

**The Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Act, 1989
Review of implementation in Tamil Nadu 2020**



Tamil Nadu Citizens Vigilance and Monitoring Committee

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September 2021

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Tamil Nadu Citizens Vigilance and Monitoring Committee

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The monitoring at the district level was done by volunteers in 35 of 38 districts in Tamil Nadu. Of them, nine districts are new, and therefore have not constituted the district vigilance and monitoring committees. The monitoring is through a series of RTI requests to nudge the mechanisms out of inertia. Primarily, the requests are for information that should be in the statutory monthly reports (as per Rule 4(4) of the Act) to be sent on or before 20th of the month to the ADGP, Social Justice and Human Rights, who will then consolidate the reports and send it on or before 20th of the month to the principal secretary (Adi Dravidar and Tribal Welfare Department) who is the nodal officer in the state under this Act. So if the report was actually sent, then it would be a two to three minute affair to make a copy and mail it to us.

Unsurprisingly, our requests revealed that several mandatory reports were not sent - some of them since 1995 when the rules came into effect. So when this information was not available, we had to take recourse to asking for each bit of information separately, and then following up with the appellate authority and finally to the state information commission. In a few cases we were accused of 'placing undue burden' on the government staff (for asking for copies of the statutory monthly reports that were supposedly sent), and for 'repeatedly asking for the same information month after month' (how else can we get the latest monthly report?). However, after a few months, resentment abated and information started to flow. We note a small but significant improvement in the reporting compliance, and look forward to suo moto disclosure becoming the norm.

Nanda Gopal Vudayagiri has been our constant friend and guide. The advisors to this effort are Dr. V. Suresh and Advocate Bhavani Mohan. Our state citizens vigilance and monitoring committee secretary general Ms. Deepthi Sugumar, Members Ms. Sudha Ramalingam, Advocate Madras High Court & Human Rights Activist, and Mr. D. Thomas Franco. We have been supported and encouraged in this endeavour, directly and indirectly, by nodal officer (till April 2021) Additional Chief Secretary Otem Dai AD&TW, present nodal officer Principal Secretary K. Manivasan AD&TW, ADGP Shailesh Kumar Yadav, SJHR Wing (presently ADGP, Welfare), Joint Director G. Chitra Devi and PIO D. Kiraharaj from the Directorate of Prosecutions, S.V. Devendiran from Home (Courts-II) Department, and most of all PIOs K. Thenmozhi, G. Esther Rani, S. Umamaheshwari, and K. Chandrasekaran, from the AD&TW department. The APIOs in some districts too did their bit. We acknowledge their timely support.

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The data was collated by R. Roshan Sunthar, T. Saravanan Kumar, S. Geethavani and N. Divya, HRF. We thank Anitha Durai for the design and layout. The Tamil translation was done by V. Franklin.

We hope this citizens report will be used by human rights defenders - both in and out of uniform. Feedback for improvement is always welcome.

P Tamilarasi

State Coordinator,

Tamil Nadu State Citizens Vigilance and Monitoring Committee

Chennai

10 September 2021

Foreword

This is a report of the implementation of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in Tamil Nadu in the calendar years 2019 and 2020 when Chief Minister Edappadi K. Palaniswami of the AIADMK was in office. In May 2021 they demitted office after ten years and a new administration is in place. Though several positive and encouraging steps have been taken by the new administration, starting with the Chief Minister M.K. Stalin conducting the first meeting of the SVMC within 100 days of assuming office, the state machinery at different levels still remains the same, with many of the same officials in the same positions. Virtue signaling by the chief minister can only go so far, and citizens' vigilance is a permanent necessity. Therefore, citizen's reports are of importance to ensure that the state machinery works despite the political party in office, while at the same time noting that there has been a change in government.

On 19 August 2021, the State Vigilance and Monitoring Committee (SVMC) meeting was conducted with Chief Minister M.K. Stalin as the chairperson. For the first time since 2013 it was conducted without the shadow of a high court order. It is also unprecedented - not only in Tamil Nadu but nation-wide - since the committee was constituted and the meeting was conducted within 100 days of the new government assuming office. Though it missed the legally mandated July by days, it is still a record that is unlikely to be equalled, let alone surpassed, any time soon.

Behind the euphoria however, is the sad legacy of increased violence against the scheduled communities even during the ongoing pandemic. This citizen's report documents the extent and causes of the increased violence against scheduled communities in 2019 and 2020, and the failure of state machinery at all levels during the Edapali K. Ramasamy (EPS) administration. In the case of crimes against women, it analyses the sharp - over 1100% - increase during the 10 years of the AIADMK administration.

This report consolidates information from various government sources. It is the third in a series of citizens' reports on the implementation of the Act in Tamil Nadu. The first was in 2018, reviewing the implementation for the calendar year 2017, from the information available at the state level. The second was a 30 year scorecard released in 2020, together with a companion volume 'the elusive search for justice' with perspectives from across the globe on the implementation of this Act.

The information in this report is the outcome of yearslong effort that involved two multi-channel signature campaigns, weekly training cum-review meetings, and weekly RTI requests and follow-up - all during the twin waves of the Covid-19 pandemic, the abrupt 100+day lockdown, and the resultant consequences of a stalled economy, multiple challenges due to uncertainty, and heightened anxiety caused by the ever changing government 'guidelines'.

The process shifted online and took to it as a duck to water. The RTI requests were sent regularly throughout the pandemic in most districts, despite losing several volunteers and citizens committee members at the district level.

This constant stream of RTI requests was important to move the mechanisms out of inertia because relief and socio-economic rehabilitation was stalled (in some cases for over 10 years) and assumed urgency because, despite the lockdown, recorded crime actually increased year on year: murders up by 23% (from 54 in 2019 to 70 in 2020), incidents of rape up by 17% (102 in 2019 to 119 in 2020) and the number of rape survivors by 16% (112 to 126) - over double the 58 recorded in 2017, over 72% increase from the 73 recorded cases in 2018 and an explosive increase from the 14 rapes recorded in 2011 - the year when the AIADMK was voted to office (It was 11 each in 2009 and 2010). Even the hard lockdown and quarantines could not reduce caste crimes, let alone stop them. The need for the mechanisms to function effectively was never more important. The RTI requests were to be constant reminders to the state of citizens monitoring the state mechanisms under this Act, and their functioning.

This report breaks new ground in that it has consolidated district level data into district factsheets, which are available online at cvmc.in. The factsheets are a slimmed down version of the district profiles that we aim to bring out from 2022. It will have more data, which was not available to us this year.

The report analyses the government data made available publicly or through RTI requests, and provides some recommendations for a more useable state report, and to better implement the Act in Tamil Nadu. Our objective is to ensure that these mechanisms function actively and efficiently so that atrocities are prevented, and if not, the administration of justice is swift, and the social and economic rehabilitation is comprehensive.

We hope that this report will be of use to human rights defenders and the state mechanisms in the journey towards prevention of atrocities and to secure social justice.

Deepthi Sukumar

Secretary General

Tamil Nadu State Citizens Vigilance and Monitoring Committee

Chennai

9 September 2021

Glossary

ACP	Assistant Commissioner of Police. The investigating officer in urban areas
ACS	Additional Chief Secretary
Adivasi	Indigenous and tribal peoples, literally ‘first dweller’. They are classified as scheduled tribes
AD & TW	Adi Dravidar and Tribal Welfare
CBDV	Caste based discrimination and violence
CRC	Crime Review Compendium, annual report and statistics published by the state crime records bureau
CrPC	The Criminal Procedure Code 1973
CRS	Crime Review Statistics, volume II of the annual report published by the state crime records bureau
DAHRD	Dalit Adivasi Human Rights Defenders
Dalit	Those who face extreme forms of caste oppression, especially untouchability. Some of them (the Buddhists, Hindus) are classified as scheduled castes, while others (Christians, Muslims) are not
DLSA	District Legal Services Authority. Supposed to give free legal aid for those who cannot afford to pay for their own lawyers
DM	District Magistrate
DoP	Director of Prosecution
DSP	Deputy Superintendent of Police
DVMC	District Level Vigilance and Monitoring Committee, set up under Rule 17 of PoA
DWD	Descent and Work based Discrimination (the present terminology to describe caste-based discrimination)
DySP	See DSP
ESC	Exclusive Special Court
ESPP	Exclusive Special Public Prosecutors. Often political appointees, they have a track record of zero convictions. In this document the abbreviation SPP is used inclusive of ESPP for brevity

FIR	First Information Report
HRD	Human Rights Defender
IO	Investigating Officer, normally the DSP in rural areas and Assistant Commissioner of Police in urban areas
IPC	Indian Penal Code 1860
LSA	Legal services authority. A government funded body to provide free legal aid for those who cannot afford to pay for their lawyers.
MBC	Most backward classes
Nodal Officer	Appointed under Rule 9 to coordinate the functioning of the various officials under the PoA (district magistrates, superintendents of police etc), and to review their performance and the implementation of the PoA every quarter.
NCRB	National Crime Records Bureau
OBC	Other Backward Classes
Patta	Title deed
PCRA	Protection of Civil Rights Act 1955. The total revamp of the Untouchability Offences Act 1955 in 1976 which also changed its name but retained the year of enactment
PoA	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Rules 1995
PI	Police Inspector
r/w	Read with, used when two legal clauses/provisions need to be used together to enhance understanding
RTI	Right to Information, also used as a popular abbreviation for the Right to Information Act 2005
SAR	State Annual Report, prepared by the state and sent to the union government on or before 1 July every year, under Section 18 of the Act
SC	Scheduled Caste, administrative classification of some communities based on historical discrimination based on work and descent. Drawing from Article 341 of the Constitution of India, these are implemented through 'Presidential Orders' Constitution (Scheduled Castes) Order, and the periodic amendments, that lists The Scheduled Castes in its schedules. There are 76 scheduled caste communities in Tamil Nadu (see also Dalit)

SCI	Supreme Court of India
SCRB	State Crime Records Bureau
SDM	Sub Divisional Magistrate
SdVMC	Sub Divisional Level Vigilance and Monitoring Committee, set up under Rule 17A of PoA
SP	Superintendent of Police
Special Officer	Appointed under Rule 10 to oversee the implementation of the PoA in atrocity prone areas
SPP	Special Public Prosecutor, appointed under Rule 4(1A) of the Act. In this document, the term includes the exclusive special public prosecutors ESPP
ST	Scheduled Tribe, an administrative classification of some tribal communities that grants them specific recognition under the Constitution of India. Drawing from Article 342 of the Constitution of India, these are implemented through ‘Presidential Orders’ Constitution (Scheduled Tribes) Order 1950, and the periodic amendments, that lists The Scheduled Tribes in its schedules. There are 37 scheduled tribe communities in Tamil Nadu. (see also Adivasi)
SVMC	State Level Vigilance and Monitoring Committee, set up under Rule 16 of PoA
TA/DA	Travel Allowance, and Daily Allowance
TAME	Travel And Maintenance Expenses. It includes travel reimbursement, daily allowance and dietary expenses. The daily allowance is to be at the rate of the rural minimum wages. To be paid within three days [Rule 11], but rarely done. (see also TA/DA)

Executive Summary

The Scheduled Castes (SC) and the Scheduled Tribes (ST) constitute 21% of the Tamil Nadu state population. They are the most vulnerable economically, socially, and politically, and are most prone to discrimination and violence against them. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is to protect the scheduled communities from vulnerabilities specific to them, and its implementation is a bellwether to their safety and security.

This report is of the implementation of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in Tamil Nadu in the calendar year 2020, before the elections in 2021 brought about a change in the government.

Findings

Tamil Nadu recorded 1,274 crimes against scheduled castes and 23 crimes against scheduled tribes in 2020. This is a 11.4% increase over 2019, and higher than the increase in crimes against the scheduled communities in India (9.4%). Murders of scheduled community members increased by 23% while murders in the state decreased by 4.8% overall. Conviction rate in POA cases in Tamil Nadu finally reached double digits (11.29%) with 54 convictions from 478 cases tried. In contrast, the conviction rate for IPC crimes was 66% and 93.6% for Special Local Laws (SLL) - of which PoA is one (Crime Review Compendium 2020, State Crime Records Bureau).

Given the once in a lifetime events of 2020, it is expected that the situation will be without precedent, and that there would be some deviation from the norm in implementation of this protective Act. However, the fact that 50% more rapes were inflicted on these communities in proportion to their population, that murders of scheduled community increased by 11.4% when it decreased by 4.8% in the state, and the increasing entanglement of children - both as perpetrators and and victim-survivors - in caste based violence are cause for concern.

In the smoke and dust of the pandemic, Advocate S. Bagathsingh who was removed from the post of special public prosecutor (SPP) in Tirunelveli in 2019 ‘for not pleading the POA Act related cases effectively’, was immediately reappointed as SPP in Thoothukudi. In 2019 Tirunelveli had a grand total of 1 conviction and 110 acquittals, a conviction rate of under 1%. After he was transferred, and the new SPP D. Rajaprabaharan took over, there were 55 convictions and 31 acquittals, a conviction rate of 64%.

The State Annual Reports (SAR) for 2019 and 2020 have removed the highly defamatory line in the SARs for 2017 and 2018 that the recorded atrocities increased ‘*due to free registration of cases and also an increased awareness among the people regarding the various provisions of the Act including the monetary relief aspect*’. Apart from the fact that there is no ‘free registration of cases’ as we show using departmental data below, the implication that rapes and murders were being registered for monetary considerations is of deep concern as it is a window to the prevailing attitude of the departments concerned when the scheduled communities finally report the

normalised violence in their lives. With the conviction rate for rape being just 14% overall (11% for women, and 20% for rape of children), it beggars the question as to why women would want to bear the stigma of rape and relive the trauma during investigation with a 90% chance of failure - and that too after year long delays.

Though women from the scheduled communities form just over 21% of the population, 30.5% of the rapes (119 of 389) in 2020 are inflicted on them - about 50% more than their proportion in the population. From 2010 to 2020, recorded rapes have increased from less than one a month to more than two a week - i.e one in 33 days to one every 3 days. The incidence of recorded rape had a slow decrease till 2009, remained the same in 2010, rose to 14 in 2011, but then on sharply increased from 14 to 34 in 2012, and to 119 in 2020. The number of victim-survivors rose from a declining trend of 11 in 2010 to a sharply increasing trend of 126 in 2020 - a decadal increase of 1145%. Compared to 2019, the incidence of rape increased from 102 to 119 (17%) year on year. In contrast, the incidence of rape (of all women) in the state increased by 7.4% meaning there is a more than 100% difference in intensity for women from scheduled communities. If the figures for rapes against women from the scheduled communities are removed, then the increase is just 3.8% to the 17% increase in rapes of women from scheduled communities. Virtually every year, more young girls are raped than adult women. In 2020, of the 126 rape victim-survivors, 81 (66%) are children.

For cases registered under PoA, the victims, dependents, and witnesses are to be provided with travel, maintenance, and dietary expenses until the completion of the trial. This reimbursement must be made within three days. RTI replies show that it is seldom done. Salem provides only Rs. 125 [RTI reply ref: C.No.106/SJ&HR/SLM/2021, Dated: 17.07.2021 from SJHR, Salem City] and Ramanathapuram provides Rs. 150 [ref: C.No-19/DSP/SJ&HR/RMD/2021, Dated:14.07.21 from SJHR, Ramanathapuram] to the victims, irrespective of their distance between the house, the police and court, health conditions, and daily wages. Worse still, expenses have not been reimbursed in 17 of the 44 police districts (37 districts and 7 commissionerates).

