

**Implementation of
Scheduled Caste and Scheduled Tribe
(Prevention of Atrocities) Act, 1989**

**Karnataka State Report for the year 2016
Along with the recommendations to the Chief Minister**

October 2017

**Committee for Monitoring and Strengthening
SCs/STs in Karnataka (CMASK)**

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EDITORIAL

I am placing before you the eighth report on the status of implementation of SC/STs (Prevention of Atrocities) Act 1989 prepared and published by and in collaboration with Committee for Monitoring and Strengthening SCs/STs in Karnataka(CMASK) Karnataka Dalita Mahila Vedike in the hope that it is going to be helpful in the implementation of the Act in the days to come.

The ground realities reveal that cases of atrocity against SC/STs continue to be happening as usual. Because, during the reporting year, a total number of 1912 atrocity cases have been reported - i.e. 5 to 6 incidents of atrocity are being reported every day. This means an incident of atrocity against SC/ST is happening every four hours. Similarly, a total number of 164 rape cases have been reported during this year. That means for every two or three days a woman belonging to SC/ST is being raped. It has been found more number of rapes were committed against women belonging to SC - 125 cases and ST-39 cases.

A total number of 78 murder cases pertaining to the murder of SC/STs have been reported during 2016 in Karnataka State. That means for every 4 or 5 days a person belonging to SC or ST is being murdered. When we consider the data related to murder cases, we find that more people belonging to SC were the victims in the murder cases.

This reports takes a critical look at the performance of Karnataka State Government in the implementation of Prevention of Atrocities Act during 2016. This report has been prepared based on the information obtained from the public domain and information available under RTE rules (SWD,DCRE and DPP). Therefore, this report has its own significance as well as limitations. All information obtained for this report have come from government sources and the same can be obtained from the government officials.

The present government has so far conducted three meetings of State Vigilance and Monitoring Committee as per the Rule 16(1) of Prevention of Atrocities Act (POA) and further provided a good beginning towards the implementation of POA by enforcing Karnataka Scheduled Caste and Tribes Sub-plan (Financial Resources Plan, Division and Utilisation) Act 2013. We were hopeful that the government would come forward towards addressing the shortcomings and challenges in the implementation of both these Acts in letter and spirit. However, the Act is not being implemented as well as we had hoped.

The report provides necessary tools for the implementation of Constitutional legislations and Restrictions such as (I.P.C & Cr.P.C) and POA. We are confident that these tools will help all those who are engaged in the protection of human rights.

The amended Rules of 2015 to the SC/ST (POA) Act 1989 have been provided in this report for the information of the general public. Besides, some of the aspects related to the Prevention of Domestic Violence Act 2005 and Protection of Children from Sexual Offence (POCSO) (No. 32 of 2012/SL no. 32 of 2012) have been added to this report for public information.

We are confident and hopeful that this report will be successful in addressing the limitations in the implementation of the Act and realising the vision of the Act.

Yashodha P.
State Convener-CMASK & KDMV
Bengaluru, 25th October 2017

Part -1

**Scheduled Caste and Scheduled Tribe 1989 & Amendment Act 2015
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Facts

We have consolidated our findings and facts that have emerged after analysing the extent to which the SC/ST (Prevention of Atrocities) Act-1989 has been Implemented in Karnataka State during 2016. This report has been prepared based on the data obtained officially from the government departments.

In Karnataka state a total number of 2037 atrocity cases were reported during 2015. However, during this year i.e. in 2016 there has been, a reduction in the number of reported cases. In all 1912 cases were reported. It is heartening to note here that there has been a reduction of 6.13% of reported cases of atrocities during this year from the figures of 2015. There may be several reasons for the decline in the number of reported cases of atrocity. Firstly, even if an atrocity had been committed, it may have gone unreported. Secondly, even if the case has been reported, such cases may not have been properly registered. Thirdly, the information from various departments may not have been properly consolidated. The reasons for our doubts are based on the information pertaining to the cases registered in courts. While the number of atrocity cases reported during this year is 1912, the number of cases that were registered under POA and PCR is 1825. Similarly, from one source we got the information that the number of murder cases was 78 and as per another source the number of murder case is only 48. Similar discrepancies could also be found in rape cases. It was seen that a total number of 164 rape cases were registered under POA Act , but as against this only 137 rape cases were registered under POA and PCR. Since discrepancies/differences were seen in the statistics, the claim that the number of atrocity cases has come down during this year has been questioned by this report.

