

National Coalition for strengthening SCs & STs (Prevention of Atrocities) Act (NCSPA)

National Meet

on

Enforcement of SCs & STs (PoA) Amendment Act 2015

National Coalition for Strengthening SCs and STs (PoA) Act (NCSPA) organised a **National Level Meeting on 11th August, 2017** at the **Constitutional Club of India, New Delhi** to raise the voice of Dalit and Adivasi communities on the **Constitutional promise that has not been met** on the **enforcement of the newly amended SCs and STs (PoA) Act 1989** and to condemn the **increase in gruesome atrocities** committed against Dalit and Adivasi communities in recent past. A promise that **needs to be respected by the ruling State and Central Governments** and Opposition parties through their **actions and a political will** to achieve this end. **More than 100 participants** including leaders of Dalit and Adivasi organisation and activist participated in the event. The **event was graced by Mr. Ramdas Athawale**, Minister of State for Social Justice and Empowerment.

Dalits and Adivasis communities, leaders and activists shared that they waited for the long-delayed Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Bill, which was **subsequently passed by the Lok Sabha and came into force on 26.01.2016**. **But even after the passage of more than one year** the new provisions of **SCs and STs (PoA) Amendment Act 2015 are not being enforced in a proper manner**. Dalit and Adivasi organizations and activists across the country shared how Dalits and Adivasis communities have been still suffering from inhuman atrocities like **murders and mass-murders, social boycott and economic boycott, mass arsons, rapes, gangrapes** etc, in different parts of our country, on a daily basis. These are few examples and many of the cases go **unreported and are compromised**. Even though the amendments came into force in January, 2016, mandated **Exclusive Special Courts have not been set up** in states, **offences are not registered under the correct sections** of the amended act, **compensation is not provided** as per the newly amended rules and **many other newly amended provisions** are being **flawed** in many ways. The participants **shared their state level experiences** on the **status of implementation** of amended Act and Rules. **Strategizing steps for monitoring and activating** the enforcement agencies for the effective implementation of the amended Act and Rules and **monitoring the functions and securing adequate financial provision** for establishing **Exclusive Special Courts** and **relief & rehabilitation** mechanisms under the Amendment Act.

The meeting ended with a **specific call** to the enforcement authorities: **Robustly, enforce and implement** the **new provisions of the amended SCs and STs (PoA) Act 1989**. **Take swift and robust action against the dominant caste perpetrators** violating the human rights of Dalits and Adivasis. **Conduct an open and transparent investigation** under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 **and prosecute those Government and police officials** who are found to have **aided and abetted criminals**. Robustly, implement the establishment of **Exclusive Special Courts** mandated in the amended act for speedy trials.

Some of the follow up actions which came out altogether with the suggestions of the participants were: Bringing National and State Level Status reports and Fact Sheets on the implementation of the SCs and STs (PoA) Act 1989 and Rules 1995 in vernacular languages. Public hearings and roundtable conferences with the enforcement officials. Need to organize capacity

building programs for the Dalit human rights defenders, organizing legal clinics for the victims and witnesses, Organize sensitization programs for SPPs/Judges/Police officials and other officials, motivating Dalit and Adivasi advocates to become SPPs of victims choice, follow up of some of the major massacres so as to bring case laws under SCs and STs (PoA) Act 1989, using more and more **“Atrocity and Tracking Monitoring System”** as a tool to follow up the cases etc.