No review reports on the performance of the special public prosecutors (SPP) conducted by the district magistrate and the incharge of prosecution are available with the state government. The state government confirmed that *'No such report has been received from any district'* [Letter No.37374/Courts-VIA/2020-1, Dated: 26.07.2021 from Home (Courts-VIA) Department Secretariat, Chennai - 9]. It is unclear whether it is because the reviews have not been done, or whether the reviews are done but the reports have not been sent (or a combination of the two). Whatever the reason, it violates the explicit requirement prescribed in Rule 4(2).

The decadal increase and intensity of crime make it all the more necessary for the state vigilance and monitoring mechanisms - from the chief minister, ministers, MPs, MLAs, principal secretaries, DGP and DOP in the state vigilance and monitoring committee to the panchayat

president, ward member, DSP, and tahsildar in the sub-divisional vigilance and monitoring committee - to fulfil their duty rigorously and regularly. Yet only one SVMC meeting was conducted, and then only to beat the judgement of the high court by hours. The follow up meeting - due in January 2021, mandated by law, and ordered by the high court - was not conducted, exposing the hypocrisy of the government.

As a preventive measure, the district magistrate must facilitate NGOs to set up awareness centers and workshops [Rule 3(ix)] and provide support, including financial support to do so. No district has complied with this rule. In Madurai, the money allocated for establishing awareness centers was diverted to a boy's hostel.

Prompt justice and socio-economic rehabilitation for crimes against the scheduled tribes were not given due attention by the police and judiciary. For cases pertaining to STs, not even a single chargesheet was filed in eight districts in 2020, whereas two districts did not file a chargesheet in 2019. In the courts, 20 of 37 districts have 100 percent of pendency against STs - meaning not even one case was tried in the year 2020. And there is zero conviction rate in all districts. For Travel Allowance and Maintenance Expenses (TAME), most districts (including The Nilgiris, having the highest scheduled tribe population in Tamil Nadu) did not provide the mandatory TAME to the victims belonging to the scheduled tribe community. Relief and rehabilitation are also not provided as stipulated in the Act.

In 2020, the state mechanisms failed in prevention of atrocities, in administration of justice, and in socio-economic rehabilitation at all levels - state, district, and sub-divisional. Of 37 districts, 22 did not conduct even one sub-divisional committee meeting. Chargesheets were not filed on time, with non-compliance by the DSPs to the mandatory written explanations as to the delays, and non enforcement of this provision by the SPs. The number of cases pending trial increased. Since 50% of the relief is tied to filing the chargesheet, and the final 25% to the completion of the trial or conviction, these delays by the officials and the judiciary have cumulatively delayed 75% of the relief to be paid to each victim. Delays of over a year - as has happened in 2020 - effectively puts paid to any hopes of socio-economic rehabilitation.

There is insufficient attention being paid to evidence based monitoring. Evidence based monitoring is critical for scientific and precise implementation of the Act. There is wide variation in the information even at the district and state levels - i.e in data fully controlled by the state within the state. For instance, according to information received in an RTI request, Ariyalur conducted 3 DVMC meetings in 2019. The State Annual Report 2019 reports only one. With this kind of communication between the state Social Justice and Human Rights Wing (SJHR, the SCs and STs Protection Cell under this Act that is supposed to collate and submit the data from the districts to the state government), the Adi Dravidar and Tribal Welfare Department (which is supposed to review the implementation of the Act,

performance of the officials and administration of justice) and the district administration (supposed to monitor implementation and provide the information), it is little wonder that the 60 day timeframe from FIR to chargesheet, and 60 day timeframe from chargesheet to judgement, and six months for socio-economic rehabilitation is met more in the breach. Apart from calling to question the reliability of the data and thereby compromising the report, it shows a total system breakdown, and a lackadaisical approach of the senior officials in ensuring compliance. The alternative - that junior officials are disregarding direct orders - verges on mutiny, and is too pernicious even to contemplate.

The police seem to be bordering on contempt of the Supreme Court of India (SCI), or at least wilful disobedience of a direct order from the DGP. The Supreme Court of India passed a judgement on 7 January 2014 in the State of Gujarat vs Kishanbhai case that when a case ends in acquittal, the Director General of Police (DGP) and the Director of Prosecution (DoP) must analyse the case and write the reason of acquittal, that is whether the investigating officer did not investigate the case properly or the public prosecutor did not argue well for the case. Since tens of thousands of cases are acquitted in a year, it is very time-consuming. Hence the DGP had sent a Circular Memorandum [4 C.No.053884/Crime.4(3)/2014 Dated: 26.04.2016] to all Superintendents of Police (SP) to conduct this review along with the in charge prosecutions monthly in each district, and submit a report to the DGP's office every quarter. The DGP would do well to ensure that the orders of the office and the SCI are followed in letter and spirit.

Recommendations

With the change in government in May 2021, there are signs of hope. Constituting the state vigilance and monitoring committee (SVMC) and conducting its meeting within 100 days of assuming office is a record not only in the state, but also in the country. The previous state level meeting without the damocles sword of the judiciary was on 21 June 2012.

While there are signs of hope, these recommendations are to ensure that the changes are institutionalised, and the decisions of the review are promptly executed in letter and spirit. The task is huge. Multi-sector partnerships and a whole of society approach are essential.

Prerequisites

There are two systemic changes that need to be made to ensure prevention of atrocities, swift administration of justice, and timely socio-economic rehabilitation.

- a) *Record even the most 'trivial' complaints.* From these 'trivial' beginnings grow the non-trivial endings. As we show, there is significant under recording of crimes against women that result in virtually no records of 'attempt to rape' - let alone crimes such as voyeurism and stalking - that precede rapes, and serve as an early warning. It is this trivialisation that has led to the 1145% rise in rapes over the past decade. This trivialisation is also why the classification of 'atrocities prone areas' is faulty, and does not provide sufficient early warning.

- b) Ensure timebound relief and socio-economic rehabilitation: Relief should be within the shortest period possible, and socio-economic rehabilitation should be complete within six months after the incident, delinking it from the stage of investigation or trial. The present system further penalises the victims for delays by the state mechanisms, especially in investigation and trial.

1. Timely reports with the right data

The lack of data kneecaps even well intentioned attempts for prevention of atrocities, speedy administration of justice, and prompt socio-economic rehabilitation. The order to send the district monthly status reports by the 10th of the month instead of 20th [Rule 4(4)(b)] so that it can be consolidated by the SDHR wing and forwarded to the nodal officer by the 20th [Rule 8(1)(xi)] is a step in the right direction [SAR 2020, para 20(v)]. However, the reporting format as it stands does not generate data for the decisions and action that needs to be taken.

1.1 The reports need to have data

- a) Disaggregated by officer - the investigating officer during the investigating stage, and the special public prosecutor in the trial stage - as mentioned in the Act and Rules.
- b) On the number of days of delay in filing the chargesheet (maximum 60 days from registering FIR) and in conclusion of the trial (maximum 60 days from when the chargesheet was filed, and maximum 120 days from which the FIR was registered - whichever is shorter) need to be included for both.
- c) On the number of days, quantum, and number of persons affected by the delay in relief (mentioned in the contingency plan), TAME and dietary expenses (immediate or, if not possible, within three days; track and report from day 4 onwards).
- d) On the number of days, after 180 days, by which socio-economic rehabilitation is delayed. Socio-economic rehabilitation includes a) Full relief payment b) house c) government job d) agricultural land e) restoration of defiled or damaged community goods and infrastructure (wells etc).

Then, and only then, will the higher echelons of the state have the data for informed decision making for timely prevention of atrocities, administration of justice, and socio-economic rehabilitation.

- 1.2 The reports need to be shared with the DVMC and SdVMC members, the concerned organisations and individuals, and the district NGOs appointed under Rule 3(ix). Reports can be shared suo moto (redacted if necessary), as mandated by the Right to Information Act 2005.
- 1.3 Together with the reports of the high powered standing committee on fixing responsibility for acquittals set up in the state [Circular memorandum C.No.053884/Crime.4(3)/2014 Dated: 26.04.2016 from the DGPs office] on the orders of the Supreme Court of India in the State of Gujarat Vs. Kishanbhai etc. (Criminal Appeal No. 1485 of 2008) of 7 January 2014, non-performing officials need to be replaced at the quarterly reviews.

- 1.4 Monitor at the state level, the performance of all officials tasked to implement this Act, if only to avoid the embarrassment of an exclusive special public prosecutor S. Bagathsingh who was removed from the post in Tirunelveli in 2019 ‘*for not pleading the POA Act related cases effectively*’, (in 2019 Tirunelveli had a grand total of 1 conviction and 110 acquittals) being immediately reappointed SPP for Thoothukudi.
- 1.5 While our recommendations are normally for systemic correctives (though the findings do identify individual officials), in this case it is a clear abuse of the system. In this extraordinary situation we therefore recommend that
 - a) Advocate S. Bagathsingh be denotified and removed from the post of SPP with immediate effect and be prosecuted for dereliction of duty (or departmental action if he is from a scheduled community).
 - b) The payments made to him be recovered with retrospective effect, if he has not made full disclosure at the time of appointment in Thoothukudi.
 - c) He be barred from being appointed SPP under this Act permanently, and
 - d) The appointing authority be censured in the Annual Confidential Report (ACR) for not exercising due diligence.

2. Make the vigilance and monitoring committees functional

The state vigilance and monitoring committee (SVMC) has made a good start with the chief minister’s personal attention in 2021. The district (DVMC) and the sub-divisional (SdVMC) committees need to do likewise, with informed decision-making, efficient monitoring of implementation to ensure no backlogs in relief and socio-economic rehabilitation, be proactive in protecting victims, witnesses, and their dependents, and to prevent atrocities.

- 2.1 Like the members of the SVMC, the members of the DVMCs and SdVMCs must be given comprehensive briefing notes well in advance.
- 2.2 DVMC and SdVMC meetings need to be held regularly.
 - a) Only 48 of 128 (37.5%) DVMC meetings were held in 2019 and 64 of 148 (43.25%) meetings in 2020. While the increase in meetings conducted in 2020 is welcome, it is still way below the 86 out of 128 (68%) DVMC meetings conducted in 2017 and 108 of 132 (82%) in 2018. As PIO N. Balasubramaniam of Erode informs us [vide reply (ப.மு.3636/2020/ஆ2 நாள்: 20.10.2020), they could not conduct the DVMC meetings in the district due to the corona virus *in 2019!*
 - b) According to the state annual reports (SAR) of 2019 and 2020, the predicament of the SdVMCs is worse, despite a direct government order [GO (Ms) No 6, Adi Dravidar and Tribal Welfare Department dated 20.01.2015] issued to all district collectors to constitute the SdVMC by the nodal officer, Additional Chief Secretary, Adi Dravidar and Tribal Welfare Department Otem Dei in 2015. As of 2019, only eight of 87 were constituted, and only 22 of 348 (6%) mandatory

meetings were conducted. In 2020, though 44 of 94 (47%) committees were constituted, only 28 of 376 (7%) meetings were conducted - meaning at least a third (34%) of the 'constituted' SdVMCs remained on paper.

- 2.3 Now that the local government elections are completed, all elected representatives in local government in the jurisdiction must immediately be made members of the SdVMCs as per Rule 17A.

3. Partner with civil society

There is little civil society participation in prevention, administration of justice, or socio-economic rehabilitation, despite Rule 3(ix) making it a duty of the government to provide financial support, and Section 15A making the participation of NGOs a right. Advocates of choice of the victim-survivor also report non-cooperation and sometimes outright hostility from the state machinery. Yet, as the experience of the police clubs shows, the involvement of civil society enhances efficiency and effectiveness, builds trust between the state and citizens, and has several tangible benefits.

- 3.1 Provide financial support to at least two NGOs per district to run awareness centres, conduct workshops, and to be first responders.
- 3.2 Legal aid and advocates services should be provided from the time of filing the complaint or FIR, whichever is earlier, to the victim-survivors, witnesses, informants, and their dependents.
- 3.3 The advocates of choice should be given secretarial and research assistance, or an allowance to employ them, as also reimbursement of travel expenses at a higher scale than the SPPs and panel advocates, as permitted in Rule 4(5).

If these two prerequisites and three recommendations are implemented, the gaps pointed out in the detailed report regarding the unconscionable delays, the high rate of acquittals - despite the FIRs being filed on the orders of the superintendent of police after a spot visit along with the district magistrate - the sub par performance of the above par paid special public prosecutors, the judicial bottleneck, and the lax enforcement of accountability will all be resolved. The shift to proactive social justice from reactive judicial remedies can then begin.

Implementation Report 2020

The caveats

The data analysed in this report is based on the three sets of documents - the State Annual Report (SAR) prepared by the nodal officer, Crime Review Compendium and statistics (CRC) prepared annually by the state crime records bureau (SCRB), and the replies to the Right to Information (RTI) requests at the district and state levels.

Crime is the outcome of many social and economic factors, and registered crime tells only a part of the story. Recorded crime is a double edged indicator of the situation - at once disclosing the failure of the state mechanisms to prevent atrocities, the very *raison d'être* of the Act, while simultaneously revealing how seriously the mechanisms try to suppress recording crime or how seriously they take infringements of the law and their role in socio-economic rehabilitation. They are also an indication of whether society trusts the law enforcement mechanisms sufficiently to prefer complaints, or do not complain due to a perception of futility (for whatever reason - from incompetence, to bias, to being compromised). Since relief and rehabilitation are tied to the stage of investigation and trial, recording itself is a barrier or enabler of socio-economic rehabilitation in addition to being an instrument of justice.

Senior officers need to educate both the public and their representatives that the number of recorded crimes is not a negative. To the discerning mind, the ratio of 'heinous crimes' to the rest is. As we show, that ratio has shot up in the past few years both for crimes against women and bodily harm. Recording all complaints is one of the best preventive measures. A gradual curve is an indicator of faithful recording, as well as a canary in the coal mine - it provides ample warning of rising tensions before the flare-ups. Suppression at the lower levels catches the senior officials by surprise when there are flare-ups. Therefore senior officials should encourage their juniors to register all complaints as FIRs.

It requires an attitudinal change. At present, 'more incidence' of (recorded) crime is regarded as less 'law and order' and therefore less efficiency of the law enforcement machinery. It leads to reluctant recording of crime by the police, who suppress registration to windowdress their efficiency. This, as the preface to the Crime In India 2020 (page ix) reminds us, is erroneous. The rate of crime (available in the reports of the state and national crime records bureaus), nuanced with its gravity (as yet there is no academic consensus on how it can be done) will provide a better picture. Yet, the police (even more than the general population) treats the numbers recorded as an indicator of their inefficiency, and become defensive - resulting in under-recording of crime and suppression of the numbers at the initial stages itself. An attitudinal change is required for the authentic number of incidence to be recorded, and customised preventive measures to be designed and implemented.

The data on crime therefore has to be carefully analysed, factoring in the social bias in recording crimes against minorities, and nuancing conclusions without hairsplitting. This is a minefield in

the best of times. With the data differing between state reports - SAR 2020, CRC 2020, and RTI replies - navigating the minefield seems child's play compared to the complexities thrown up by these different data sets. The challenges confronting the analyst are laid out in the chapter 'State Annual Report 2020 - A review' and 'Crimes against women from the scheduled communities'.