The fact of the matter is that atrocities against SC/STs are happening as usual even today. Because, the current year has reported a total number of 1912 atrocity cases-i.e. 5-6 atrocity cases are being reported every day. It means for every four hours a person belonging to SC or ST is being subjected to atrocity. Similarly a total number of 164 rape cases have been reported during this year. That means for every 2 or 3 days a woman belonging to SC or ST is being raped. It has been seen that more number women belonging to SC are the victims in rape cases (SC- 125 cases and ST-39 cases). In Karnataka state a total number of 78 murder cases pertaining to the murder of SC/ST have been reported during 2016. That means for every 4 or 5 days a person belonging to SC/ST is being murdered. When we take the total number of murders, we find that more persons belonging to SC were the victims of murders. Out of the total 78 murder cases, 67 persons belonging to SC and 11 persons belonging to ST were murdered. It is alarming to note that the rate of murder cases has increased by 13% from the previous year (in 2015 the total number of murder cases was 69 and this has increased to 78 during this year).

While the number of murders of persons belonging to SC has gone up by 42.55% (47 murder cases in 2015 and 67 cases in 2016) during this year, the number of murder cases of persons belonging to ST has come down by 50% (22 murder cases in 2015 and 11 cases in 2016). Although the murder cases have shown a declining trend, we strongly condemn/deplere the murders that have been committed.

When we take the overall cases of atrocity, it becomes evident from the statistics that more number of atrocities have been committed against persons belonging to SC. The number of murder and rape cases related to SC has been increasing every year. This certainly is not a desirable development in the interest of the all round development of the state and the community. It has been seen that people belonging to SC are the worst affected by the severity of atrocities. Out of the total 1912 atrocity cases that have been reported, 1526 cases related to the people belonging to SC and 386 atrocity cases related to the people belonging to ST.

As per the statistics of 2016 obtained from the courts it can be seen that a total number of 5329 cases have been registered in the courts. These statistics include the figures of pending cases of 2015. While the number of cases that was reported during this year was 1475, the number of pending cases from the previous year was 3854.

Out of 1096 cases that have been settled in the courts, 53 cases have ended up in conviction; 955 cases have ended up in acquittals and 88 cases have been settled in some other forms. That means this year also the rate of conviction is merely 4.83% and the rate of acquittals is 87.13%. These figures make us wonder whether SC/STs really get justice from our courts. While the rate of conviction in 2015 was 4.43%, it was 5% in 2014. That means the rate of conviction in our state has never crossed 4% or 5%. This is a clear message that our courts are not functioning in accordance with their constitutional mandate of protecting the rights of SC/ST.

When we take a look at those cases which have ended up as B' Report cases, while the number of 'B' Report cases was 333 in 2015, it has gone up to 356 in this year. While the ratio of 'B' Report was 16.34% in the previous year, it has increased to 18.61% in this year. In other words, the ratio of 'B' Report cases has witnessed an increase of 2% during this year. This is not a satisfactory development. The Special Prosecutors have to ensure that the ratio of 'B' Report cases does not increase.

When we take up for review the meetings of "District Vigilance and Monitoring Committee" which have to be compulsorily held in every district, the total number of such meetings has witnessed an increase from the number of such meetings held in the previous year. This is indeed a commendable development. While 71 District Vigilance and Monitoring Committee meetings were held in 2015, during the current year a total

number of 95 meetings were held. However, four meetings which must compulsorily have been held during this year were held only in 11 districts by the District Commissioner and only one meeting was held in Bidar district. The irresponsible manner in which the District Commissioner conducted merely one or two meetings is very deplorable. Because, the chairperson of the District Vigilance and Monitoring Committee happens to be the District Commissioner of the respective districts and they have to conduct these meetings in time.

Similarly, the meetings of "State Vigilance and Monitoring Committee" which have to be held at state level twice in a year under the chairmanship of the Chief Minister were also not held as per the norm. Instead only one such meeting was held during this year. Last year also only one such meeting was held in the state. Hon'ble Chief Minister has to pay more attention to this issue.

Scheduled Castes/Scheduled Tribes of Karnataka

As per the Government of India Census 2011 the total population of Karnataka is 61,095,297. Out of this 30,966,657 are men (50.69%) and 30,128,640 (49.31%) are women. Under scheduled castes (SC-Dalit) there are 10,474,992 people (women: 5,210,447 and men: 5,264,545) and they constitute 17.15% of the total population of the state. Kolar has the maximum number of SC population (30.3%), followed by Chamarajanagara. Udupi district has least number of SC population (6.41%). 71% of this population are in rural areas (the total average of the state is 61%).

