Commission has come to Rajasthan as a part of its Constitutional mandate to monitor the implementation of safeguards and rights of the Scheduled Castes in the state SC population which constitutes 17.81% of total population of the State. The review is an exercise undertaken to point out the areas of concern of NCSC and to sensitize the Government towards the same. The Commission had sent detailed proforma to the State Government for submitting detailed information on work done by state on schemes for welfare of SCs, Central Sector Schemes, Central Schemes & State Sector Schemes, other GOI schemes like PMAY, Ujjawala, Mudra, Stand Up, Jan Dhan, MNREGA etc, action taken regarding prevention of atrocities, payment of compensation to victims of atrocities, action taken regarding prohibition of Manual Scavenging etc.
- Analysis of the replies to the various proforma and questionnaires of the Commission, data of NCRB, MSJE etc has been made by the Commission. Detailed discussions will be held after a brief presentation by the Commission on the findings and concerns of the Commission on the core sectors mentioned. Responses of the State Government will be invited on the findings in the presentation during detailed discussions.

In the presentation the main issues highlighting the areas of concern of the Commission were:

1.4.2 Findings

- **Action on Schemes to alleviate SC poverty :**
 - Only 211,238 & 238 SCs were trained in dairy & animal husbandry schemes in 2014-15, 2015-16 & 2016-17.
 - 229 & 251, SCs were trained by handloom development board and fisheries deptt respectively between 2014-15 to 2016-17.

- 546,1394 & 1121 SCs were trained by SC /ST Finance and Development Cooperative Corporation in 2014-15,2015-16 & 2016-17. It was seen that the target and achievements by the Corporation has been reducing from 2014-15 to 2016-17 and achievement has come down to 43.38 % in 2016-17 from 76.52 % in 2014-15

- **Expenditure on schemes for welfare of SCs is much below the norm**

Table 1.6

Year	% of SC specific scheme Exp. to the total SCSP Expdt.	% of allocation of funds under SC specific scheme to the total state plan allocation	% of Exp. on SC specific schemes to the total plan allocation
2015-16	2.12	2.53	0.34
2016-17	6.96	6.95	1.13
2017-18 (Upto Sep., 2017)	8.41	6.62	0.54

- SCA unutilized funds were Rs 37.61 crore upto 2016-17.

Expenditure on Schemes for welfare of SCs (Rs in crore)

Table 1.7

Year	Total State Allocation	Allocation SCSP	% of Expenditure to total State Outlay	Expenditure SCSP to total SCSP outlay	Allocation SC Specific Scheme to SCSP Allocation	Expenditure under SC specific scheme to SC specific scheme Allocation	% expenditure under SC specific scheme to SCSP outlay
2015-16	111784.03	20022.46	17.91%	(89.45%) 17910.23	(2.53%) 506.55	(74.99%) 379.87	2.21%
2016-17	95052.95	17106.94	17.98%	(90.08%) 15410.91	(6.95%) 1188.91	(90.22%) 1072.62	6.96%

2017-18	81157.98	14432.25	17.78%	(36.77%)	(6.62%)	(46.73%)	8.41%
				5307.86	955.48	446.54	

1.4.3 The Commission noted that in 2016-17 :

- **No allocation made for:**
 - Soil and water conservation & running of college level hostels, hostel Bicycle Schemes , Ambedkar Peeth Yojana (SC specific schemes)
- **There was low expenditure by the following:**
 - Agriculture deptt (453.30 vs 611.32 cr)
 - PMAY (gramin) (61.12 vs 217.23 cr)
 - Irrigation deptt (182.37 vs 238.90 cr)
 - NRHM (4.23 vs 12.57 cr)
- **There was no expenditure on :**
 - National Rural Livelihood Project
 - DDU Gramin Skill Yojna
 - Placement based Skill Development Project
 - PM Krishi Sinchai Yojna (spl component)
 - Running of Girls Hostels
 - Development of Samble Village (SC specific schemes)
 - **There was expenditure booked under some schemes under SCSP like :**
 - DRDA Administration ,CAMPA ,Building of polytechnics ,Grant to DISCOMS of Jaipur , Jodhpur , Ajmer etc ,Directorate of Information & technology , Civil Aviation which are not SC specific.