Atrocities in the state - an overview

Tamil Nadu recorded a total of 1297 crimes against the scheduled castes (SC) and scheduled tribes (ST) by the non-scheduled communities in 2020 under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA). Of them 1,274 were crimes against scheduled castes and 23 were crimes against scheduled tribes. This is a 11.4% increase over 2019, and higher than the increase in crimes against the scheduled communities in India (9.4%). Inter-community murders of scheduled community members increased by 23% (from 54 in 2019 to 70 in 2020) while murders decreased by 4.8% in the state overall. Conviction rate in POA cases was 11.29%, in contrast to the 66% conviction rate for IPC crimes and 93.6% for Special Local Laws - of which PoA is one (Crime Review Compendium 2020, State Crime Records Bureau).

Tamil Nadu recorded a total of 1,274 cases of crimes against the SCs as compared to 1,144 cases reported in 2019, showing an increase of 11.4% in 2020 over 2019. Of the 1,274 recorded crimes against SCs 1,237 were cases under various sections of IPC along with the PoA, and 36 cases in which only PoA was applied. One case was registered under the Protection of Civil Rights Act during 2020. The highest incidence of crime against SCs was recorded in Madurai (88 cases) followed by Thanjavur (75) and Sivagangai (62). They accounted for 6.9%, 5.9% and 4.9% of the total recorded cases in the state respectively. During 2020, the rate of crime on SCs was 8.1%. A total of 23 cases were registered under PoA for atrocities against scheduled tribes in 2020 against 31 cases registered in 2019, indicating a decrease of 25.8% during 2020 as compared to 2019 for STs.

Nationally, crimes against SCs (9.4%) and STs (9.3%) rose compared to 2019 despite the pandemic related lockdown. Tamil Nadu is one of the 17 states and union territories (of the total 28 states and nine UTs) - and the only state in south India - where the recorded cases of crimes against SCs and STs continued to increase above the country average in 2020 (Crime in India 2020, National Crime Records Bureau 2021). In contrast, most other

Recorded cases	2019	2020
Cases registered	1175	1296
Murder	54	67
Attempt to murder	75	56
Rape	102	119
Attempt to rape	2	3
Grievous hurt	5	9
Convictions	95	123
Acquittals	716	376
(Crime Review Statistics, CRS)		
Acquittals (SAR)	659	424
Source: Tamil Nadu State Annual Reports 2019, 2020 Crime Review Statistics, accessed 23 June 2021. 1) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2019.pdf 2) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2020.pdf		

crimes against other vulnerable groups such as senior citizens, children, women, foreigners, dowry deaths, human trafficking, economic offences, miscarriages, counterfeiting, acid attacks, and economic offences declined nationally.

Findings

1. There is data discrepancy between SAR and CRS.
2. Recorded atrocities increased by 11.4%, despite a nation-wide lockdown. This is higher than the national average (9.4%).
3. The pattern of recording shows systematic suppression, trivialisation, and suppression of crime recording. There is a 99% difference between rape and attempt to rape - and nil records for voyeurism, stalking, and other crimes that precede rape for a considerable stretch of time. The pattern for bodily harm is similar with attempt to murder being almost always less than murder (2019 was the only exception), and then a sharp fall of similar proportions in grievous hurt (9 in 2020). In contrast, there are 496 cases registered under simple hurt. Though there are 2 murders of scheduled tribes, there are no cases of attempted murder or even grievous hurt - only 5 cases of simple hurt are recorded.
4. Though scheduled communities are just over 21% of the population in Tamil Nadu, 30.5% of the rapes (119 of 389) in 2020 are inflicted on them. The number of victim-survivors of rape rose from 11 in 2010 to 126 in 2020 - a decadal increase of 1145%. In 2020, of the 126 rape victim-survivors, 81(66%) are children.
5. The incidence of rape is up 17% from 102 in 2019 to 119 in 2020. In contrast, the incidence of rape (of all women) in the state increased by 7.4% (from 362 to 389) - meaning there is a more than 100% difference in intensity for women from scheduled communities. The 2019 figures itself is an over 72% increase from the 73 recorded cases in 2018. In 2020, with an all time record of 119 incidence of rape, only three cases of attempt to rape are recorded, which seems to indicate systematic suppression of case recording.
6. There were 80 riots registered under this Act in 2020 - averaging one riot every four and a half days - of which 48 have been chargesheeted during the year.
7. Convictions rose from 95 in 2019 to 129 in 2020, an increase of 35 despite a nation-wide lockdown from March 2020. There is a dramatic increase in convictions from 2019 to 2020 for Tirunelveli (1 conviction in 2019 and 55 in 2020), Nagapattinam (0, 34), and Namakkal (1,14).
8. In 2019, there was only one solitary conviction for an atrocity on scheduled tribes in 2019, in Virudhunagar. No other district reported even one conviction.
9. There were zero convictions for atrocities on scheduled castes in 21 of 32 districts in 2019, which dropped further to 23 of 37 districts in 2020.

Recommendations

1. Strengthen communication between the government departments to avoid data discrepancies such as those between the crime review compendium (prepared by the state crime records bureau, SCRB) and the state annual report (prepared by the nodal officer based on the data provided by the SCRB through the ADGP, Director of the Social Justice and Human Rights wing of the police department).
2. Record all reported crimes, including the ‘trivial’ ones. From these ‘trivial’ beginnings grow the non-trivial endings. As we show, there is significant under recording of crimes against women that result in virtually no records of ‘attempt to rape’ - let alone crimes such as voyeurism and stalking - that precede rapes, and serve as an early warning. It is this trivialisation that has led to the 1145% rise in rapes over the past decade. This trivialisation is also why the classification of ‘atrocities prone areas’ is so faulty.
3. Conduct awareness campaigns to educate the public and elected representatives that the number of recorded crimes is not a negative, and that recording all complaints is one of the best preventive measures. Incidence of recorded crime is now equated with breakdown in ‘law and order’ and as an indicator of police inefficiency which, as the preface to the Crime In India 2020 (page ix) reminds us, is erroneous. The rate of crime (available in the reports of the state and national crime records bureaus), nuanced with its gravity will provide a better picture. This awareness is important to prevent ill informed hurtful comments such as ‘crime capital’ that adversely affect the morale of conscientious officials.
4. Conduct trainings to bring about an attitudinal change in the police that high numbers of recorded crime are not a reflection on their credibility or efficiency. This attitudinal change is required for a behavioural change in the machinery so that the authentic number of incidence is recorded, and customised preventive measures can be designed and implemented.
5. Study techniques and processes that improved the efficiency of the special courts in Tirunelveli, Nagapattinam, and Namakkal, and train the officers in other districts to use them so that the dramatic increase in convictions from 2019 to 2020 in Tirunelveli (1 conviction in 2019 to 55 in 2020), Nagapattinam (0, 34), and Namakkal (1,14) can be replicated across the state and significantly increase the conviction rate.

Prevention

There are several measures for the prevention of atrocities, but few are used. There has been a good start in the substantial allocation (Rs 100 crores, Rs 1 billion) for infrastructure development to prevent conflict. For the most part, however, the state mechanisms seem to take a mechanistic, ‘law and order’ approach to ‘prevention’. ‘Prevention’ continued to be formulaic ‘identification’ of ‘atrocities prone villages’ based on whether there was a conflict or atrocity in the village. This is not a good indicator of potential violence due to the large-scale suppression of atrocity registration, and ironically depends on atrocities being committed for identification - and is not preemptive. The socio-economic rehabilitation is done by the police -

the very contradiction of the Act which gives primacy to a principal secretary from the scheduled communities as the nodal officer, as an explicit demonstration of a welfare approach over a ‘law and order’ approach.

Rule 3(ix) mandates the government to encourage non government organisations for establishing and maintaining awareness centres and organising workshops and provide them necessary financial and other sort of assistance to prevent atrocities on the scheduled castes and the scheduled tribes.

Findings

1. There is no attempt to draw on a ‘whole of society approach’ with even the tokenistic annual ‘awareness week’ in January being done by the police.
2. Rs 100 crore (Rs 1 billion) each was allocated in 2019 and 2020 (Total Rs 200 crores) to build separate infrastructure to prevent conflict over their common use. However no details of money spent are reported.
3. No gun licenses have been cancelled due to atrocities, nor have licences been issued to the scheduled communities despite the steady increase in crime, and 80 riots against them being recorded.
4. There is no information of reports under Rule 6(2) being filed, therefore, no information about any proactive preventive or de-escalation measures being taken.
5. No non-governmental organisation (NGO) was provided financial support for establishing awareness centres or conducting awareness workshops as required under Rule 3(ix) (RTI replies).

Recommendations

1. The government must engage with more civil society organisations in the process of implementing the Act, especially to create awareness, conduct workshops [Rule 3(ix)], and to support the victims and witnesses [Section 15A].
2. NGOs who work with the scheduled communities to protect and promote their rights could be selected, based on a fixed criteria, to run awareness centres and conduct workshops.
3. The selection process must be transparent, and the name and contact details of the NGO should be uploaded onto the website.
4. The selected NGOs must be provided with the necessary finances and facilities to do so continuously at the community and institution levels, as per Rule 3(ix).

Investigation: Performance of the police

Investigations must be completed and the chargesheet filed within 60 days of the FIR being registered [Section 4(2)(e), Rule 7(2)]. If not, the investigating officer should submit a written explanation to the special court explaining the delay [Rule 7(2A)].

The government reports (SAR 2020) that 1436 cases were registered under the Act in 2020. Including the pending cases, 1011 chargesheets were filed during the year. Of them, 481 (48%) cases were chargesheeted on time, but most (530 cases) were chargesheeted later than 60 days. Instead of filing written explanations as mandated by the law, the SAR reports that *‘the investigating officers have explained to the concerned court on delay due to technical reasons’*. This oral ‘explanation’ is against the law, which is unambiguous that the explanation must be written [Rule 7(2A)], trivialises the relief and socio-economic rehabilitation process, and is also counter productive. Written reports help in analysing the root causes of the delay to propose procedural or systemic changes as required.

Delays in investigation also delay relief since 50% of the relief due is released only on filing the chargesheet, and increases the vulnerability of the victim-survivors, witnesses, informants, and their dependents. Therefore, unless in the rarest of rare cases when there are exceptionally good reasons for the delay, no delay should be condoned since they delay socio-economic rehabilitation. Oftentimes this delay causes permanent damage. It is also unconscionable since these DSPs are appointed under this Act, and presumably have duties under this Act as priority.

Findings

1. There is a vast difference in the number of cases investigated by an officer in 2020. On the one hand is the DSP’s record in Madurai (107, more than two cases a week) and Dindigul (54), Pudukottai (73), Salem (57), Sivagangai (54), Thanjavur (73), Tirunelveli (54), and Villupuram (57) with more than one investigation completed every week, and those of Nilgiris, Tiruvallur and Vellore (none in an entire year) on the other. Names of the officials are in annexure 2, page 50.
2. In 2020, not even one investigation was completed under this Act in three districts - Nilgiris (completed 0, pending 1), Tiruvallur (completed 0, pending 24), and Vellore (completed 0, pending 14).
3. In 2020, the DSPs of 14 districts have not completed even two cases a month, and have cases pending investigation under this Act at the end of the year: Ariyalur (completed 20, pending 14) Chengalpattu (15,8), Chennai (4,31), Coimbatore (23,23), Kanchipuram (4,11), Kanyakumari (11,1), Karur (7,18), Krishnagiri (5,5), Namakkal (11,22), Nilgiris (0,1), Peumbalur (9,11), Ranipet (2,2), Tiruvallur (0,24), and Vellore (0,14).
4. In 2020, there is a high rate of cases ending in ‘mistake of fact’ in eight districts - Ariyalur (4 MF/16 completed, 25%), Dindigul (16/54, 30%), Kanyakumari (4/11, 36%), Madurai (26/107, 24%), Sivagangai (13/54, 24%), Thanjavur (24/73, 33%), Tiruvannamalai (15/37, 41%), and Tirupur (11/32, 34%). In 2019, in Namakkal 18 of 34 (52%) cases were disposed of as ‘mistake of fact’. This is an anomaly, since Tamil Nadu has an overall chargesheeting rate of 91.7% under IPC crimes (the third highest in the country) in 2020.

5. In 2020, Dharmapuri investigated only one atrocity against the scheduled tribes and concluded that it was a mistake of fact (100%), and Tiruvanamalai investigated three and concluded that one of them was a mistake of fact (33%).
6. There is inordinate delay in investigations. In 2020, only 16 of 37 districts (less than 50%), have completed investigations on time and filed chargesheets within 60 days. In 2020, nine of 37 districts have a chargesheeting rate of less than 80%, with Chennai chargesheeting only 4 of 35 (11%) atrocities against SCs. Eight districts did not chargesheet even one case of atrocities against STs.
7. Pendency rates are high. Seven of 32 districts have more than 50% of cases pending investigation in 2019. In Erode 62 of 82 (75%) registered cases were pending investigation at the end of 2019. Ten of 37 districts have 50% or more cases pending investigation in 2020. Karur had 18 of 25 (72%) cases pending investigation at the end of 2020.
8. There is a slight improvement in the chargesheeting rate. The number of districts with a chargesheeting rate of less than 80% has reduced from 10 of 32 districts in 2019 to 9 of 37 districts in 2020.
9. Some districts did not see DSPs have sufficient time to competently discharge their duties under the Act. In 2019 Ariyalur had eight DSPs (4 from SJHR), followed by Perambalur (four) and Coimbatore, Dindigul, Karur, Sivagangai, and Tiruvallur (three each). In 2020, six districts - Ariyalur, Chengalpattu, Kanyakumari, Ranipet, Thanjavur, and Tiruvarur - had three DSPs each.

Recommendations

1. Add separate columns for the following district-wise data in SCRB reports for PoA, for better tracking of cases investigated by the police. Number of cases where:
 - a) Chargesheets have been filed within 60 days, as per Rule 7(2), (rather than how many chargesheets were filed for cases registered within the year as is the practice now).
 - b) Written explanations for delay were submitted by the investigating officer under Rule 7(2A).
 - c) Investigating officer was found to be responsible for acquittal based on the reports submitted by the Superintendent of Police to the DGP in every quarter of the year [circular memorandum C.No.053884 / Crime.4(3)/2014 Dated: 26.04.2016 from DGPs office implementing the SC Judgement in Kishanbhai vs State of Gujarat case].
2. Replace investigating officers with less than 75% chargesheeting rate or conviction rate for four quarters (one year). The data for accountability in acquittals can be had from the findings of the high powered standing committee set up by the DGP in each district.
3. Sensitise investigating officers appointed under PoA by the NGOs.
4. Disburse relief due on filing the chargesheet to the victim-survivor and their dependents within three months of registering the FIR, irrespective of the chargesheeting status. The victims should not suffer for official delays.

5. Transfers seem to be high in some districts. Short tenures have an adverse impact on the investigation. Longer terms of at least three years for the DSPs with the SJHR units would help.

Special Public Prosecutors

In keeping with the special domain expertise and attitude required, special public prosecutors (SPPs) are appointed under Rule 4(1A) of this Act. The SPPs are in addition to the panel of eminent senior advocates appointed under Rule 4(1) for each district. (Some are exclusive special public prosecutors. In this document we use SPP to refer to exclusive special public prosecutors and special public prosecutors).