Under scheduled tribes of Karnataka there 4,248,987 people (women: 2,114,233 and men: 2,134,754). They constitute 6.95% of the total population of the state and are basically found in the rural areas of the state. This is 20% more than the total state rural average figures. Eight districts in the state have more than 2 lakh ST population: Bellary (18.4%), Raichur (19.03%), Mysore (11.15%), Chitradurga (18.23%), Belgaum (6.22%), Bidar (13.85%), Davanagere (11.98%) and Tumkur (7.82%) and these constitute 57% of the total ST population of the state. Except the above districts, when we consider the overall percentage-wise statistics of population, we can find that these district have more than 10% of ST population: Yadagiri (12.51%), Chikkaballapura (12.47%), Koppala(11.82%), Chamarajanagara (11.78%) and Coorg (10.47%).

Areas more prone to atrocities in Karnataka

The government of Karnataka has declared 15 districts out of 30 districts as having a tendency to have more atrocities. However, only 8 districts have separate Special Courts: Belgaum, Bijapur, Gulbarga, Kolar, Mysore, Raichur, Ramanagara and Tumkur. Although there are more pending cases in the remaining 22 districts, no Special Courts have been set up in those districts. Though Dharwad, Bidar, Chitradurga, Shivamogga, Belgaum, Bengaluru, Mandya and Hassan districts have been declared as ' districts

having a tendency to have atrocities, Special Courts have not yet been set up in these districts.

The total number of atrocity cases that have been reported from all the courts of the state during 2016 is 5329. Out of 5329 registered cases, only 1096 cases have been settled in the courts. That means only 20.56% of the cases have been settled. While 21.22% of the cases were settled during 2015 (the total number of cases reported during 2015 was 4891 out of which 1037 cases were settled), the percentage of settled cases during 2016 has come down to 20.56%. This is indicative of the slow pace with which the courts went about settling the atrocity cases.

Crimes against SC/STs

The total number of atrocity cases reported during this year is 1912. However, when we take a look at the statistics pertaining to the cases that have been settled in the courts, we find that a total number of 1475 cases have been registered in the courts. Various departments of the government have to explain this discrepancy between the number of cases reported and registered in the courts.

It has been found that out of the 1912 cases that have been reported, maximum number of cases was reported from Bangalore Urban District which alone accounts for 199 atrocity cases that have been registered during this year. Next comes Raichur district which has 100 reported cases of atrocity. Mysore district is placed third having a registered 108 cases. Dakshina Kannada district is in the fourth place having registered 98 cases and Hassan is in fifth place having registered 96 cases.

However, when we review the overall picture of the cases that have been settled in the courts, we find that out of the total 1475 atrocity cases, a maximum number of cases were registered in Raichur district which occupies the first place by registering 93 atrocity cases. Belgaum district which has registered 86 atrocity cases is in the second place. This is followed by Begaluru Rural District (84 cases), Mandya (79 cases), Bangaluru Urban district (78 cases) and Hassan (68 cases) which respectively occupies third, fourth, fifth and sixth places.

If the cases that have been registered under POA and PCR are taken into consideration, it becomes evident that the number of atrocity cases in Bangaluru Urban district is much more than the rest of the districts. Raichur and Bangaluru Rural districts come in the second and third place.

As for murder cases we find that Bangaluru Rural is once again in the top spot. During this year a total number of 9 murder cases have been registered in this district. Out of these 9 cases 8 cases pertained to SC and the remaining case pertained to ST. Tumkur and Gulbarga districts have each registered 8 murder cases and both these districts are in

the second place. Bijapur district is in third place having registered 7 murder cases. Mandya, Dharwad and Hassan have each registered 4 murder cases and these districts are in the fourth place. Bengaluru Urban, Chikkaballapura, Bellary, Bidar and Raichur districts are in the fifth place -each having registered 3 murder cases. While 69 murder cases were registered in the previous year, 78 murder cases were registered in 2016. Overall there has been an increase of 13.04% in murder cases from the previous year. This is not a desirable development.

Similarly a total number of 164 rape cases were registered during this year. Out of these 16 rape cases were reported from Shivamoga District which has been ranked first. One significant issue that deserves to be noted here is that all 16 victims of rape cases were women belonging to the SC. Dakshina Kannada district is in second place having registered 14 rape cases out of which 11 cases pertained to the rape of women belonging to the SC and the remaining 3 victims belonged to ST. Chikkaballapura district is in third place having registered 11 rape cases out of which 8 cases pertained to the rape of women belonging to the SC and the remaining 3 victims belonged to ST.