Reason for expdt on these schemes booked in SCSP may be elucidated by GoR.

1.4.4 The Commission noted that in 2017-18 :

- **No allocation made for-**
 - Soil and water conservation , subsidy for solar projects, Running of College level hostel.
- **Low expenditure :**
 - Agriculture deptt (120.47 vs 693.12 cr)

- NavjeevanYojna (30.28 vs 2 cr) (SC specific scheme)
- MNREGA (271.15 vs 438.90 cr)
- Forestry deptt (6.57 vs 19.55 cr)
- SSA (631.18 vs 843.85 cr)
- Elementary education (785.29 vs 1116.16 cr)
- PM KrishiSinchaiYojna (47.37 vs 96.16 cr)
- RD & PR deptt (1121.64 vs 1854.55 cr)
- Women development (23.94 vs 54 cr)
- Nutrition (224.04 vs 325.39 cr)
- Running of girls hostels (2.65 vs 6.01 cr)

1.4.5 The Commission noted that in 2017-18

- **No Expenditure:**
 - Janashree BimaYojna , hostel bicycle scheme(SC specific schemes)
- **There was expenditure booked under some schemes under SCSP like**
 - DRDA Administration, University for animal & veterinary sciences ,Tourism department ,Grant to DISCOMS of Jaipur , Jodhpur , Ajmer etc ,Directorate of Information & technology ,Civil Aviation etc which are not SC specific.
- **Reason for expdt on these schemes booked in SCSP may be elucidated by GoR.**
 - *The GoR is to give reasons for no allocation, non / low expenditure in schemes for welfare of SCs, esp. the schemes mentioned above for 2016-17 & 2017-18.*

1.4.6 Literacy Rate

Table 1.8

General		SCs						Difference All India vs. Rajasthan			
Male		Female		Male		Female		General		SCs	
All India	Raj	Male	Female	Male (Raj)	Female (Raj)						
82.14	80.51	65.46	52.66	75.2	61.37	56.5	37.32	1.63	12.8	13.83	19.18

- Literacy rate of SCs are below All India literacy rate of SCs

- Difference between all India rates & state rate for SC males is 13.83%.
- Difference is much higher for SC females (19.18%).
- Decline in total no. of students in primary and middle school level between 2014-15 to 2017-18 which indicate high drop outs.
- Steps taken to reduce drop outs may be informed.
- No of SC graduates show an increasing trend which is good.

1.4.7 Pre Matric Scholarship

- Total no. of students 1663191; 1795477 & 1947488 during 2014-15, 2015-16 & 2016-17 respectively in secondary school.
- Total SC students enrolled 386279; 419416 & 467334 during 2014-15, 2015-16 & 2016-17 respectively.
- Details of SC students provided pre matric scholarship during 2014-15, 2015-16 & 2016-17 respectively are 234486; 181992 & 148946 show a continuous decrease.

1.4.8 Post Matric Scholarship

- Total no. of students enrolled 713504, 756915 & 936264 during 2014-15, 2015-16 & 2016-17 respectively.
- Total SC students enrolled 114843, 120871 & 149277 during 2014-15, 2015-16 & 2016-17 respectively.
- As per information 1,51,621 & 1,43,602 SC students received Scholarship during 2014-15 & 2015-16.
- 3,10,639 SC students received the scholarship during 2016-17.
- Reasons for the sudden increase to double the number of students paid scholarship in 2015-16 is not clear especially since the total enrolled SC students is given as 1,49,277. In 2014-15 & 2015-16 also more students than enrolled are shown as having given scholarship. The Government of Rajasthan may give the reasons for the same.

Details of students given pre and post matric scholarship in 2017-18 were not supplied even though the academic year has finished, Government of Rajasthan may furnish the details as well as give the reasons as asked for above.