In addition, victim-survivors and their dependents have a right to an advocate of their choice. Advocates of choice are often considered ‘outsiders’ to the state machinery. The police seldom work in partnership with them, and they are not privy to all the information uncovered during the investigation. Some of them also lack the infrastructure and other support available to the SPPs. Whatever the mode of appointment, advocates for the victim-survivor typically enter the case after chargesheeting, while the perpetrators would have had lawyers at least since the FIR was filed.

Appointment and removal of Special Public Prosecutors	2019	2020
Number sanctioned	33	33
SPPs appointed	30	30
SPPs removed	1. Senthil Kumar (Erode) 2. S. Bagathsingh (Tirunelveli)	Senthil Kumar (Erode)
Source: Tamil Nadu State Annual Reports 2019, 2020 Annexure XXIII.		
Note: In this document SPP includes both exclusive special public prosecutors and special public prosecutors.		

The performance of the SPPs leaves much to be desired. The Additional Director General of Police, at the review meeting held on 7 February 2019 and reiterated on 26 March 2019 to the Additional Chief Secretary that the

‘lack of cooperation on the part of the Special Public Prosecutors is the main hurdle in raising the rate of conviction in cases of atrocities’

The Director of Prosecution not only agreed but emphasised that

‘The Special Public Prosecutors ... are appointed by the government in power, and their attitude is not impartial in many cases and the cases they involved are mostly not ended up in conviction’.

While a few bad apples are not representative, the table below seems to bear it out since most SPPs of 17 districts have a record of acquittals with zero conviction in at least one of two years. Notice how the conviction rate shot up in Tirunelveli once SPP S. Bagathsingh was replaced. Between them (and discounting Tirunelveli 2020), they have an incredible 814 acquittals to 29 convictions over two years. Though some do have (very few) convictions, it is so lopsided that they are also members of the infamous ‘zero percent’ club.

Findings

1. Only 30 of the 33 sanctioned posts of SPP were filled. Velore and Erode districts had the post vacant for 2019 and 2020.
2. Advocate Senthil Kumar from Erode was removed from the post of SPP for *not pleading the PoA Act related cases effectively* in 2019 and 2020. It is not clear whether it is a reporting error or whether he was re-appointed for the post in 2020 and removed again, and if so the grounds for reappointment and repeat removal.
3. In 2019, Mr. S. Bagathsingh was removed from Tirunelveli for *not pleading the PoA Act related cases effectively*. That year, Tirunelveli had 111 judgements of which 110 ended in acquittals. He was reappointed (transferred?) as SPP in Thoothukudi immediately. It is

The zero percent club								
S.N.	District	Special Public Prosecutor	2019			2020		
			Acquitted	Convicted	Conviction Rate	Acquitted	Convicted	Conviction Rate
1	Chennai	V.S. Narayanarao	2	0	0.00	1	0	0.00
2	Cuddalore	M. Arumugam	26	0	0.00	9	1	10.00
3	Dindigul	C. Manickam	31	1	3.13	17	1	5.56
4	Karur	B. Ravichandran	5	0	0.00	24	0	0.00
5	Krishnagiri	M. Babu	12	0	0.00	1	0	0.00
6	Madurai	A. Kalyana Sundaram S. Arivudainambi	34	3	8.11	21	3	12.50
7	Pudukkottai	M. Nallan Asaithambi	25	0	0.00	15	3	16.67
8	Ramanathapuram	S. Kamaraju	67	2	2.89	14	0	0.00
9	Sivagangai	N. Sureshkumar	32	10	23.81	27	2	6.89
10	Thanjavur	R. Sadhishkumar	50	0	0.00	14	0	0.00
11	Theni	S. Thangadurai	24	0	0.00	26	0	0.00
12	Tiruvannamalai	M. Dinakaran	20	0	0.00	35	0	0.00
13	Tirunelveli	D. Rajaprabakaran S. Bagathsingh #	110	1	0.90	31	55	63.95
14	Tiruppur	S. Ruban	15	0	0.00	0	0	0.00
15	Tiruvallur	R. Vijayan	18	0	0.00	0	0	0.00
16	Tiruvavur	P.J. Archunan	62	0	0.00	8	0	0.00
17	Virudhunagar	G. Kanagaraj	33	0	0.00	36	2	5.26

Source: Tamil Nadu State Annual Reports 2019, 2020 and Crime Review Statistics 2019 and 2020 (Table 10.6) from TN Police Department website, accessed on 23 June 2021;

S. Bagathsingh was the SPP in Tirunelveli till he was shunted out for not arguing the cases under PoA effectively

Links: 1) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2019.pdf

2) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2020.pdf

The blank cells for SPP names are for the new districts. The names of the Special Public Prosecutors (SPP) are from Tamil Nadu State Annual Reports 2019, 2020.

not clear on what basis, and the criteria by which, an SPP removed from the post for *not pleading the PoA Act cases effectively* can be reappointed as an SPP under the same Act immediately (even if in another district) since it is violative of Rule 4(3) which says that he should be denotified.

Recommendations

1. Legal aid and advocates services should be provided from the time of filing the complaint or FIR, whichever is earlier, to the victim-survivors, witnesses, informants, and their dependents.
2. The victim-survivors, witnesses and their dependents, and the concerned individuals and organisations should be given the performance report of the SPP and panel advocates, that clearly discloses the number of trials appeared for and the number of convictions. The reports of the DGPs district level standing committees should also be made available to them so that they can make an informed choice on who their advocate should be.
3. The advocates of choice should be given secretarial and research assistance, or an allowance to employ them, as also reimbursement of travel expenses at a higher scale than the SPPs and panel advocates, as permitted in Rule 4(5). Closer coordination with them by the investigation officer and the DVMC would also help in the joint effort towards the administration of justice.
4. The performance of the SPPs and all officials implementing this Act should be monitored at the state level so that embarrassments such as the Tirunelveli - Thoothukudi imbroglio do not repeat.
5. While recommendations are normally for systemic correctives (though findings identify individual officials), in this case it is a clear abuse of the system. In this extraordinary situation we therefore recommend that
 - a) SPP S. Bagathsingh be removed from the post of SPP with immediate effect and be prosecuted for dereliction of duty (or departmental action if he is from a scheduled community).
 - b) The payments made to him be recovered with retrospective effect, if he has not made full disclosure at the time of appointment in Thoothukudi.
 - c) He be barred from being the SPP or SPP under this Act permanently, and
 - d) The appointing authority be censured in the Annual Confidential Report (ACR) for not exercising due diligence.

Special courts

Special courts and exclusive special courts (ESC) are mandated in Section 14 of the Act. The purpose of special courts is to ensure

Exclusive Special Courts	2019	2020
Functioning	14	14
Sanctioned	22	22
Vacancies	3	-
Source: Tamil Nadu State Annual Reports 2019, 2020, Annexure XII		

speedy trial and justice to the victims - within 60 days of the chargesheet being filed [Section 14(2)], with the trial being conducted day-to-day until all the witnesses in attendance have been examined, unless the special court or the ESC finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded in writing [Section 14(3)].

There are cases pending in the courts under the Act since 1992 - over 300 of them from before 2010, and over 1600 from before 2016. By the end of 2020, that figure would rise to 5432.

Of 37 districts 33 have 80 percent or more pendency for cases of atrocities against SCs, and 20 districts have 100 percent pendency in atrocities against STs. Since the last 25% of relief is provided at the end of trial in most crimes (but for murder and rape), this skyrocketing pendency rate dilutes the very essence of immediate relief and brings life to a halt with intergenerational consequences.

Findings

1. Three exclusive special courts - Madurai, Tirunelveli, and Villupuram - had vacancies for judges in 2019 [minutes of the quarterly review meeting held on 26 March 2019, AD&TW(PA1)DEPT by the nodal officer].
2. As per the State Annual Reports (SAR) 2019 and 2020, only 14 of the 22 ESCs sanctioned under this Act are functional. Four of them started functioning from 14 August 2018, and another four from 30 April 2019.
3. There is some discrepancy in the data contained in the SAR, and field perception. The ESC in Srivilliputhur became operational only on 24 April 2019¹ though the SAR 2019 reports that it started functioning from 14 August 2018. Similarly, the ESC in Pudukkottai was declared open on 5 October 2019.² But SAR 2019 reports that it is functioning from 14 August 2018.
4. There are 20 districts with a pendency rate of more than 80% at the judicial level. ESCs exist in 12 of these - Cuddalore, Dindigul, Madurai, Pudukkottai, Ramanathapuram, Thanjavur, Theni, Tiruvannamalai, Tiruchirapalli, Tirunelveli, Villupuram, and Virudhunagar.
5. In 2020, 8 districts had 100% of pendency at the courts.
6. There is a pendency rate of 80% or more in atrocities against scheduled castes in 23 of 32 districts in 2019, and 33 of 37 districts in 2020.
7. In cases of atrocities against scheduled tribes, there was 100% pendency in half 16 of 32) the districts in 2019, which increased to 20 out of 37 (54%) districts in 2020. Despite years long pendency, no cases of atrocities on the scheduled tribes were taken up in 2020.

¹ The Hindu on 04 May 2019 <https://www.thehindu.com/news/national/tamil-nadu/set-up-special-courts-for-trial-of-scst-offences-hc/article27029432.ece>, accessed 02 September 2021

² The Hindu on 05 October 2019 <https://www.thehindu.com/news/cities/Tiruchirapalli/special-court-for-scst-cases-inaugurated/article29605548.ece>, accessed 02 September 2021

Recommendations

- Judicial pendency is the bottleneck that needs to be addressed on a priority, more so since the number of cases pending is increasing every year and is now over 5000.
- Cases of atrocities on the scheduled tribes, heinous crimes, and crimes against women and children should be prioritised and cleared with no further delay. The number of cases of atrocities on scheduled tribes is small - they are only 1% of the population - but they are the most vulnerable and deserve quick restitution and restorative justice.
- Post additional judges and SPPs to the 12 districts with a pendency rate of more than 80% which already have ESCs - Tiruchirapalli, Thanjavur, Madurai, Tirunelveli, Villupuram, Dindigul, Ramanathapuram, Virudhunagar, Pudukkottai, Cuddalore, Theni, and Tiruvannamalai.
- Constitute the ESCs on a priority in eight districts where the pendency rate is over 80% and where the exclusive special courts are not yet functional.
- The additional ESCs sanctioned in Perambalur, Vellore, Thoothukudi, and Kanyakumari, and the four new ESCs announced by the chief minister in Salem, Krishnagiri, Madurai, and Tirunelveli need to be made operational immediately.
- Temporary ESCs could be set up to clear the backlog of almost 6,000 cases and provide immediate relief and socio-economic rehabilitation, starting from the 300+ cases pending in courts since 2010, and then the 1300 cases pending in the trial courts before 2016. There is actually one case pending trial in Chennai from 1992. A 30 year wait is a travesty of justice.
- All cases of acquittal should be appealed automatically within ninety days from the date of the judgement [Section 14A(3)] instead of waiting for 'legal opinion' indefinitely, and the appeals disposed off within three months from the date of admission of the appeal under Section 14A(4).
- For better tracking of the PoA related cases where the trial is completed, the SCRB must add separate columns for the following district-wise data. Number of cases where:
 - Trials not completed within 60 days of filing the chargesheet.
 - Written explanations were given by the judge of the special court for not conducting the trial on a daily basis.
 - List of SPPs removed, along with the date of removal, for not pleading the PoA related cases effectively.

Monitoring: State

There are three monitoring mechanisms at the state level - the State Level High-Power Vigilance and Monitoring Committee

Mechanism	2019	2020
SVMC: Chairperson Chief Minister Edappadi K. Palaniswami		
Meetings conducted	0/2	1/2
Chief minister's rating	0	0
Source: Tamil Nadu State Annual Reports 2019, 2020 and RTI Replies. Chief minister's rating: The rating is 0 for both years, since the meeting in 2020 was conducted due to litigation. Therefore it is not added to the credit of the chief minister or to the party.		

(SVMC) chaired by the chief minister, the Social Justice and Human Rights Wing headed by the ADGP, and the nodal officer, the Additional Chief Secretary, Adi Dravidar and Tribal Welfare Department. The director of prosecutions and the director general of police too have roles to play.

State Level High-Power Vigilance and Monitoring Committee

The SVMC is to meet at least twice in a calendar year, in the months of January and July to review the implementation of the provisions of the Act, especially the prevention, relief, socio-economic rehabilitation, and protection of the rights of victim-survivors, witnesses and their dependents. The chief minister should chair the meeting. This is one event that is totally under the control of the state government in general and the chief minister in particular. This is an important marker of virtue signaling, and how seriously the government at the highest level takes social justice. The record thus far is not inspiring.

Since the rules came into force on 31 March 1995, just four (8%) of the mandated 51 SVMC meetings have been conducted till 31 December 2020. Not one has been held in January or July.

Consolidated figures party-wise are equally dismal. AIADMK conducted one of the required 31 meetings and DMK one of the required 20 meetings. Meetings conducted due to litigation are not added to the credit of the chief minister or to the party.

In June 2020 over 4150 signatures were sent from 10 districts to the then chief minister, Edappadi K Palaniswami, reminding him that has not conducted a single SVMC meeting during his tenure - the first and only chief minister with this dubious distinction. That also did not have any effect,

Chief Minister's Report Card on SVMC meetings conducted till December 2020						
S.N.	Chief Minister	Meetings conducted	Mandatory meetings	Percentage Compliance	Swearing in	Demitted office
1	Dr. J. Jayalalithaa	0	2	0.00%	24 June 1991	12 May 1996
2	Dr. M. Karunanidhi	0	10	0.00%	13 May 1996	13 May 2001
3	Dr. J. Jayalalithaa	0	1	0.00%	14 May 2001	20 Sept 2001
4	O. Panneer Selvam	0	1	0.00%	21 Sept 2001	01 Mar 2002
5	Dr. J. Jayalalithaa	0	8	0.00%	02 Mar 2002	12 May 2006
6	Dr. M. Karunanidhi	1	10	10.00%	13 May 2006	14 May 2011
7	Dr. J. Jayalalithaa	#2	7	14.29%	16 May 2011	28 Sept 2014
8	O. Panneer Selvam	0	1	0.00%	29 Sept 2014	22 May 2015
9	Dr. J. Jayalalithaa	0	3	0.00%	23 May 2015	05 Dec 2016
10	O. Panneer Selvam	0	1	0.00%	06 Dec 2016	15 Feb 2017
11	Edappadi K. Palaniswami	#1	7	0.00%	16 Feb 2017	06 May 2021
	Total (state)	4	51	8.16%		
Source: RTI replies from Public (Special-B) Department, Government of Tamil Nadu: No.643/Special.B/2016-1, Dated: 10.5.2016; No.5634/PA-1/RTI No.56/2016-2, Dated: 14.6.2016; No.1309/Special.B/2017-1, Dated: 12.7.2017; Government Letter No. 8481/RTI No.78/PA1/2020-1, Dated 17.07.2020. #: Meetings conducted due to litigation are not added to the credit of the chief minister or to the party.						

and no meeting was conducted in July or August 2020. However, with the verdict in the public interest litigation in the Madras High Court to order the state government to conduct the meeting [WP No:10335/2020(PIL) filed by Advocate Pannerselvam, Coimbatore, Vs State of Tamil Nadu] coming for final hearing on 9 September 2020, he was forced to conduct an SVMC meeting on 8 September 2020. The previous meeting held by Dr. J. Jayalalithaa was also conducted in similar circumstances, just hours before that case came up for hearing in the Madras High Court in June 2013.