Koppala and Mandya districts have each registered 10 rape cases and both these districts are in the fourth place. Out of 10 rape cases registered in Koppala district 6 cases pertained to the rape of women belonging to the SC and the remaining 4 victims belonged to ST. Similarly, out of 10 rape cases registered in Mandya district 5 cases pertained to the rape of women belonging to the SC and the remaining 5 victims belonged to ST. Raichur and Bijapur districts have each registered 9 and 10 rape cases and they are in fifth and sixth place respectively.

Out of total 1912 atrocity cases, 78 were murder cases, 164 were rape cases and the remaining 1670 were other cases of atrocity (grievous injury, detention, setting on fire, kidnapping and other forms of atrocities).

Last year, Bagalkote was in the first place by registering maximum number of murder/attempt to murder cases (13 murders). It is heartening to note that this district has not registered any murder cases. Likewise, Raichur was in the first place in the previous year (2015) by registering 21 rape cases. As against this, it has registered only 21 rape cases during this year and is in fifth place. However, the fact that Shivamogga district which was in eighth place in 2015 by registering only 4 rape cases finding itself in the first place in rape cases (registering 16 rape cases in this year) is indeed an alarming development. Another parallel to this trend although in different case is Bengaluru Rural which was in sixth place during 2015 by registering only 3 murder cases has jumped to the first place by registering 9 murder cases during this year. This too presents an undesirable scenario.

Thus, when all cases are taken into consideration along with the statistics pertaining to the cases reregistered under POA and PCR, Bengaluru Urban district is in the first rank by registering 199 atrocity cases followed by Raichur (110 cases), Mysore (108 cases), Dakshina Kannada (98), Hassan (96), Belgaum (95), Tumkur (85), Chikkamagalur (82), Mandya (74) and Bellary (72)-these districts occupy the first ten places. Gadag district has registered the least number (19 cases) of atrocity cases during this year.

What we have to note here is the fact that Bengaluru Urban district has been occupying the first place for the last five years in registering the atrocity cases (126 atrocity cases in 2012, 122 in 2013, 151 in 2014, 114 in 2015 and 199 in 2016). This indicates that every year the atrocity cases are increasing in this district. We can see an increase of 38.19% from the last year in the number of atrocity cases registered in this district. The fact that Bengaluru Urban district which is the state capital and home to citizens from all corners of the country and supposed to provide safe, friendly and crime free environment to all its citizens has come to occupy the first place in atrocity cases is indeed shameful and a blot on the image of the city.

Atrocity cases as reported-2016

Bengaluru Urban (199 cases), Raichur (110 cases), Mysore (108 cases), Dakshina Kannada (98 cases), Hassan (96 cases), Belgaum (95 cases), Tumkur (85 cases), Chikkamagalur (82 cases), Mandya (74 cases) and Bellary (72 cases) - these districts occupy the first ten places and these districts have registered more than 70 atrocity cases during this year.

Similarly Bijapur (69 cases), Shivamogga (69 cases) and Yadgir districts have registered more than 60 atrocity cases during this year. Other districts which have registered more than 50 atrocity cases are: Kolar (59 cases), Koppala (56 cases) and Dharwad (55 cases).

The districts which have registered more than 40 atrocity cases are: Bengaluru Rural (48 cases), Haveri (48 cases), Chikkaballapura (42 cases), Davanagere (41 cases) and Bidar. These districts have registered more than 30 atrocity cases: Chitradurga (39 cases), Bagalkote (38 cases), Udipi (33 cases) and Uttara Kannada (32 cases). These districts have registered more than 20 atrocity cases: Chamarajanagara (24 cases), Kodagu 24 (38 cases) and Ramanagara (22 cases). Only Koppala district has registered less than 20 atrocity cases (19 cases).

Thus, atrocity cases have been reported from all 30 districts of the state. Throughout the state of Karnataka, atrocities against SC/ST people continued to be committed. While Bengaluru Urban has been in the first place in atrocity case chart for the last five years, Raichur district has been in the first three places for the last three years (In 2014-133 cases, 2015-116 cases and 2016-110 cases). Although the number of atrocity cases that

were registered during this year has come down from the previous year, Raichur continues to be in the second place in registering atrocity cases during the current year also.

Bengaluru Rural was in the fourth year place during the previous year by registering 99 atrocity cases. It improved its record this year by reducing the number to 48 cases and placing itself in sixteenth rank. This marks a significant improvement and a very satisfying trend.

Similar trend was seen in Ramanagara district which has registered only 22 atrocity cases during this year as against 58 cases during 2015- more than 50% decrease in the number of atrocity cases.