1.4.9 SC hostels

Table 1.9

Type of hostel	No. of hostels	Observations
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Girls	67	
Boys	347	However 327, 326 & 350 hostels were shown as non functional during 2014-15, 2015-16 & 2016-17 respectively. The reasons for so many residential schools being non functional may be given by GoR.

1.4.10 National Rural Health Mission :

Table 1.10

Year	Total beneficiaries	No. of SC beneficiaries	% SC
2014-15	15596343	2651698	17.00%
2015-16	13858223	2647598	19.01%
2016-17	26096598	4436741	17.00%
2017-18	5067351	858930	16.95%

The % is good.

1.4.11 Land Schemes

Table 1.11

Year	Total Patta issued	SC beneficiaries	% SC
2014-15	26229	7150	27.26
2015-16	16229	5459	33.63
2016-17	32269	8722	27.03
2017-18	850216	176020	20.70

Average size of pattas is not known and may be supplied by GoR.

Figure of 2017-18 appears highly suspect as there is a huge jump in figures. The GoR may recheck these figures and let the Commission know the actual figures.

1.4.12 Pradhan Mantri Jan-DhanYojana (PMJDY)

- 2463441 accounts opened during 2016-17 and 3438 accounts have been opened during 2017-18.
- Details SCs with JD accounts under the scheme has not been given. Government of Rajasthan may supply the figures.

1.4.13 Stand Up Scheme (1 SC per bank branch)

- 215 SC applicants given loan out of total 1638 during 2016-17. The average SC loan size Rs 15.81 lakh ,whereas the average loan size is Rs 19.10 lakh for general.
- 399 SC applicants were given loan out of total 1425 during 2017-18 - average loan size Rs 23.80 lakh.
- Total no of bank branches of 14 PSU banks not given.
- (SBI has sanctioned only 46 loans in 2 years)

1.4.14 Mudra Loan

- In 2015-16 - 59698 SC applicants were given loan , total loans - 299566. **Average loan size Rs 32580/-**
- In 2016-17 - 73012 SC applicants were given loan , total loans 305120 . **Average loan size Rs 41,734/-**
- 2017-18 - 53793 SC applicants were given loan , total loans 375141 . **average loan size Rs 56512/-**
- The average loan size of general category loans are Rs 104665/- , 143073 & 147811/- in 2015-16, 2016-17 & 2017-18 which is approx 3 times the SC category loan.

Details of monitoring of these schemes by GoR and the reasons for the low number of Stand up and Mudra loans to SCs, lower average loan size may be taken from the banks and submitted to the Commission. Data from all PSU banks for all branches wrt Stand up scheme especially may be taken.

State Government may work on a system of regular monitoring of these schemes and inform the Commission of the same.

1.4.15 Pradhan Mantri Awas Yojna

- 49365 & 61181 houses to sanctioned SCs persons in PMAY gramian and ,365, 132 and 187 houses in PMAY urban respectively during 2015-16, 2016-17 & 2017-18.
- % of houses allotted to SCs in urban areas is 7.05,7.56& 6.18% respectively - below the SC population %.

How many SC houses out of these allocated have actually been constructed may be informed.

1.4.16 Ujjawala Yojana

- 466445 (27.07%) and 276047 (30.57%) connections to SC women out of total 1722694 & 902940 LPG connections were given during 2016-17 & 2017-18, which is good .

1.4.17 Education Loan

- 12100 and 6391 education loans - sanctioned during 2016-16 & 2017-18 (upto July, 2017).
- 639 & 202 SC students given education loan which is only 5.2% & 3.1% of total loans given.

1.4.18 MNREGA Scheme

Table 1.12

Year	Households issued job cards in (lacs)		No of Households provided employment (lacs)		No. of Person days generated (in lacs)		Avg days (in lakh)	
	Total	SC	Total	SC	Total	SC	Total	SC
2014-15	98.46	17.93	36.87	7.38	1686.19	332.34	17	18
2015-16	99.19	18.02	42.21	8.56	2341.25	487.83	23	27
2016-17	95.78	17.60	46.35	9.44	2596.75	537.59	27	30
2017-18	95.95	17.71		9.25	2397.75	500.08	25	28

- As per MNREGA Act, 100 days employment p.a is mandated.
- The average no of days of employment is 25 days p.a – much below the norm. Reasons for low employment and action plan to increase the same may be informed to the Commission.