Findings

- From 1995 to 2020, only four of the statutory 51 SVMC meetings have been conducted - on 3 November 2010, 21 June 2012, 25 June 2013, and 8 September 2020. Of them, the last two were conducted just hours before the Madras High Court was to pass its orders on a public interest litigation (PIL) demanding that the government conduct the meetings.
- The Madras High Court judgement in September 2020 passed strictures on the state government and ordered it to conduct the meeting in every January and July. The state government did not conduct the mandatory - and court ordered - meeting in January 2021.

SVMC meetings conducted: Party-wise report card				
SI	Party	Mandatory Meetings	Meetings conducted	% compliance
1	DMK	20	1	5.00%
2	AIADMK	31	1	3.22%
	Total	51	2	3.92%
Source: RTI reply No.643/Special.B/2016-1, Dated: 10.5.2016, No.5634/PA-1/RTI No.56/2016-2, Dated: 14.6.2016 & No.1309/Special.B/2017-1, Dated: 12.7.2017 from Public (Special-B) Department, Government of Tamil Nadu; Government Letter No. 8481/RTI No.78/PA1/2020-1, Dated 17 July 2020.				

Recommendations

- Conduct the SVMC meetings on fixed dates in January and July. One option is to hold them on 28th of January and July every year, so that there is sufficient time for the monthly reports from the districts to get consolidated by the ADGP, SJHR and send it to the nodal officer. It is also an important requirement for virtue signalling, and will motivate the officials down the line to conduct the meetings on time with due preparation.
- Review and sanction any overdue relief or rehabilitation to the victims, and hold each district magistrate responsible for any delays.
- Review the performance of the district magistrate and the sub divisional magistrate in conducting the DVMC and SdVMC meetings respectively. The performance review should cover the number of meetings conducted and the quality of meetings - whether adequate notice was given along with a) the agenda, b) briefing notes, c) monthly status reports, d) status of cases, and e) the performance of the officials. Those not conducting the meetings should give a written explanation on why it was not held, and when it will be held, which should be part of the briefing notes of the SVMC meeting and agenda point for discussion.
- The briefing notes and recommendations of the committee should be informed by the reports of the high powered standing committee on fixing responsibility for acquittals set up

in the state by the DGP [Circular Memorandum 4 C.No.053884 / Crime. 4(3)/2014 Dated: 26.04.2016] on the orders of the Supreme Court of India in the State of Gujarat Vs. Kishanbhai etc. [Criminal Appeal No. 1485 of 2008] of 7 January 2014. Decisions on replacing the non performing DSPs and SPPs should be taken at the SVMC meeting itself.

- After conducting the review meetings, upload the minutes of the meeting onto the government website.

Social Justice and Human Rights Wing

The SJHR wing of the police department at the state level, and the SJHR unit at the district level, have a strong role to play in the enforcement of this Act. At the state level it is headed by an officer of additional director general of police rank, and the deputy superintendent of police at the district level.

This is a special branch of the police department that is supposed to function as the traditional police, and does the historical role of the police in the community -

both the 'law enforcement' role and the restorative justice 'healing' role. It protects the victim-survivors, takes them to court and supports them in their testimony.

The superintendent of police in each district (and commissioners in the cities) are incharge of disbursing the allowances and reimbursements during investigation and trial, for which Rs. 1 million (Rs. 10 lakhs) is transferred to their accounts annually [GO Ms No. 32 Adi Dravidar and Tribal Welfare (1) Department, dated 27 May 2016, quoted in SAR 2020 paragraph 5].

Mechanism	2019	2020
SJHR: Director, ADGP Shailesh Kumar Yadav		
Monthly reports received under Rule 4(4)	# Nil	# Nil
Monthly reports sent to nodal officer under Rule 8(1)(xi)	^ Nil	^ Nil
Source: RTI replies # PIO D. Kiraharaj, DoP, in RTI reply R.C.No.3311/DOP/A3/2021 Dated: 01.07.2021. ^ PIO - K. Chandrasekaran, AD&TWD, Letter No. 6634/RTI No. 76/PA2/2021-1, Dated: 19.04.2021.		

Findings

- Unfortunately, this department has shrunk its role to only monitoring outbreaks of violence, and not implementation of the Act nor its compliance. This becomes all the more stark in the case of monitoring the progress of the case, the status of relief and socio-economic rehabilitation, and the status of protection of the rights of victims, survivors, witnesses, and their dependents, where it does not even have the basic data.
- Those who are supposed to provide this data - the district magistrates - too perceive this shrunken role, and do not provide this data either, though they are statutorily bound to do so under Rule 4(4). To an RTI request [Ref:R4(4)(b)/RTI/POA/2021/SM01 dated 11 June 2021], regarding monthly reports from the districts to the Director of Prosecutions, PIO D. Kiraharaj replied [Ref: R.C.No.3311/DOP/A3/2021 Dated: 01.07.2021] that *'The information sought by you is not available in this office. The officers concerned in all districts of Tamil Nadu are not submitting monthly reports to this Directorate'*.

- Unsurprisingly, the department has not once, in the 31 year history of the Act or 25 year history of the rules, been able to consolidate and provide the requisite information on a monthly basis to the nodal officer as mandated in Rule 8(1)(xi). 2020 was no different. PIO K. Chandrasekaran from the AD&TW department reports [Letter No. 6634/RTI No.76/PA2/2021-1, Dated: 19.04.2021] that '*no such collective information is available in this department*' and helpfully points us back to the SJHR Wing.

Recommendations

- Repurpose the SJHR wing with adequate skills and capacity so that it can fulfil its mandated functions set out in Rule 8.
- Ensure that the monthly reports are sent to the nodal officer under Rule 8(1)(xi) with the status of the cases - including investigation, trial, relief due and overdue, and the socio-economic rehabilitation - and the fulfilment of the rights of victims, survivors, witnesses, and their dependents.
- The quarterly reports of the district level standing committees set up by the DGP [Circular Memorandum 4 C.No.053884/ Crime.4(3)/ 2014 Dated: 26.04.2016] submitted to the DGP's office could be accessed to fix accountability for acquittals for cases where the PoA is invoked, and that information could be part of the monthly reports sent to the nodal officer under Rule 8(1)(xi).

Nodal officer

The nodal officer is appointed under Rule 9, and is the convergence point for the whole of government approach. Till 2020 the nodal officer was the Additional Chief Secretary, AD&TW department. (After the May 2021 change in government, the nodal officer has been changed to the Principal Secretary, AD&TW department. This is apart from the change in the individual designated as the nodal officer).

The two key responsibilities of the nodal officer are to coordinate the officers implementing the Act

at the district and state levels, and review the implementation of the Act quarterly based on the input received [Rule 9]. The first includes convening the SVMC meetings [Rule 16(1)(v)], and preparing and sending the state annual report to the union government [Rule 18].

Mechanism	2019	2020
Nodal Officer: Additional Chief Secretary Otem Dai		
Quarterly reviews [Rule 9]	4/4	No Information
Annual reports	1/1	#1/1
Convene SVMC meetings [Rule 16(1)(v)]	Yes	Yes
Source: Minutes of the meetings (AD&TW(PA1)DEPT) obtained through RTI Replies, and SARs. # Principal Secretary K Manivasan is responsible for the 2020 report.		

Findings

- The quarterly reviews [Rule 9] were conducted on 26 March 2019, 22 May 2019, 22 October 2019 and 08 November 2019. There was an extra review meeting on 07 February 2019 to discuss the issues to be presented to the National Commission for Scheduled Castes.

2. Though the nodal officer did try to convene the SVMC, a suitable date could not be found due to political (electoral) compulsions. It is recorded in the minutes of the meeting held on 7 February 2019 (AD&TW(PA1)DEPT) that there were several attempts to convene the SVMC meeting. The meeting on 7 February 2019 was explicitly to prepare the agenda for the SVMC meeting.

... the concerned official dealing with the subject stated that the file was sent to the office of the hon'ble chief minister during July 2018 with a request to fix the date and time of the state level vigilance and monitoring committee meeting. Consequently, the principal secretary II to the hon'ble chief minister contacted the director of Adi Dravidar welfare over phone, and issued some instructions about the points to be included in the agenda of the proposed meeting. Hence, in a government letter dated 27 August 2018, the director of Adi Dravidar welfare was requested to prepare an agenda as per the instructions issued by the office of the chief minister, and send the same to the government for fixing the meeting.
3. Immediately after this, attention turned to the by-elections to the state assembly, since the outcome of polls to the 22 seats in play would determine their fate. The constitutional obligation to conduct the SVMC got the short straw. SAR 2018 (paragraph 9) says that

After the parliamentary elections 2019 and the by-elections for 22 constituencies, action is being taken by this government to reconstitute the committee with new members of parliament and members of legislative assembly. Steps will be taken to conduct the meeting at the earliest after the reconstruction during the current year at the earliest.
4. That was the promise of early 2019, when the annual report was being written (the report is sent to the union government before 1 July every year, in keeping with the Rule 18 mandated timeline). One year after the election, neither of the SVMC meetings were conducted... until the Madras High Court stepped in.
5. The effort of the nodal officer to clear the relief pending for 7 or 8 years (minutes of the quarterly review meeting held on 26 March 2019 (AD&TW(PA1)DEPT) by the nodal officer) seems to have paid off in 2020. There has been a spurt of payments from 634 who got relief after 7 days in 2019 (total cases registered 1264) to 2350 in 2020 (total cases registered 1436).

Recommendations

1. Redesign the monthly reporting format under Rule 4(4). The data being collected by the district magistrates and forwarded to the state is short of crucial information required for monitoring and decision making. Data points need to be added to ensure that delays in the payment of relief are tracked and eliminated monthly.
2. Add the position of acquittals and appeals to the quarterly review agenda.

3. The quarterly reports of the district level standing committees set up by the DGP [Circular Memorandum 4 C.No.053884 / Crime.4(3)/2014 Dated: 26.04.2016] submitted to the DGP's office could be accessed to fix accountability for acquittals for cases where the PoA is invoked. The ADGP, SJHR could include that information in the quarterly report sent under Rule 8(1)(xi) to the nodal officer.
4. Ensure that the district magistrates file reports under Rule 6(2) and Rule 12(7) with the special courts within seven days of the atrocity without fail.
5. Ensure that the written explanations under Rule 7(2A) are filed by the DSPs, and analyse them periodically.

Director of prosecutions

The director of prosecutions together with the district magistrate sets up the panel of senior advocates [Rule 4(1)] and the panel of special public prosecutors and exclusive special public prosecutors [Rule 4(1A)]. The low rate of convictions under this Act has been an anomaly in the prosecution record of the state. Only one public prosecutor, S. Senthil Kumar of Erode - has ever been removed for not arguing the case properly (2019). The other - S. Bagathsingh under whom Tirunelveli has a record of 1 conviction and 110 acquittals in 2019 - was reappointed immediately to Thoothukudi.

As mentioned earlier, the government has not gone on appeal against acquittal even in a single case. The standard reason given in the annual reports is *Legal opinion is being sought on the point of appeals to be preferred against the acquittals*.

Inter-departmental assessment

As mentioned in our 2019 report, the Additional Director General of Police, at the review meeting held on 7 February 2019 and reiterated on 26 March 2019 to the Additional Chief Secretary that the

‘lack of cooperation on the part of the Special Public Prosecutors is the main hurdle in raising the rate of conviction in cases of atrocities’.

The Director of Prosecution not only agreed but emphasised that

‘The Special Public Prosecutors ... are appointed by the government in power, and their attitude is not impartial in many cases and the cases they involved are mostly not ended up in conviction’.

Even though stringent punishment is stipulated in the Act, for the negligence of duties on the part of the public servants, the Public Prosecutors are not functioning upto the required level.... suitable instructions have been issued to all the District Collectors and the District Level Officers in charge of Prosecution to review the cases of atrocities and furnish a report to the Government. However, the Public Prosecutors/Special Public Prosecutors are not responding to the instructions.

The rather exasperated Additional Director General of Police then tells the Director of Prosecution to

keep the record of the names of the Public Prosecutors/Special Public Prosecutors who are not cooperating and bring the matter to the notice of the Government.

Additional Chief Secretary instructed the Director of Prosecution to

put pressure in respect of review of Prevention of Atrocities cases on the officers in charge in the District Level and get the work done periodically,

Despite such overwhelming evidence and internal awareness of the problem (including minuting ‘negligence’) no action has been taken.

Recommendation of the National Commission

There has been a clear recommendation to frame a policy for the selection of SPPs from the Minister of Tribal Affairs (DO No 18012/3/2011-C&LM-I dated 24 June 2016)³ based on the recommendations of the fourth report of the National Commission for the Scheduled Tribes for the year 2008, which reiterates earlier recommendations contained in the reports of the NCSCST for the year 1994-96 and 1998-99 that the Directorate of Prosecution should ensure that the selection of the SPP

13. [...] should be made through a well laid down procedure. [Para 6.12.8]

14. The Commission, therefore, recommends that there is an imperative need to formulate a policy to have a focussed approach for taking effective precautionary measures to check offences of atrocities and ensure effective implementation of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 such cases [Para 6.12.9]

The above is on the website of the Tamil Nadu police.⁴ The file has markings with policy underlined. So obviously it has come to the notice of the higher ups. Why such a policy has not been formulated at least for the past decade, remains a mystery. Instead we have both the ADGP and the Director of Prosecution playing the blame game, as late as 2019.

Recommendations

1. Implement the recommendations of the national commissions.
2. The director of prosecutions gets the monthly report from the district magistrate under Rule 4(4). These reports should be perused carefully and acted upon to fix accountability. It should not take a track record of 110 continuous acquittals in a year to transfer a special public prosecutor.

³ Recommendation of the 4th report of the National Commission for The Scheduled Tribes for the year 2009-2010. https://eservices.tnpolice.gov.in/content/publications/national_commission_sc_st.pdf, accessed 1 September 2020.

⁴ https://eservices.tnpolice.gov.in/content/publications/national_commission_sc_st.pdf, accessed 1 September 2020.

3. Acquire and act upon the information contained in the quarterly report to the DGP from the district level standing committees set up by the DGP [Circular Memorandum 4 C.No.053884 / Crime.4(3)/2014 Dated: 26.04.2016].

Director general of police

The DGP is the head of the police force in the state, and therefore a model for officers down the line. Being part of the SVMC he has a direct role to play in monitoring the implementation of this Act. The recommendations are for his leadership role rather than an implementation or monitoring role - both of which are handled by the SJHR wing.

Recommendations

1. Visit, within 24 hours, the site of one atrocity per month, if possible in different districts. It will set a standard for fellow officers to emulate and send a message to the perpetrators and their closet supporters. The value of this virtue signalling is priceless and can be done only by the leadership. It is the police equivalent of the chief minister's gesture in conducting the SVMC meeting in 100 days, and the impact of this one gesture will reverberate down the line within the department and also send a clear signal to the caste bullies. If done in cases involving women and children from the scheduled communities, the deterrent impact will be incalculable.
2. Assist the ADGP, SJHR to repurpose the SJHR wing with the skills and capabilities so that it can fulfil its mandated functions set out in Rule 8.
3. Ensure that the district level standing committees set up by the DGP [Circular Memorandum 4 C.No.053884 / Crime.4(3)/2014 Dated: 26.04.2016] actually function. The DGP would do well to ensure that the orders of his office and the SCI are followed in letter and spirit.
4. The quarterly reports submitted to the DGP's office by the district level standing committees should be accessed to fix accountability for acquittals for cases where the PoA is invoked, and that information sent to the nodal officer every quarter to include in the January and July SVMC briefing notes and agenda.