Cases settled in courts -2016

The total number of cases that have been reported to the courts during the current year is 1475. As per the available information it has been found that Raichur District has witnessed the maximum number of atrocity cases (93). This is followed by Belgaum (86) and Bengaluru Rural (84) -having witnessed the next highest number of atrocity cases. As per the available data Bengaluru Urban district was seen to have registered only 78 atrocity cases. Ramanagara District has also emerged as one of the districts having least number (17) of atrocity cases registered during this year. This is a very satisfying development.

We obtained the following information when we reviewed the overall cases that have been settled by the courts:

During this year Kolar has settled 83 cases - the maximum number of cases being settled by any district in the state (total cases during this year 54 and pending cases 168 - total 222 cases). Out of 222 cases 83 cases have been settled - making the settlement ratio of 36.72%.

Chitradurga district has settled 77 cases out of the total 105 cases that have been reported (cases during current year: 26 and pending cases: 79 - total 105 cases). Out of these 77 cases have been settled - making the settlement ratio of 73.33%.

Belgaum district has settled 77 cases out of total 272 cases that have been reported (cases during current year: 86 and pending cases: 186 - total 272 cases) making the settlement ratio of 27.79%.

Belgaum district has settled 77 cases out of total 121 cases that have been reported (cases during current year: 29 and pending cases: 92 - total: 272 cases) making the settlement ratio of 63.66%.

Tumkur district has settled 67 cases out of total 275 cases that have been reported (cases during current year: 53 and pending cases: 222 - total 275 cases) making the settlement ratio of 24.36%.

Bangaluru Urban district has settled only 35 cases out of total 262 cases that have been reported (cases during current year: 78 and pending cases: 184 - total 262 cases) making the settlement ratio of 10.51% .

Similarly, Bangaluru Rural district has settled only 13 cases out of a total 356 cases that have been reported (cases during current year: 84 and pending cases: 272 - total 356 cases) making the settlement ratio a mere 3.65%. This is certainly a blot on our system.

Uttara Kannada district presents a even more pathetic scenario. Because, at the beginning of this year a total number of 77 atrocity cases (21 cases of the current year and 56 pending cases) were registered in the court. As against this at the end of the year only one case has been settled making settlement ratio a abysmal low of 1.29%. What is the Special Public Prosecutor doing here? Is it not natural that this question haunts us all?

During this year a total number of 5329 cases (including cases during the current year - 1475 and 3854 pending cases) have been registered in various courts. As against this only 1096 number of cases have been settled making the settlement ratio a meager 20.56%. If the courts continue to function at this pace the number of pending atrocity cases will undoubtedly pile up every year. Justice to the victims and their community can be ensured only if atrocity cases are settled on war footing by our courts. It is our sincere hope that the Special Courts will work more vigorously towards speedy settlement of these cases.

Cases which have culminated in conviction in the courts - an over view 2016

The conviction ratio of 5% during this year is no different from the previous year's ratio and the performance of the courts of our state as in the previous year, continues to be very dismal. The rate of conviction during this year is 4.83% and this is indeed a blot on our system. Out of 30 districts of the state, 8 districts (Bengaluru Urban, Bengaluru Rural, Bellary, Dakshina Kannada, Gadag, Raichur, Udupi and Uttara Kannada) have recorded 0% of conviction. It becomes evident from these figures that the Special Public Prosecutors in this state have not been functioning properly.

The maximum convictions during this year have been reported from Gulbarga district. Of all the 9 atrocity cases all have culminated in conviction and this is a very satisfying development. Equally heartening is the performance of Chikkaballapura district where 8 atrocity cases have culminated in conviction. Other districts where the cases have culminated in conviction albeit to a lesser extent are: Kolar (5 convictions), Ramanagara

(4 convictions) and Tumkur (4 convictions). Yadgir, Mysore, Mandya, Coorg, Hassan and Davanagere districts have reported 2 convictions each.

Similarly, Bagalkote, Belgaum, Bidar, Bijapur, Chamarajanagara, Chikkamagalur, Chitradurga, Dharawad, Haveri, Koppala and Shivamogga districts have reported one conviction each.

Overall the conviction rate during this year stands at only 4.83 and the situation requires our courts to work resolutely and sincerely and strive towards increasing the rate of conviction in the state.

Performance of Special Public Prosecutors (S.P.P.s)-2016

During this year out of 199 atrocity cases reported in Gulbarga district, 9 cases have culminated in conviction. In this regard, Sri S.A. Paste, the SPP of the district has shown praiseworthy performance. In all he has settled 52 cases and 41 cases have resulted in acquittals.