1.4.19 Data on Services like :

- Representation of Scheduled Castes in services, backlog vacancies, number of cases of false caste certificates, redressal of grievances etc. have not been furnished despite several reminders/telephonic reminders. The details may be furnished to the Commission.
- The Commission noted that while reservation in services given to SCs is 16%, the population of SCs in the State is actually 17.83%.

1.4.20 Atrocities on Scheduled Castes :

- Police were found to be registering cases under the unamended sections of the SC/ST Prevention of Atrocities Act (PoAA) despite the fact that the Act and Rules thereof have been extensively amended in 2015 & 2016 respectively. There are delays by DM to sanction monetary compensation at FIR & chargesheet stages, as per sections applicable of the SC/ST Prevention of Atrocity Rules, 2016. DMs & SSPs are required to make spot visits in cases of murder & rape of SC victims, the visits are not being made.
- District administration is not drawing compensation component from Dr. Ambedkar Foundation/Jagjivan Ram Foundation to assist the victims & families or utilizing Central Victim Compensation Fund (CVCF) to help victims get additional assistance.
- In cases against minors, the compensation as per POCSO act not being paid.
- As per Rule 46 of the SC/ST Act, the additional relief like pension to the widow, education up to graduation level of the children of the victim, 3 month ration etc. has not been provided in even a single case.
- Compensation to the victims / families is not being paid as per rules and is delayed.
- Between 2014-15 to 2017-18 alone Rs 6737.85 lakh was the minimum due to be paid. Only Rs 5307.72 lakh has been paid in past 4 years (between 2014-15 to 2017-18). The cases need to be reviewed on a priority and the balance compensation of Rs 1430.13 lakh paid to the victims on a priority. The compensation should be paid as per the new Rules in cases from 2016 -17 onwards.
- In 2017-18 the action to sanction compensation has shown great improvement.
- The State Government needs to take action as per the provisions of the amended PoA Act and Rules and issue necessary instructions to the District Administration , District Police , SC/ BC and the women and child development departments for the same and also ensure the same are monitored by the State Nodal officer.

- 25 Special Courts set up - necessary as per Section 14 of PoA Act, as per data sent it was not clear as to whether they are exclusive courts or designated courts .However the GoR now made it clear that these are exclusive courts.
- Action plan for setting up exclusive courts in the remaining 8 districts may be elucidated.
- No exclusive public prosecutors - necessary as per Section 15 of PoA Act Action plan for appointing exclusive public prosecutors may be given.

1.4.21 State Level Vigilance & Monitoring Committee under the Chairmanship of Chief Minister is to meet twice in a year as per Rule 16(2) of the POA Rules.

- No meeting was held, SLVMC constituted on 23.12.2016. The Chief Secretary may take immediate steps to hold the SLVMC meeting at the earliest and ensure regular meetings in future.

1.4.22 District Level Vigilance And Monitoring Committee Quarterly meetings are to be held . In 33 districts a total of 132 meetings required annually.

- In 2014 only 82 meetings were held
- In 2015 only 96 meetings were held
- In 2016 only 112 meetings were held
- In 2017 only 86 meetings were held

1.4.23 Illogical DLVMC data as below has been supplied to the Commission :

- 2014 :Baran(10),Bundi(7),Pali(5)
- 2015 : Baran(5), Bundi(9), Pali(10),Chittorgarh(5)
- 2016 : Baran(13), Bundi(10), Pali(11),Chittorgarh(5), Bikaner(9),Udaipur(7)
- 2017 :Bundi(6),Churu(7),Dausa(6),Jaipur(10),Jodhpur(7),Pratapgarh(7)

The data supplied has many errors and the same should have been checked and rectified prior to sending it to the Commission. Corrected data may be furnished.

1.4.24 Implementation of Prohibition of Manual Scavenging Act :

The above Act & the Judgement of Hon'ble Supreme Court has not been properly implemented.