Monitoring: District

As per statute, the district magistrate shall convene a DVMC meeting at least once in three months to prevent atrocities on the scheduled communities. These meetings at the end of every quarter, are

to review the law and order situation, functioning of different committees, performance of special public prosecutors, investigating officers, and other officers responsible for implementing the provisions of the Act, and the cases registered under the Act [Rule 3(xi)]. The protection and status of the victims and witnesses mentioned in Section 15A of the Act,

DVMC Meetings	2019		2020	
Constituted	27/32	84%	34/37	92%
Meetings conducted	48/128	38%	64/148	43%
Source: Tamil Nadu State Annual Reports 2019 and 2020.(Annexure IX)				

and required to be monitored and recorded under Rule 4(4), are a key agenda of the DVMC meetings as per Rule 17(1).

RTI replies reveal that the quality of reviews done by the district magistrates (chairpersons) could be better. Seldom was the agenda shared with the members or statutory reports submitted; almost 90% of cases are dismissed as ‘mistake of fact’ and the remaining are sent for re-investigation; no other provisions of the Act, schemes, relief and rehabilitation, and role of different officers were discussed.

Findings

1. Of 148 mandatory meetings (four each in the 37 districts), only 64 (43%) were conducted in 2020. More meetings were conducted during the pandemic year 2020 than in the previous year.
2. Review meetings are critical for the optimum functioning of the DVMCs especially during lockdowns when atrocities increase. While the increase in meetings is commendable, it is still below 50% of the mandated number, and much less than the 118 meetings (92%) conducted in 2018.
3. The district magistrates who did not conduct even one DVMC meeting in 2019 are Ramasamy (Coimbatore), P. Ponniah (Kanchipuram), K.S. Kandasamy (Tiruvannamalai), Dr. K.S. Palanisamy and Dr. K. Vijayakarthiskeyan (Tiruppur). In 2020 they are Chandra Sekhar Sakhamuri (Cuddalore), J. Innocent Divya (Nilgiris), P. Madhusudhan Reddy (Sivagangai), G.K. Arun Sundar Thayalan and G.S. Sameeran (Tenkasi), Mageshwari Ravikumar and P. Ponniah (Tiruvallur), P. Kumaravel Pandian (Vellore).
4. In 2020, eight district magistrates did not conduct any of the statutory quarterly DVMC meetings, 11 conducted two, six conducted three and only few conducted all four statutory meetings. This is better than in 2019 when none of the 32 district magistrates conducted the mandatory four meetings.
5. The exemplary district magistrates who conducted all four DVMC meetings in 2020 despite the pandemic are V. Santha (Perumbalur), P. Uma Maheswari (Pudukkottai), and R. Kannan (Virudhunagar).

Recommendations

1. In case of lockdown in the future, the review meetings can be conducted online.
2. Inform the victims within 48 hours about the status of their case discussed in the quarterly review meetings.
3. The quarterly DVMC meetings need to be held regularly on fixed dates, preferably on 10 March, June, September, and December uniformly across all districts in the state. This will give time for their discussions to feed into the state deliberations in January and July.

4. The DVMC meetings should review the performance of the SPP and the DSP, especially with the information from the High Powered Standing Committee set up by the DGP [Circular Memorandum 4 C.No.053884 / Crime.4(3)/2014 Dated: 26.04.2016]. Depending on their performance, they should be removed or retained at the positions.
5. After conducting the quarterly review meetings, upload the minutes of the meeting onto the government website to ensure transparency.
6. All DVMC members need to be oriented on their rights, responsibilities, and duties, including the reports and reviews they are entitled to get, how their views will be recorded, and decisions will be implemented.
7. Time bound relief: Fix a deadline in the quarterly review meetings for completing relief and rehabilitation to the victims that are overdue i.e more than six months after the FIR was registered.

Monitoring: Sub-division

The Sub-Divisional Vigilance and Monitoring Committee (SdVMC) is perhaps the most critical monitoring mechanism under the Act since it is closest to the people. All elected representatives from the scheduled communities in the jurisdiction are members - the MPs, MLAs, panchayat presidents and ward members. It is to meet at least once in three months with a sub-divisional magistrate as chairperson [Rule 17A(2)] so that the position of all the cases with respect to investigation, trial, protection, relief, and socio-economic rehabilitation can be reviewed. It is here that the reviews will be thorough, due to the small numbers in each sub-division, and individual cases can be discussed and followed up.

When the amended rules came into force, the nodal officer, Additional Chief Secretary, Adi Dravidar and Tribal Welfare Department Otem Dei issued a government order [GO (Ms) No 6, Adi Dravidar and Tribal Welfare Department dated 20.01.2015] to all district collectors to constitute the SdVMCs in 2015.

The SdVMCs are constituted in 44 (47%) of 92 subdivisions in 2020 - a great progress from only 8 (11%) of 87 subdivisions in 2019 - but compliance remains low. In 2019, only 22 (6%) of 348 mandatory meetings were conducted, and only 28 (7%) of 376 mandatory meetings in 2020. One third (34%) of the constituted sub divisional committees did not conduct the mandatory meetings in 2020, uncomfortably exposing the hollowness of the committees on paper.

Findings

1. Only 22 (6%) of the statutory 348 SdVMC meetings were conducted in 2019, and only 28 (8.53%) of 376 in 2020.

Mechanism	2019	2020
SdVMC		
Constituted	8/87	44/94
Meetings conducted	22/348	28/376
Source: Tamil Nadu State Annual Reports 2019, 2020 and RTI Replies.		

2. No SdVMC has completed the mandatory four meetings in a year since the amended rules came into force in 2016.
3. Despite no lockdown in 2019, there was poor compliance from the sub divisional magistrates (6%) in conducting the quarterly review meetings.

Recommendations

1. Immediately constitute the SdVMC with all elected representatives of Panchayati Raj institutions belonging to the scheduled communities in the sub-division as members, and conduct the quarterly meetings regularly.
2. Inform all panchayat members from the scheduled communities that they are ex-officio members, and keep them informed of meeting dates and other developments.
3. All SdVMC members need to be oriented on their rights, responsibilities, and duties, including which reports and reviews they are entitled to get, how their views will be recorded, and how their decisions will be implemented.
4. After conducting the quarterly review meetings, upload the minutes of the meeting onto the government website to ensure transparency.
5. In case of future lockdown, the review meetings can be conducted on an online platform.
6. Inform the victims in less than 48 hours about the status of their case after the quarterly review meetings.
7. Fix a deadline in the quarterly review meetings for completing relief and socio-economic rehabilitation to the victims that are overdue. Zero pendency should be the norm.

Travel allowance and maintenance expenses

The norms for travel allowance and maintenance expenses (TAME) are detailed in Rule 11.

The amount should be disbursed on the same day, and in any case not more than three days after expenditure.

Reimbursements (TAME) Rule 11	2019			2020		
	SC	ST	Total	SC	ST	Total
Number of victims reimbursed	2384	141	2497	1321	28	1349
Source: Tamil Nadu State Annual Reports 2019, 2020 and RTI Replies.						

Findings

1. In 2019, Travel Allowance and Maintenance Expenses (TAME) was provided for 2497 victims, dependents, witnesses, and accompaniers (SC: 2384 and ST: 141).
2. In 2020, 18 (40%) of 44 police districts have not made even one reimbursement.
3. Some districts have made flat rate reimbursements. For instance, Salem district provided Rs. 125 and Ramanathapuram provided Rs 150, irrespective of the distance between the house, the police and court, health conditions, and daily wages.

Recommendations

1. To clear the backlog of reimbursements, relief and rehabilitation payments immediately, a special one time provision in the budget should be made. The budget allocations should be 120% of the actual amount spent on TAME in the previous year.
2. During the investigation and until the end of the trial, the victims, dependents, witnesses, and accompaniers must be provided with travel, food, and daily expenses.
3. The allowance and dietary expense reimbursement should reflect the loss of income for the day, in addition to the actual expenses.
4. Follow Rule 11(6) in letter and spirit. The amount should be disbursed on the same day, and in any case within three days as stipulated in Rule 11(6). The practice of clubbing together the disbursements quarterly, or worse, at longer or irregular, ad hoc intervals should be discontinued.

Socio-economic rehabilitation

Socio-economic rehabilitation means uplifting a person from social and economic distress and getting them back to normal life. The relevant guidelines are in

Rule 12(4) and the contingency plan under Rule 15. They include the minimum monetary relief - now enhanced to a minimum of Rs 100,000 to 12 lakhs (Rs 1.2 million) in Tamil Nadu - restoration of natural and human made infrastructure (cleaning despoiled wells etc), and a house, agricultural land, government job, and free schooling to children up to graduation.

The state government has authorised the district magistrate (district collector) to provide immediate relief by permitting immediate withdrawal of money from the treasury.

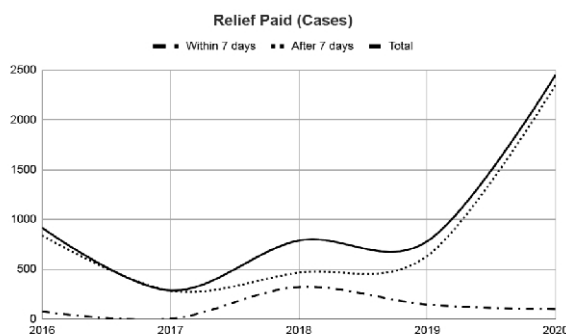
The data provided in the government reports does not enable tracking of the non monetary component of socio-economic rehabilitation.

Relief and Socio-economic Rehabilitation	2016	2017	2018	2019	2020
Total cases registered	1476	1981	1238	1264	1436
Relief within 7 days	76	3	322	146	100
Relief after 7 days	840	285	466	634	2350
Total relief given	916	288	788	780	2450

Source: Tamil Nadu State Annual Reports 2016 to 2020.

Findings

1. The attempts by the nodal officer to clear the overdue relief and rehabilitation [minutes of the quarterly review meeting, 26 March 2019 AD&TW(PA1)DEPT] seems to be paying off. In 2019, the total relief provided was less than the number of cases registered. In 2020 it is almost double the cases registered and 400% of 2019.



2. The number and quantum of relief passed on to the victims, survivors, or their dependents on time is a cause for concern. Only 100 (4%) of the 2450 cases have had the relief on time in 2020, less than in 2019. This is despite the fact that in 2020, there were 265 victims of heinous crimes (murder, attempt to murder, rape, grievous hurt). Heinous crimes were specially focussed on for speedy sanction of relief, as instructed by the ACS [minutes of the quarterly review meeting, 22 October 2019, AD&TW(PA1)DEPT] but relief for the heinous crimes of 2020 seem to have been ignored.
3. Relief and Rehabilitation was provided for 2521 victims (scheduled caste 2456, scheduled tribes 65).
4. Immediate relief is provided after seven days in 1336 (93%) of the 1436 cases registered in 2020. Only 100 (7%) were provided on time (within seven days). This dilutes the purpose of immediate relief and rehabilitation, which is meant to restart their life after a gruesome crime committed against them.

Recommendations

1. Relief and socio-economic rehabilitation should be time bound. Delink them from the stage of investigation and trial. The Tamil Nadu model contingency plan has detailed timelines. Given the increasing delays in investigations, and pendency in trials, it is necessary that socio-economic rehabilitation does not again become a punishment for the victims, survivors and their dependents. Since the FIRs are filed only after a spot visit and investigation by the SP and the DM, the fact of the loss is not in dispute - the trial is only to determine who is responsible. The extent of the loss will be available in the reports filed under Rule 6(2) and Rule 12(7).
2. The above recommendation of time bound socio-economic rehabilitation, delinked from the stage of investigation and trial, applies with even more urgency in cases of heinous crime. Relief and socio-economic rehabilitation in cases of heinous crimes should be completed on a priority. Delay of more than six months after the FIR is registered should be explained in writing by the district magistrate.
3. To clear the backlog of reimbursements, relief and rehabilitation payments immediately, a special one time provision in the budget should be made. The budget allocations should be 120% of the actual amount spent on socio-economic rehabilitation in the previous year.
4. Ensure that the relief is disbursed within a week to follow Rule 12(4) and the state contingency plan under Rule 15(1) in letter and spirit.
5. Initiate a land bank and keep some readymade apartments in reserve in each district for land and house related relief and rehabilitation.
6. The 'concerned individuals and organisations' (NGOs) should be named in the FIR/complaint, and kept in the loop at all stages of the intervention. These individuals

should be treated as amicus curiae of the survivors, courts and the police, and assistance provided to them to discharge their duties well.

7. Report the non-monetary relief (completed, ongoing, due, and overdue) such as government jobs, agricultural land, schooling up to graduation etc in the monthly report filed under Rule 4(4) and Rule 8(1)(xi).

Status of reports

Reports, with the right data, are critical to assess the effectiveness of implementation and for corrective action.

At the state level there are the following reports

- a) State Annual Report (SAR) sent by the state to the union government on or before 1 July each year [Rule 18].
- b) The status of the cases sent by the director, protection cell (ADGP, SJHR Wing) to the nodal officer on or before the 20th of the month detailing the status of each case, what has been done, and what is proposed to be done in the next month and the protection of the rights of victims and witnesses, under Rule 8(1)(xi).

At the district level there are

- a) The monthly report under Rule 4(4) sent by the district magistrate to the SJHR wing and the director of prosecutions on or before the 20th of each month detailing the status of each case, what has been done, and what is proposed to be done in the next month and the implementation of the rights of victims and witnesses.
- b) The report under Rule 4(2) sent in January and July on the performance of the special public prosecutors.

For every case a report under rule

- a) 12(7) of the relief and rehabilitation facilities provided to the victims is forwarded to the special court to review the adequacy of the relief and, if necessary, its enhancement by the district magistrate.
- b) 7(2A) is sent by the investigating officer (DSP) to the SP explaining the reasons for not completing the investigation within 60 days of the FIR being filed.

Findings

1. The SARs were delayed in 2019 and 2020. In 2020, despite the change in government, it was ready in August, while in 2019, it was not ready even in October - a full 10 months after the calendar year.
2. The SARs for 2019 and 2020 have removed the highly insensitive and defamatory line in the SARs for 2017 and 2018 that the cases '*due to free registration of cases and also an increased awareness among the people regarding the various provisions of the Act including the monetary relief aspect*'. Apart from '*free registration of cases*' being false as

demonstrated using departmental data in this report, the implication that rapes and murders were being registered for monetary considerations is a matter of deep concern as a revelation of the official attitudes to reporting and registering crimes under this Act.