Although a Special Court does not exist in Chikkaballapura district, Mrs. B.Arunakshi, the SSP of the district has done a commendable job by ensuring conviction for 8 atrocity cases and she occupies the second rank in the list of SPPs who were responsible for the getting conviction for atrocity cases. In all she has settled 53 cases; 42 cases have resulted in acquittals and 3 cases were settled through other forms. Her conviction ratio is 15.09%.

In Kolar district which has a Special Court, Mr. B.M. Nagaraju, SPP (In-charge) of the district has ensured conviction in 5 cases and he is in the third place in the list of SPPs who were responsible for the getting conviction for atrocity cases. His conviction ratio is 6.02%.

Next come the SPPs of Tumkur and Ramanagara districts who have each ensured conviction in 4 cases and they are placed fourth in the list. Mrs. K.H. Srimathi, SPP (In-charge) of Tumkur and Mr. L. Nagaraju, SPP (In-charge) of Ramanagara have ensured 5.79% and 8.33% of conviction respectively.

Mr. Anand M. Hosmani (SPP, Mysore) Mr. S.P. Peerjade (SPP, Mandya), Mr. Feroz Khan (SPP, Coorg), Mr. Mallaraje Gowda (SPP, Hassan) and Mr. Kenchappa (SPP, Davanagere) (In-charge) have ensured 2 convictions each.

Following SPPs have shown zero conviction rate during his year: Mr. S.B.Haveri (SPP, Bangaluru) Mr. S.P. Revana Siddappa (SPP, Bangalure Urban) (In-charge), Mrs. Laxmi Devi Patil (SPP Bellary), Mr. B.Shekara Shetty (SPP, D.K), Mr. T.Ambanna (SPP,

Gadag) , Mr. G.Sudarshan (SPP, Raichur), Mrs. Shanthi Bai (SPP, Udupi and Mrs. Tanuja B. Hosapattana (Uttara Kannada). have ensured 2 convictions each. Necessary reports about their performance have to be obtained and appropriate action should be initiated against these functionaries.

Ratio of 'B' Reports

The current year has shown an increase in the ratio of 'B' Reports. Far from getting reduced, the number of 'B' Reports has only been steadily increasing over the years. Out of the total 1912 atrocity cases, 356 cases have ended as 'B' Report cases. The ratio of such reports has increased to 18.61% in this year. On the one hand more and more atrocity cases are being registered; on the other the number of cases ending up as 'B' Report cases has also been increasing over the years. This certainly is not a desirable trend. While the ratio of 'B' Reports was 13%, 12% and 17% during 2013, 2014 and 2015 respectively, it has increased to 18.61% during this year.

In Bangalore Rural and Bangalore Urban districts, the ratio of 'B' Reports is quite high like it was in the previous year. 52 cases in Bangalore Urban district and 50 cases in Bangalore Rural district have ended as 'B' Report cases. These districts have respectively seen 26.13% and 104.16% of the cases ending up as 'B' Report cases and accordingly they occupy the first and second place in the list of districts showing 'B' Reports. Dakshina Kannada district which is in the third place has closed 30 cases as 'B' Report cases and the ratio is 30.61%. In Mysore 24 atrocity cases have ended up as 'B' Report cases (ratio of 'B' Report is 22.22%); next comes Hassan district which has closed 19 cases as 'B' Report cases (ratio of 'B' Report is 19.79%).

The districts which have registered less than 10 'B' Report cases during this year are: Uttara Kannada (9), Haveri (9), Bellary (7), Chitradurga (6), Tumkur (6), Shivamogga (5), Coorg (4), Yadgir (4), Bijapur (4) and Gadag (2). Thus, Gadag district earns the distinction of having registered least number of 'B' Reports. The Special Courts must strive towards ensuring that the atrocity cases are not ended as 'B' Report cases. They must work towards bringing the perpetrators of atrocity into the legal process and ensuring justice to the victims of atrocity.

Pending cases

A total of 600 atrocity cases have remained pending during this year. Out of the total 1912 atrocity cases, approximately more than one third of the cases have remained unsettled and pending. In Bangalore Urban district a total number of 199 atrocity cases have been reported and of these 162 cases have been added to the unsettled and pending cases list. That means 81.40% of the cases have remained pending. Similarly 48 atrocity cases have been reported from Bangalore Rural district out of which 23 cases have been added to the pending list.