Details of FIRs lodged , MS Act & section 3(i) (j) of PoA Act if applied & arrests made have not been informed in the following cases :

1.4.25 2015-16 :

- 3 deaths during manual cleaning of sewers in Ajmer, Rs 5 lakh / family compensation has been given to 3 families

- 2 deaths during manual cleaning of sewers in Jaipur, Rs 10 lakh / family compensation has been given to 3 families .
- 2 deaths during manual cleaning of sewers in Jaipur– no compensation

1.4.26 2016-17 :

- 3 deaths during manual cleaning of sewers in Bikaner, Rs 5 lakh / family compensation has been given to 3 families.
- 2 deaths in Udaipur – nil compensation

1.4.27 2017-18 :

- 4 deaths during manual cleaning of sewers in Udaipur– Rs 10 lakh / family compensation has been given to 3 families
- 2 deaths during manual cleaning of sewers in Dholpur– Rs 10 lakh / family compensation has been given .
- 4 deaths during manual cleaning of sewers in Alwar – no compensation
- 1 deaths during manual cleaning of sewers in Barmer - no compensation
- 2 deaths during manual cleaning of sewers in Jaipur- Rs 2 lakh / family compensation has been given by State Govt. & Rs 2.5 lakh / family compensation has been given by Mandi Administration

1.4.28 Implementation of Prohibition of Manual Scavenging Act

- Details of compensation paid in 2,2,2,& 2 deaths in 1995-96, 1996-97 , 2009-10 & 2014-15 respectively have not been given.
- In 2 deaths in 2013-14 compensation @ Rs 10 lakh per family has been paid.
- The SC/ST PoA Act has not been applied in the cases whereas section 3(i) (j) of Act applies
- Provisions of the MS Act also have to be applied in FIRs .
- workers have to be fully equipped with safety apparatus & oxygen masks etc ,in case they have to clean sewers manually.
- hence the FIR have to be lodged against officials responsible / contractors responsible for sending un equipped persons for manual cleaning of sewers.
- In case the victims are SCs additional compensation to families as per Rule 46 of the PoA rules needs to also be paid.
- All municipal corporations etc have to take a policy of Rs 10 lakh sum insured / worker as per Hon'ble Supreme Court's directions. The workers have to be fully equipped with safety apparatus in case they have to clean sewers manually.

- *The State Government needs to issue comprehensive instructions to the District Administration and other officers concerned , including Police officers.*

1.4.29 Response of State Govt. to NCSC :

Cases pending in NCSC (HQs)

- In majority of cases the officers called have not come or sent very junior officers for hearings.
- The State Government needs to issue directions to the District Administrations and other officers concerned, including Police officers to be regular and prompt in responding to the NCSC and attend the hearings with full details .

Detailed discussions were held on the issues raised by the Commission in its presentation:

1.4.30 Literacy & education:

In the detailed discussions the Commission desired to know measures taken by the State Government to improve literacy rates , reduce drop out rates, especially as about 50% of the total students enrolled in primary drop out in middle school and a further 50% of the middle school children drop out by secondary school level. Reasons for the sudden increase to double the number of students paid scholarship in 2015-16 was asked especially since the total enrolled SC students is given as 1,49,277. In 2014-15 & 2015-16 also more students than enrolled are shown as having given scholarship. Reasons for non payment of scholarships to students in 2017-18 and to left over students of previous years were also asked.

Response of Govt. of Rajasthan :

The officers of Govt. of Rajasthan were unable to give the specific details asked for and stated that they will supply all details within 2 months to the Commission. They gave details of the Palanhar scheme where orphan children (including approx. 52000 SC children) are taken care of. The Commission appreciated the same.