3. PIO K. Thenmozhi, AD&TWD, confirms *that no such reports have been received by the state government as per Rule 4(4)* in a reply to an RTI request [Letter No. 8486/RTI No.82/PA1/2020-2. Dated 17.07.2020], though it is not clear if it is only for 2019 and 2020 or ever (we had asked for the latest reports from the districts).
4. No monthly reports have been received by the director of prosecution from the district magistrate in 2019 or 2020. In a reply to an RTI request, PIO D. Kiraharaj from the office of the director of prosecution states that *'the officers concerned in all districts of Tamil Nadu are not submitting monthly reports to this Directorate'* [RTI reply R.C.No.3311/DOP/A3/2021 Dated: 01.07.2021].
5. No monthly reports as mandated in Rule 8(1)(xi) were received in 2019 or 2020 from the SJHR. PIO K. Chandrasekaran, AD&TWD, informs us that *'no such collective information is available in this department'* and refers back to the SJHR Wing [Letter No. 6634/RTI No. 76/PA2/2021-1, Dated: 19.04.2021].
6. No performance reports of the SPPs have been sent in 2019 or 2020. The SAR 2020 mentions that *'Necessary instructions have been issued to the director of prosecution and all the district collectors to review the performance of the above special public prosecutors and furnish a report to the Government'* [SAR 2020 Annexure XXIII].
7. No reports on the relief given to the victims, survivors, and their dependents are sent to the special courts as required under Rule 12(7) [RTI replies from various districts].
8. The legal requirement of written reports with reasons for delay in chargesheeting beyond 60 days [Rule 7(2A)] have started being implemented in a few districts. Most however, get away with *'explaining to the concerned court on delay due to technical reasons'* [SAR Annexure VI].
9. As usual, SARs reports that *'legal opinion is being sought from the public prosecutor to prefer appeals'* [SAR 2020 paragraph 20(iii)] which is slightly better than the cut and paste from previous reports *'legal opinion is being sought to prefer appeal against the acquittal'* [SAR 2020 annexure XXI]. There is no evidence provided in the reports since 2010 of how many appeals were actually filed, or the fate of such appeals.

Recommendations

1. Reports are an integral part of the duties of an officer, and essential for compliance. As such, officials who do not file the requisite reports must be prosecuted under Section 4 of the Act or, if from the scheduled communities, in departmental procedures. The director SJHR wing should use Rule 8(1)(ix) to conduct inquiries on wilful negligence by a public servant and take action against them.

2. The reports under Rule 6(2) and Rule 12(7) are a part of the evidence chain. Not filing them leads to severe dilution of the case, and in some cases an irreparable damage. The district magistrate must personally ensure that the report is filed, and a status report of the filing should be on the agenda of every DVMC meeting and the monthly reports filed under Rule 4(4). A copy of the monthly reports under Rule 4(4) needs to be uploaded on the district websites.
3. Not filing the chargesheet within 60 days delays 50% of the relief and socio-economic rehabilitation, even for heinous crimes such as murder and rape, and is a serious infringement on the rights of the victims under Section 15A. Therefore filing these reports must be taken seriously and not just explained away. The SJHR should analyse these reports quarterly to uncover and address any systemic bottlenecks, and identify any officials who need to be removed from the post.
4. SARs should report how many appeals were actually filed in the superior courts and their outcomes.
5. Report the non-monetary relief (completed, ongoing, due, and overdue) such as government jobs, agricultural land, schooling up to graduation etc in the monthly report filed under Rule 4(4) and Rule 8(1)(xi).

Crimes against women

Women from the scheduled communities bear the brunt of inter- and intra-community violence. Though they form just 21% of the population, 30.5% of the rapes (119 of 389) in 2020 are inflicted on them. The pandemic has intensified and multiplied the incidence of crime, as the quantum of calls to the several helplines show. This chapter analyses the trends in the recorded inter-community crimes against women from the scheduled communities, drawn from the annual publication ‘Crime Review’ of the Tamil Nadu state crime records bureau (SCRB). The usual cravats apply - these are only the recorded inter-community crimes, does not have the figures for the intra-community crimes, and only a fraction of the crimes committed are ever recorded (Tamil Nadu has not recorded a single case under the Protection of Women from Domestic Violence Act in 2019 or 2020). Of course, convictions are another matter altogether. In a phallocratic society, acquittal is the norm.

The crime records bureau used to earlier record disaggregated only rape as a crime against women. Now it also records Assault on SC/ST women with intent to outrage her modesty [Section 354 IPC] along with further breakup of sexual harassment [Subsection 354A IPC], assault or use of criminal force to women with intent to disrobe [Section 354B IPC], voyeurism [section 354C IPC] and stalking [Section 354D IPC]; insult to modesty of SC/ST women [Section 509 IPC] along with incident of such crimes in offices, public transport, other places related to works; etc. Now, data on hurt including grievous hurt [Section 325, 326, 326A and 326B IPC] with further sub-sections grievous hurt [Section 325 and 326 IPC], acid attack [Section 326A IPC] and attempt to acid attack [Section 326B IPC] have been collected (Crime Review Compendium 2020, Chapter 10 paragraph 2.v, TN-SCRB).

Findings

1. Incidence of recorded rape increased from 58 in 2017 to 73 in 2018 (26%) to 102 in 2019 (40%) and to 119 in 2020 (17%).
2. Virtually every year, more young girls are raped than adult women. In 2020, of the 126 rape victim-survivors, 81 (66%) are children.
3. From 2010 to 2020, the number of recorded victims rose from 11 to 126 (1145%).
4. Women from the scheduled communities form 21% of the population, but 30.5% of the rapes (119 of 389) in 2020 are inflicted on them (50% more).
5. In contrast, the incidence of recorded rape in the state increased by 7.4% (from 362 to 389). If the recorded rapes against women from the scheduled communities are removed, then the increase in the state is 3.8% - a 450% difference.
6. The incidence of recorded rape decreased till 2009, remained the same in 2010, rose to 14 in 2011, then sharply increased to 34 in 2012, and to 119 in 2020 - a decadal increase from less than one a month (33 days) to one in three (3) days.

7. Many of these cases did not come up for trial for several years. In 2016, the courts did not complete even a single trial for rape. In seven of 11 years from 2010 to 2020, the courts did not complete a single trial of rape where the victim-survivor belonged to a scheduled tribe, meaning that the chargesheets are over five years old in 2020.
8. Conviction rate for rape from 2010 to 2020 is 19% (34 convictions and 148 acquittals).
9. For 2020 the conviction rate for rape is 14% (11% for women, and 20% for rape of children).

The trend

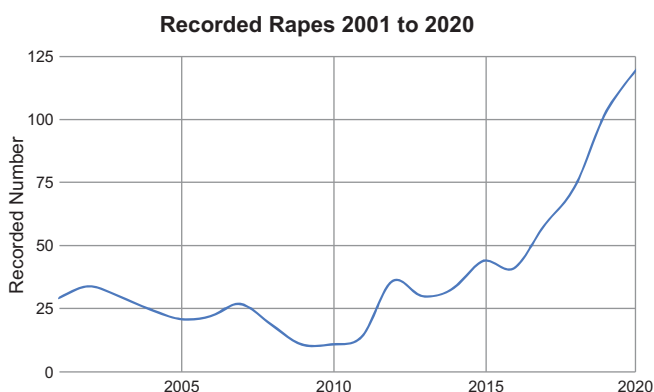
If the fact that over 30% of the rapes are inflicted on 21% of the women is gruesome, (about 50% more probability) the trends point to worse times. The overall trend of crime against women from the scheduled communities is that it is increasing, both in incidence and in the number of victim-survivors. As the data below shows, there has been an astronomical increase from 2011 to 2020. The incidence of recorded rape had a slow decrease till 2009, remained the same in 2010, rose to 14 in 2011, but thereon sharply increased from 14 to 34 in 2012, and to 119 in 2020 meaning a decadal increase from less than one a month (33 days) to one in 3 days.

The number of victim-survivors rose from 11 to 126 - an astonishing 1145%. Coupled with the fact that many of these did not come up for trial for several years (in 2016 the courts did not hear even one case, though there were several pending for over a year), the uphill battle for justice becomes more clear.

Increase when it decreased for others

What stands out immediately is not that recorded crime against women increased year on year - increased violence against women and children were reported right through the pandemic - but the scale and intensity. Women from the scheduled communities are 50% more likely to be raped than others - and 66% of them are minor girls.

Compared to 2019 and incidence of rape is up (102 to 119) by 17% year on year. In contrast, the incidence of rape (of all women) in the state increased by 7.4% (from 362 to 389) - meaning there is a more than 100% difference in intensity for women from scheduled communities. The 2019 figure itself is an over 72% increase from the 73 recorded cases in 2018. The number of rape victims-survivors increased by 16% (112 to 126) - over double the 58 recorded in 2017.



Scheduled Tribes

As the data reveals, it is even more difficult for women from scheduled tribes. Though there are several cases pending for years on end, their cases do not come up for hearing - even in the extremely serious ones on rape. In the duration, despite pending cases, not one case of rape was tried by the courts in 2011, 2012, 2013, 2015, 2016, 2018, and 2020 - i.e. in seven of 11 years. Given that relief and rehabilitation are tied to the stage of administration of justice, this has severe repercussions on their social and economic rehabilitation.

The children

A disturbing trend revealed by the data for rape of minors - collected since 2016 - shows that more girls (below 18) are raped than adult women (above 18). In 2020, of the 126 rape victim-survivors, 81 are children (Table 10.3, Crime Review 2020). Virtually every year, more young girls are raped than adult women - evidence of their vulnerability and targeting.

The courts too do not prioritise the cases of rape against children. The 153 cases of rape of minors pending before the courts have been sent to the courts more than a year ago (i.e. in 2019 itself, according to the SCRB report) - and the courts are supposed to complete the trials within 60 days.

Court(non) disposal of cases

The courts are supposed to dispose off the cases within 60 days, and should conduct the trial on a daily basis as per [Section 14(3)] of the Act. The data below (and in more detail in the annexure) shows that the cases are delayed for years together - with the cases of rape against scheduled tribe women being almost indefinitely delayed at the courts. In 2016, the courts did not complete even a single trial for rape. In seven of 11 years from 2010 to 2020, the courts did not complete a single trial of rape where the victim-survivor belonged to a scheduled tribe. As of 31 December 2020, there is a pendency of 341 rape cases where the survivor belong to a scheduled caste community, and about 8 cases for the scheduled tribes. No case of the scheduled tribes were taken up in 2020 - meaning that the chargesheets are over five years old. Two of the 14 cases of the scheduled castes resulted in conviction, but all were from the previous year (at least). The pending cases - all at least a year old - are 188 for women and 153 for minors - meaning a pendency rate of over 95%.

Disaggregated data - Women and Children

Rape (Sec. 376 IPC)	Scheduled Castes		Scheduled Tribes		Total	
	I	V	I	V	I	V
Rape of women	26	26	1	1	27	27
Rape of children	29	29	2	2	31	31
Total 2017	55	55	3	3	58	58
Rape of women	36	36	1	1	37	37
Rape of children	35	35	1	1	36	36
Total 2018	71	71	2	2	73	73
Rape of women	41	43	2	2	43	45
Rape of children	56	64	3	3	59	67
Total 2019	97	107	5	5	102	112
Rape of women	35	35	3	3	38	38
Rape of children	81	88	0	0	81	88
Total 2020	116	123	3	3	119	126

I=Incidence V=Victims
 Rape of women (Sec.376 IPC) (Above 18 years)
 Rape of children (Sec.4&6 of POCSO 4&6 r/w 376 IPC) (Below 18yrs)
Source: Crime Review 2020, SCRB

Conviction rate

No cases were concluded in 2016. Even for such a heinous crime, some years saw 100% acquittal rates. 2011 saw a 100% acquittal rate overall (SCs and STs combined), while 2017 saw 100% acquittal in the cases (2) of scheduled tribe women.

All years saw more acquittals than convictions - ranging from a low of 62%

in 2010 and 67% in 2019, to 100% in 2011. The others mainly clustered around the 80% to 90% acquittal rate. The total conviction to acquittal from 2010 to 2020 is 31 convictions to 145 acquittals (82%) for scheduled castes, three convictions and acquittals each (50%) for scheduled tribes, and a grand total of 34 convictions and 148 acquittals (81%). This gives a conviction rate for rape at 18% for scheduled castes, 50% for scheduled tribes, and 19% overall.

Position of cases 2011 to 2020	
Years	Status of Cases of Rape in the Court
2011	No SC cases were investigated this year., 100% (3) ST cases were pending from previous year
2012	100% (6) ST case pending from previous year
2013	100% (7) ST case pending from previous year
2014	6 ST case pending from previous year
2015	100% (8) ST cases pending
2016	100% (7) ST case pending from previous year, no SC case tried, 100% pending
2017	7 ST cases pending from previous year.
2018	100% (7) cases of SC children acquitted, No trial in ST cases - 1 child's case has been with the court for more than a year without trail.
2019	100% (19) of the SC cases have been at the court at least since the previous year. The courts acquit the accused rapists in 5 of the 9 cases of child rape.
2020	Only 2 of 14 SC cases convicted in court. All 14 were sent to court in the previous year. 0% of the ST cases are completed though some have been pending at the courts for years. Total 341 SC rape cases (188 women and 153 children) are pending. Pendency rate is 95%.
Source: Crime Review, SCRB, of the respective years	

Years	Scheduled Castes			Scheduled Tribes			Total		
	Convicted	Acquitted	Acquitted %	Convicted	Acquitted	Acquitted %	Convicted	Acquitted	Acquitted %
2010	4	8	66.67	1	0	0.00	5	8	61.54
2011	0	4	100.00	0	0	-	0	4	100.00
2012	1	5	83.33	0	0	-	1	5	83.33
2013	2	13	86.67	0	0	-	2	13	86.67
2014	5	14	73.68	0	1	100.00	5	15	75.00
2015	2	15	88.24	0	0	-	2	15	88.24
2016	0	0	-	0	0	-	0	0	-
2017	4	33	89.19	0	2	100.00	4	35	89.74
2018	5	25	83.33	0	0	-	5	25	83.33
2019	6	16	72.73	2	0	0.00	8	16	66.67
2020	2	12	85.71	0	0	-	2	12	85.71
Total	31	145	82.39	3	3	50.00	34	148	81.32

Who is responsible?

Apart from not being able to prevent rape - which actually went up for the scheduled communities in 2020 even when compared to the others during the lockdown - the 19% conviction rate holds up a harsh mirror to the effectiveness of the entire state machinery in the administration of justice - from the investigating officer, to the special public prosecutor to the supervising officers (superintendent of police, in charge prosecution and the district magistrate), and the judge.

In contrast to this abysmal conviction rate for rape, the conviction rate for general IPC crimes is 66.0% and for special local laws (SLL) - of which PoA is one - is 93.6%. How is it that the success rate of the efficient state machinery suddenly, and mysteriously, falls so drastically when it comes to crimes against the scheduled communities, even when it is a heinous crime such as rape? This yawning gap is a mystery that needs to be unpacked.

The explosive increase in rapes coincides with the time the AIADMK was voted to office in 2011 (incidence of rape was 11 in the previous two years, and 14 in 2011). While, in general, a higher recording of crime is good, in this case it is not so. Throughout this explosive increase other crimes against women remained low. 'Attempt to rape' was recorded as nil in multiple years. In 2020, with an all time record of 123 incidence, it is recorded as a mere '3'. It gives credence to the lingering doubt of suppression of records. In contrast, the figures for murder (incidence 65 and victims 68) and attempt to murder (incidence 56 and survivors 65) are more believable.

The top leadership did not acquit itself honourably since even the state vigilance and monitoring committee was convened only to avert an adverse verdict from the Madras High Court the next day, and was not conducted since 2013 or afterwards till the chief minister demitted office when the party was voted out, though they were legally bound to convene the meeting every January and July. He disregarded the court order and did not conduct it in January 2021 either.