The details of other districts having pending atrocity cases are: Bellary (72 cases/34 pending), Hassan (96/44), Mysore (108/27), Mysore (108/27), Chikkamagaluru (82/28), Mandya (74/23), Tumkur (85/24), Bijapur (69/20), Shivamogga (69/19), Dakshina Kannada (98/18), Chitradurga (39/18), Ramanagara (22/15) and Haveri (48/13). Regarding the number of pending cases during this year, it is heartening to note that the number has considerably come down from the previous year's figures. While during 2015 the number of total pending cases was 1451, it has come down to 600 in 2016. Yet, we expect our courts to initiate speedy disposal of all atrocity cases.

District Vigilance and Monitoring Committee (D.V.M.C) Meetings

As stated in 2015 report or the previous issue of the report, there is one aspect that becomes evident when we review 'Karnataka State' Reports that were published by us regarding the implementation of Prevention of Atrocities Act 1989: that these reports were published annually since 2009 and ever since till 2016, there has been a steady increase in the number of D.V.M.C meetings. This certainly is the most visible impact of our reports. In the year 2008, a total number of 36 meetings were held. We can see that this number has been steadily increasing over the years. The year-wise statistics of these meetings are: in 2009 -38 meetings, in 2010 -50 meetings, in 2011 - 70 meetings, in 2012 - 76 meetings, in 2013 - 38 meetings, in 2013 - 38 meetings, in 2014 - 58 meetings, in 2015 - 71 meetings and in 2016 - 95 meetings were held. Although less number of meetings were held during 2014, this was amply made good in subsequent years when the number of such meetings witnessed considerable increase. During this year Bagalkote and Mandya districts held 5 D.V.M.C. meetings each and this is indeed a very laudable achievement. Similarly, the mandatory number of four meetings was held in Bangalore Urban district, Belgaum, Bellary, Bijapur, Chitradurga, Gulbarga, Haveri, Mysore and Uttara Kannada districts. This is a very salutary development.

In the following 12 districts of the state 3 D.V.M.C. meetings were conducted in each district: Bangalore Rural, Chamarajanagara, Dakshina Kannada, Dharwad, Gadag, Hassan, Coorg, Koppala, Shivamogga, Tumkur, Udupi and Yadgir.

The districts where only two D.V.M.C. meetings were held are: Chikkaballapura, Chikkamagaluru, Chikkamagaluru, Davanagere, Kolar, Raichur and Ramanagara.

During this year only one D.V.M.C. meeting was held in Bidar district and this reflects the level of performance of the district administration.

During the previous year Yadagiri district was in the first place having held 5 D.V.M.C. meetings. But this year it has slipped to the third spot by conducting only three meetings. Mandya district made ample amends by conducting 5 D.V.M.C meetings as against a lone meeting conducted in the previous year. This has placed Mandya district in the first place from the last place occupied by it during previous year.

Similarly, Mysore district which had conducted a lone meeting during the previous year has earned a place of pride by conducting 4 meetings during this year. Uttara Kannada district has been conducting four meetings every year for the last four years and earns the distinction of having conducted the most number of D.V.M.C. meetings than any other districts of the state (20 D.V.M.C. meetings in five years).

State Vigilance and Monitoring Committee (S.V.M.C) Meetings

As per the Prevention of Atrocities Act 1989 and Rules 1995 (amendment 2016) - the S.V.M.C. meetings must mandatorily be held every year during January and July months under the chairmanship of Chief Minister. However, like last year only one S.V.M.C meeting was held during this year. As stated in the previous report, the present Chief Minister of the state Sri. Siddaramaiah had provided a good beginning by conducting a meeting in 2013. But in 2014 not even a single S.V.M.C. meeting was held and a lone meeting was held during 2015.

Even during the current year out of two meetings that were required to be held under his chairmanship, he has held only one meeting. Ever since he came to power out of seven S.V.M.C. meetings required to be held by him, he had so far held only three S.V.M.C. meetings. No meetings were held during 2014 (0/2), one meeting was held during 2015 and one more meeting was held in 2016.

Through this report we appeal to the Chief Minister of the state that he being a person committed to the cause of ensuring social justice to SC/ST communities in the state not only conducts the mandatory meetings as prescribed by POA Rules but also issues orders to the effect that D.V.M.C meetings are compulsorily held in all the districts.

Towards providing/ensuring justice

When we take a look at the numerical strength of the victims of atrocities and beneficiaries of legal aid and other facilities, it is seen that a total number of 590 SC and 116 ST have availed the above benefits. Of the total number of beneficiaries 364 men belonged to SC and 69 men belonged to ST; similarly, 226 women beneficiaries belonged to SC and 47 women beneficiaries belonged to ST. The overall number of beneficiaries of legal aid and other facilities is 706. When we take a look at the district-wise statistics pertaining to this year, we get the following scenario:

In Vijayapura district 149 victims of atrocity have availed benefits and 101 persons have availed legal aid and other facilities from Kalaburgi district. Next in the list of districts with higher number of beneficiaries are: Bagalkote (79), Davanagere (62), Bangaluru Urban District 60), Yadagiri (59), Bangaluru Rural (58), Gadag (41), Udupi (34), Coorg (31) and Bidar (14).