1.4.31 Expenditure on Schemes for welfare of SCs :

It was seen that departments / schemes like agriculture, PMAY (gramin), irrigation , MNREGA ,forestry, elementary education , PM Krishisinchai Yojna ,RD & PR deptt, women development , nutrition etc had not spent most of the allocation in 2016-17 & 2017-18. SCA funds were unutilized were Rs 37.61 crore upto 2016-17. Poverty alleviation schemes helped only approx. 4500– 5000 beneficiaries between 2014-15 to 2016-17. CSS schemes with low expenditure especially from state component were food

security, sustainable agriculture, MNREGA, Swachh Bharat, SSA, NHRM & smart city. The Commission asked for reasons for the same.

Response of Govt. of Rajasthan :

The CS agreed that the allocation has been low and expenditure on SC specific welfare schemes has been very low when compared to allocation. However some departments stated that it appears that some wrong figures of expenditure of 2017-18 have been communicated by the SW Department to the Commission. The CS committed that the correct figures will be compiled and resent within 2 months. He assured that the Government will take steps to increase both allocation and expenditure on SC specific schemes. It was informed that the SC hostels are functional and incorrect data of nearly 350 non functional hostels was sent to Commission. Regarding installation of hand pumps, the GoR officers informed that 878 habitations with SC majority population will be targeted for providing of safe drinking water.

Regarding electrical connections the GoR officers informed that electric connections for agricultural to SC /STs are given on demand , there is no waiting list or waiting period& connections are subsidized to 4/5th cost.

The CS and other senior officers committed to ensure speedy expenditure, improved planning & regular monitoring in 2018-19 regarding schemes for welfare of SCs.

1.4.32 Implementation of GoI schemes on employment & skill/ entrepreneurship development :

Implementation of Central Government Schemes like Mudra loan, Ujjawala Yojna, PM Jandhan Yojna, Stand up scheme, Education loans:

1.4.33 Mudra loan , Jandhan Yojna , Stand up scheme :

- Details SCs with JD accounts under the scheme has not been given. GoR may supply the figures.
- Detailed reasons for the low number of Stand up (total 514 loans in 2016-17 & 2017-18) and low loan size of Mudra loans to SCs , lower average loan size in both stand up & Mudra schemes found by the Commission may be taken from the banks and submitted to the Commission .
- Commission desired that the implementation by Banks of these important schemes be monitored by GoR regularly so as to ensure that SC beneficiaries are receiving the due

benefits. Data on how many bank branches have given Stand up scheme loan to SCs / SC women out of total no. of bank branches in 2016-17 & 2017-18, how many SCs had applied for the loan ,average loan size etc need to be collected and analysed and sent to the Commission within 2 months. Similarly for Mudra scheme, data on how many SCs have received loans of Rs 10 lakh, how many between Rs 5-9 lakh & how many below Rs 1 lakh need to be collected, analysed and sent to Commission.

Response of Govt. of Rajasthan:

- CS agreed that the monitoring mechanism was lacking as they were dependent on the supply of information by the Bank . He assured that a monitoring mechanism will be put in place and data collected from implementing banks & sent to NCSC within 2 months.

1.4.34 Ujjawala Yojna :

- 27.07% & 30.57 % the total beneficiaries of this scheme were SC women.
- GoR informed that from April 2018,Seven new categories were being included in the beneficiary target of approx 20 lakh in the 599 gram panchayats.
- The Commission appreciated the work done in the scheme.

1.4.35 PMAY

- Of the 6.37 lakh houses sanctioned under PMAY (gramin) 2.97 lakh houses have been constructed. While the GoR gave the Commission the total number of SCs sanctioned PMAY (gramini) houses , the details of actual SC houses constructed under the scheme was not available. The CS committed that the actual figures will be compiled and sent within 2 months. Government of Rajasthan agreed that in PMAY (urban) the progress was slow but added that under the affordable housing scheme 18000 houses are to be constructed , out of which 8.69% have been allotted so far in 2017-18.