The total number of persons who have received travel and maintenance allowance is 730 (SC 517 and ST 213). Of these 398 men belonged to SC and 174 men belonged to ST. Similarly, 119 women belonged to SC and remaining 39 women belonged to ST. Belgaum district has recorded the maximum number of beneficiaries of travel allowance.

Out of 472 beneficiaries 343 beneficiaries belonged to SC and 129 beneficiaries belonged to ST (394 men and 78 women; 277 men belonging to SC and 117 men belonging to ST. Similarly 66 women belonged to SC and 12 women belonged to ST). Dharwad district is in the second place (72 beneficiaries), Dakshina Kannada in third place (67beneficiaries), Bellary in fourth place (47 beneficiaries) and Coorg in fifth place (31 beneficiaries).

When we take a look at the statistics related to the relief provided to the victims of atrocity during this year, we find that economic and social rehabilitation has been provided to 2329 persons. Of these 1917 persons belonged to SC and 412 persons belonged to ST. Similarly, 1170 men beneficiaries belonged to SC and 252 belonged to ST; 747 women beneficiaries belonged to SC and 160 belonged to ST. In all 1422 men and 907 women have availed benefits of rehabilitation. While Udupi and Mandya each had 197 beneficiaries, Raichur had 189 beneficiaries. The details of other districts are: Vijayapura (149), Chitradurga (144), Shivamogga (120), Belgaum (117), Kalaburgi (101), Hassan (95), Tumkur (94) and Haveri (89). While none had availed rehabilitation facility in Bidar district, Dharwad district has recorded the least number of beneficiaries (only 6 beneficiaries -3 men and 3 women; 2 men belonging to SC and one man belonging to ST. Similarly, one woman belonged to SC and two women belonged ST).

Recommendations to the government

1. Special Courts are to be set up in all 30 districts of the state and judges who are efficient and sensitive to the issue of atrocity must be appointed.
2. A survey on untouchability which is still being practiced in the state has to be conducted that will cover its various forms, level and intensity.
3. Sensitisation Workshops are to be organised for all those officials who have not yet fully understood atrocity and for the community as a whole for creating awareness regarding atrocity. Non-governmental organisations and other civil society groups are to be involved in such workshops.
4. Barring Mrs. B.Arunakshi, Mr. S.V.Paste, Mr. B.M.Nagaraju (in-charge), Mr. L.Nagaraju (in-charge), Mrs. K.H.Srimathi (in-charge), Mr. K. Kenchappa (in-

- charge), Mr. Mallaraje Gowda, Mr. Feroz Khan, Mr.S.G. Peerjaade, Mr. Anand M. Hosamani and Mr. K.Gopala Rao, all the remaining S.P.Ps are to be changed.
5. Watch Officers are to be immediately appointed to observe the performance of the eight S.P.Ps. who have delivered zero conviction during this year while settling the atrocity cases and adverse comments about their performance are to be recorded in their annual confidential reports.
 6. The Directorate of Public Prosecutors are to bring about an efficient system for reviewing the performance of Special Public Prosecutors and the above mentioned incompetent SPPs are to be changed immediately.
 7. Separate Special Courts are to be set up on priority basis in Bangaluru Urban and Bangaluru Rural districts.
 8. Only those officials (Police, IAS, IPS, KAS and Judges) who have an in depth and clear understanding of atrocities and are working efficiently need to be appointed to strategic positions of administration of justice.
 9. The District Commissioner of Bidar district who has conducted only a lone D.V.M.C. meeting during this year is to be suspended and legal action be initiated against him/her and adverse comments in the A.C.R. are to be recorded.
 10. According to Rule 4 of the Act and under the Criminal Appeal of 2011 No 959, appropriate legal action is to be initiated against all D.C. who have shown negligence in the discharge of their duties. Stringent action is to be initiated against those D.Cs who have conducted only one or two D.V.M.C. meetings.
 11. Holding of D.V.M.C. meetings within the period specified by the Rules must be made compulsory. Similarly, the Chief Minister has to ensure that S.V.M.C, meetings coordinated and held in time.
 12. The Police Officials who have been found to be encouraging settlement of atrocity cases involving SC/ST are to be dismissed and Superintendent of Police must be made accountable for these cases.