1.4.36 Reservation of industrial plots for SCs:

- To the queries of Commission regarding reservations in industrial plots / estates and allocation done to SCs, the GoR states that there are 342 plots / estates , but details of SC allottees was not known . *The said information will be sent to NCSC within 2 months.* The GoR further informed that there is a Bhamashah Swarozgar Yojna . The Commission suggested that this yojna and the Standup / Mudra yojnas can be linked so as to help SCs

1.4.37 Service related issues :

- The GoR informed that 1,08,000 vacancies (including 669 backlog vacancies) are in the process of being filled by 15.08.2018. In Education sector of the 3.36 lakh vacancies including 36,000 SC vacancies (13%) are in the process of continuous recruitment. The progress in the same may be informed to the Commission within 2 months.
- Regarding outsourced work details of whether contractors of municipal corporations, municipal councils and other outsourced agencies supplying manpower to Government departments etc. contribute to EPF & ESIC to be reported to the Commission after verification. The contractors & outsourcing agencies may be asked to employ as many SCs as possible.

1.4.38 Action to reduce Atrocities and status of compensation to victims / families:

- The Commission emphasized a few aspects needing the attention of the CS, PS (Home) and District Magistrates and desired that instructions on the concern raised by the Commission should be issued to all concerned.

The issues were :

- Timely and proper payment of financial compensation as per the amended SC/ ST Prevention of Atrocity (PoA) Rules 2016 .At least Rs 14.13 crore compensation is due to be paid to victims/ dependents from 2014-15 to 2017-18. The Government should take steps to release the same and in future regularly monitor the same and ensure the stage wise compensation as per the POA Rules 2016 is paid timely to victims / families.
- Compensation as per POCSO act not being paid where victim is a minor.
- As per Rule 46 of the amended PoA Rules 2016, the additional relief like pension to the widow, education up to graduation level of the children of the victims, 3 month ration etc. is not being provided.
- DMs & SSPs are required to make spot visits in cases of murder & rape of SC victims, the visits are not being made.

Instructions should be issued to all DMs and SSPs and the Commissioners / IG zone as well as the SW and Women and Child Welfare Departments to ensure all of the above.

The CS assured that necessary instructions will be issued on a priority and steps will be taken to release the pending compensation of previous years.

- The Director SW, gave a brief presentation on the recently developed net based programme by which the details of the PoA cases at thana level are available to the SW officers for sanction of the compensation amount as per the PoA Rules. This programme has helped in the timely sanction of the compensation amount in 2017-18.

The Commission commended the GoR for its initiative and asked that a brief presentation on the programme may be sent to the Commission so that it may be showcased by Commission to other State Governments for implementation as a good practice.

- The CS assured that necessary instructions regarding the handling of atrocity cases will be issued on a priority and steps will be taken to release the pending compensation of previous years as well as for the regular holding of the SLVMC & DLVMC meetings.

1.4.39 Implementation of Prohibition of Manual Scavenging Act :

The Commission had found that the above Act & the judgement of Hon'ble Supreme Court has not been fully implemented. The amount paid to families of victims is less than stipulated or not paid at all as pointed out in detail in its presentation .

CS agreed to issue necessary instructions on all the above points to the officers concerned. He assured that the implementation will be monitored and action as per rules will be taken in all the cases of death / injury during manual cleaning of sewers as mentioned by the Commission, compensation released and action taken report will be sent to NCSC within 2 months.

Summing up the discussions the Chairman, NCSC appreciated the efforts of officers. He stated that there are shortcomings in implementation of Government Schemes, Centrally Sponsored Schemes etc. which have been pointed out during the review, there is need to regularly monitor the same to ensure that the benefits of these schemes reach the target SC population and help in their economic and social upliftment. He urged Chief Secretary to review the SCSP urgently as the state was lacking in the implementation of the same. CS should monitor action taken under the POA Rules and also regarding implementation of the MS Act, regularly in his regular meetings with officers also. The Principal Secretary (Home) should also regularly follow up the action taken by the police in cases of atrocities against SCs. There is need to urgently issue necessary instructions as pointed out by the Commission.

He asked CS also take steps to immediately arrange meeting of the State Level Vigilance & Monitoring Committee. He desired that the details asked for by the Commission may be compiled and sent to the Commission in the committed time frame.

Chief Secretary Rajasthan assured the Commission that action as desired by Commission on various issues will be taken and the detailed reports as asked for will be submitted to the Commission in the time frame as fixed.