The short tenure and frequent transfers of officials is another bugbear. RTI replies disclose that some districts record multiple deputy superintendents of police (DSP). Ariyalur had eight in 2019. The DSP, as the sole investigating officer for crimes under this Act, is put in an unenviable position. When his tenure does not last 60 days, how investigations can be completed and handed over is something for the administrative and personnel and home departments to ponder and take remedial action.

It may be debated whether the police, the civil service, the prosecutors, or the judiciary have failed the women - and the tender children - but what is beyond doubt is that we as a society have failed in preventing atrocities, specifically rape, have shamelessly continued to fail them in the administration of justice, and still strut around with impunity.

The State Annual Report 2020 - A Review

The state annual report (SAR) on implementation of the PoA is a statutory requirement under Rule 18. It is sent to the union government on or before 1 July annually. It provides a snapshot of the implementation of PoA in the state, and is an important source of information.

This report relies on SAR as a primary source for some data. In this chapter we explore the report to ascertain whether it gives a full picture on enforcement of the Act in the state, the completeness, limitations, and reliability of the data, and outline the difficulties in relying on the SAR for data.

The recommendations are to transform the state annual report into a powerful tool for crime prevention and timely administration of justice from just a routine annual compliance. The recommendations include better data collection, for which we have suggested a few additional data points. Most of the data, however, is already available and just needs to be better organised. We hope that the recommendations will be adopted for data informed crime prevention and administration of justice. Data informed decisions enable the scarce human and financial resources to be better deployed.

The bouquets

The Tamil Nadu SAR can become a model for the country with some minor improvements. With sufficient data and simple tools, it will be possible to automatically highlight areas that need immediate attention due to delays, official inadequacy, or gaps in the systems and procedures. These require little effort but will have significant impact on its utility as a powerful tool for crime prevention and administration of justice.

The newly added Annexure XXIII(ii) that names special public prosecutors for not pleading the case effectively is an innovation which will be useful if the quarterly findings of the district standing committees [Circular Memorandum from the office of the Director General of Police, Tamil Nadu, Chennai - 4 RC.No.053884/Crime.4(3)/2014 Dated: 26.04.2016] are also included in the reviews. The data will help in reviewing the performance of the special public prosecutor and the investigating officer.

Enhancing the mandatory January and July performance review of the special public prosecutors [Rule 14(2)] to monthly reviews with the report being sent '*to the directorate on or before the 10th of every month for consolidation and onward transmission to the government*' (paragraph 20(v)) is an innovation that will be keenly watched. This is in line with the report under Rule 4(4) regarding position of the cases and victims rights, and action to be taken, being sent to the directorate on or before 20th for the month for consolidation and onward transmission to the government as per Rule 8(1)(xi).

The brickbats

The SAR does not live up to its promise nor its full potential, with the data provided by it being at variance with the data provided by the state and national crime records bureau in its annual *Crime Review Compendium* for Tamil Nadu, careless drafting, and sometimes deliberate obfuscation which even contradicts itself. It embodies the difficulties of citizens in accessing accurate data. This difficulty is also seen in the data released by the state and crime records bureaus, which are similarly at variance with each other as pointed out in our earlier reports.

Some of the data errors are just plain bad crafting. For instance, the table in annexure III is for the calendar year 2020 and not 2019 as mentioned. Some need to be explained for the uninitiated. Annexure IX(b) and IX(c) list 37 districts, Annexure X says 38 districts (31 district + 7 commissionerates), and Annexure XVIII mentions that Tamil Nadu has total 44 districts (37 districts + 7 commissionerates) but in the table mentions 38 districts in the last row.

However, many are of a more serious nature, and need attention at a senior level in government. We list a few below.

Paragraph 1(ii): *Monetary relief is being given promptly to the victims.* This is not supported by the data in table VII of the report which reveals that 96% of the relief was not given on time. (Only in 100 of 2450 cases was relief disbursed within the stipulated seven days). Annexure VI provides further evidence of late payment of relief when it states that investigations were completed on time in only 481 of 1011 cases (48%). Since 50% of the relief is paid only on filing the chargesheet, this is a clear indicator that relief is not being paid on time in at least 52% of the cases due to delays by the state mechanisms. The data on judicial delays point to ever increasing pendency rates, which again impact the timely payment of relief. The statement is also at variance with the facts on the ground, as evidenced by the RTI replies received.

Recommendation: Include data on the number of affected persons, and the quantum of relief provided on time, provided late, overdue (by a month, six months, and over a year). It should cover the monetary relief and the socio-economic rehabilitation measures mentioned in the contingency plan [Rule 15(1)].

Paragraph 2 explains the legal aid and other facilities provided to the persons subjected to atrocities. Other than mentioning that the district collectors have been instructed to utilise the funds provided under the ‘Free Legal Aid Scheme’ and that the scheme is implemented through the Tamil Nadu Legal Services Authority, it has absolutely no data on how many actually benefited from this scheme. The state does provide a special public prosecutor in all cases by default, and pays for the private advocate on request, so there is really no value added by the information provided in the report here.

Recommendation: The report can be improved by including data on how many cases were taken up by the special public prosecutors [Rule 4(1A)], panel advocates [Rule 4(1)] and private advocates [Rule 4(4)].

Paragraph 5 explains that the state government sanctions Rs 10 lakhs (Rs one million) for travel, dietary, and maintenance expenses under Rule 11 annually, and that it is disbursed by police commissioners in the cities and superintendents in the districts. It does not have data on how many and how much were given on time (within three days as per Rule 11), given late, is due, and is overdue.

Buried in Annexure II is the detail that expenses have not been paid in 17 of the 44 districts (37 + 7 commissionerates). Only a total of 1349 persons have been paid, though 1436 cases have been registered in 2020 itself, apart from those pending investigation and trial from previous years. RTI replies also reveal that the amount paid (Rs 150) is less than the minimum wages (even assuming that all travel and dietary expenses were taken care of by the concerned department directly).

Recommendation: Collect and provide data on how much, and to how many, reimbursement is provided on time, provided late, overdue (by a week, a month, six months, and over a year).

Paragraph 6 on filing the chargesheet within 60 days is a delightful example of obfuscation - it does have an answer, but one that hides more than it reveals: *'As per amended rules, steps are being taken to file the chargesheet within 60 days'*. As the report reveals in Annexure VI, only 48% (481 of 1011) of the investigations are completed on time. However, it is a vast improvement from 29% (253 of 859) in 2019.

Annexure VI mentions that *'Investigating officers have explained to the concerned court on the delay due to technical reasons'* (copy and paste from 2019, when this explanation first appeared). This practice is at variance with the law [Rule 7(2A)] that clearly mentions that the explanation has to be in writing. RTI replies show that written explanations are not being given. Apart from being a statutory requirement, written explanations are essential because they help in providing data for analysis of the reasons for delay, which can be rectified by policy intervention.

Paragraph 9 on the district and sub-divisional vigilance and monitoring committee meetings is a mix of being sloppy and misinformation. The dates when the meetings took place are not given, though they are available in the 2018 report. The reason for non-disclosure in subsequent reports is not given.

There is significant variation in the date of constitution of the committees mentioned in the annual reports of 2019 and 2020. The annual report 2019 indicates that all district committees were reconstituted in 2019, but the 2020 report reverts to dates in previous years - some as far

back as 2011 (Dharmapuri), 2012 (Villupuram), and 2015 (Coimbatore). The date of constitution of the committees are not given in the annual report 2018, which instead gives the dates of the meetings.

It is reported that Chengalpattu conducted two DVMC meetings, but RTI replies from the Chengalpattu Collector's office (Adi Dravidar and Tribal Welfare Department) replied that no meeting was conducted.

The narrative in the SAR for the district committee is for 2019 - a sloppy cut and paste exacerbating bad craftsmanship. The correct figures for district committee meetings held 2020 are in Annexure IX(b). Only 64 (43%) of the mandatory 148 district meetings took place. Six districts did not conduct even one meeting, while six districts conducted three, and two districts conducted all four. The report does not mention why. The pandemic cannot be the reason since eight districts were able to conduct three or more meetings and most others managed at least two.

Regarding sub-divisional vigilance and monitoring committees, the report mentions that the government order (G.O. (Ms) No.6 Adi Dravidar and Tribal Welfare Department dated 20.01.2016) was issued to constitute them. There are 85 subdivisions in 37 districts of Tamil Nadu. The claim that the sub-divisional committees have been constituted in '*nearly 35 districts*' is not validated by the data provided in Annexure IX(c) which reveals that sub-divisional committees have not been constituted in 15 of 37 districts, and only in some subdivisions of a further five. Only 8% of the statutory meetings (28 of 340) were held. Of the 44 sub-divisional committees constituted, the majority (24.55%) did not conduct any meeting.

Recommendation: Include the dates on which the district and sub-divisional meetings were held in the annexure.

Paragraph 10b discloses an allocation of '**Rs. 200 crores each for the year 2018-19** in G.O. (Ms) No 67 Rural Development and Panchayat Raj (PR.3) Department dated: 04.06.2019' (emphasis in original). G.O 67 is for Rs 100 crore. G.O 108 of 10.06.2020 adds Rs 100 for the year 2019-20 - making it a total of Rs 200 crore for two years. (It is correctly reported in paragraph 10, state annual report 2019). This lack of attention to detail detracts from the accuracy of the report, and makes it a less reliable source than what citizens can legitimately expect from government data and reports.

Paragraph 12 on special courts and exclusive special courts is an unverified cut and paste of the same table in the 2019 SAR, which seems to report announcements/ inaugurals as functioning courts. For instance, on 04 May 2019 The Hindu reports that the exclusive special court in Srivilliputtur came up only on 24 April 2019, while three (Dindigul, Ramanathapuram and Pudukottai) were yet to become functional. The one in Pudukkottai became functional in October 2019. The report mentions that these courts are functioning from 14 August 2018. What the

government means by ‘*started functioning*’ needs to be clarified so that those outside officialdom can also comprehend.

Paragraph 13 mentions that ‘*at present 32 special public prosecutors are in charge... in all the districts*’ and paragraph 8 that 32 posts were sanctioned, though Annexure XIII mentions 33 are appointed, and Annexure XXIII(i) mentions that two are vacant and only 30 are serving. Paragraph 16 perhaps omits the data of Annexure XXIII(ii) since the officer concerned belongs to a scheduled community.

Paragraph 14 is perhaps the most dangerous instance of camouflaging in the report. It says that the ‘*The Additional Director General of Police, Deputy Inspector General of Police and the Assistant Inspector General of Police, Social Justice and Human Rights, Chennai monitor the enforcement of the ... Act*’. What they do is law and order monitoring, based on the daily law and order reports from the districts sent to the director general of police, and not specifically this Act. RTI requests show that they simply do not have, and do not get, the data for monitoring enforcement of the Act. Annexure V only has the number of victims and witnesses given relief, and none whatsoever on the amounts due or overdue. There is no information on the protection given to victims and witnesses in any report sent to the wing. This is the minimum data required to monitor enforcement, and is (supposed to be) in the report sent by the district collector to the directorate on or before the 20th of every month under Rule 4(4).

The wing admits that they have not ever received a report under Rule 4(4) from any district. Consequently, this information has not been consolidated and forwarded to the nodal officer till date, as is mandatory under Rule 8(1)(xi). The 4(4) report has also not ever been received from 1995 till the end of the calendar year 2020 - the period of this report - by the director of prosecutions or the state government as per RTI replies received from the respective departments.

The lack of adequate reporting has led to relief and rehabilitation being *delayed in some cases by over five years, though the maximum time allowed in the contingency plan is six months*. The SAR conveniently glosses over this life and livelihood destruction by the bland statement quoted above.

The paragraph also says that the Social Justice and Human Right Wing of the police department is The Scheduled Castes and the Scheduled Tribes Protection Cell under Rule 8. Annexure XIV says that it is acting as the protection cell - a small but important difference. (The annexure in annual report 2018, starts by saying that ‘*The Scheduled Castes and the Scheduled Tribes Protection Cell has not been set up in Tamil Nadu. However, the Social Justice...*’).

Recommendation: To monitor enforcement, data is needed on the position of the cases from the incident to FIR to conviction and parole - whether the reports under rules 6(2) and 12(7)

have been filed, investigation has been completed and chargesheet filed in 60 days or, if not, whether the 7(2A) report explaining the delay has been filed, whether the relief has been paid on time and if not the amount overdue, and the reason for the delay, whether the travel, dietary, and maintenance reimbursements have been paid within three days [Rule 11], and if not why and the amount overdue - the protection given to the victims, witnesses, and their dependents and its adequacy, and performance of the officials. None of these data points are available in the daily law and order reports, or in the official reporting formats made available to the CVMC in the RTI replies.

Paragraph 16 ‘Non-SC/ST officers punished for wilful neglect of duties’ [Section 4] is a demonstration of revealing the bare necessary while leaving out the vital, on the borderline of disinformation without actually doing anything illegal.

The paragraph notes that *‘none of the Non-Scheduled Castes and Non-Scheduled Tribes officers has come to adverse notice so far for his/her wilful negligence of duties’*. But **paragraph 20(iii)** tells us that 424 cases have ended in acquittal. According to the Supreme Court of India in the State of Gujarat Vs. Kishanbhai etc. [Criminal Appeal No. 1485 of 2008] of 7 January 2014, the high powered standing committee set up (in Tamil Nadu vide Circular Memorandum from the office of the Director General of Police, Tamil Nadu, Chennai - 4 RC.No.053884/Crime.4(3)/2014 Dated: 26.04.2016) on fixing responsibility for acquittals will have the data of wilful neglect. The district committees meet monthly and send the report to the director general of police (DGP) quarterly. So the DGP - a member of the state level vigilance and monitoring committee under this Act - has the information of *‘adverse notice’*.

Therefore this paragraph is disingenuous, if not misleading. The government has the information but chooses not to act, and hides that in this report.

Recommendation: This paragraph can be improved by providing data available with the DGP, with an annexure detailing the number of cases each officer (deputy superintendent of police and special public prosecutor) is found responsible for acquittal, and then the action taken.

Paragraph 20(iii) states that 424 cases have ended in acquittal. The state crime records bureau (SCRB) records 376 acquittals (Crime Review 2020 Compendium, SCRB 2021). The SAR is prepared after the SCRB report, and based on the data provided by the SCRB.

The sentence *‘legal opinion is being sought from public prosecutor to prefer appeals’* has been appearing verbatim for at least 10 years. There is no follow up data in subsequent years, whether any of these appeals have been sanctioned, and if so, how many. RTI replies indicate that the Director of Prosecutions does not have any data on this.

Paragraph 20(iv), on recognition of persons/organisations for having done exemplary work in prevention of atrocities, follows the same pattern. It mentions that Social Justice and Human

Rights Officers are given rewards from time to time. However, in 2020 the Ambedkar award instituted by the government of Tamil Nadu for the purpose was given to an ex-speaker of the legislative assembly from the ruling party. Missing is the fact that the Government of Tamil Nadu does not support or encourage any organisation to do so, though it is mandatory under Rule 3(ix).

Paragraph 20(v), on the review of the performance of the special public prosecutors reveals an important new initiative in performance review and therefore accountability - making it a monthly review from the earlier January and July event. Annexure XXIII(ii) discloses the names of the special public prosecutors changed for not pleading the case effectively. Curiously, Advocate Senthil Kumar of Erode is ‘changed’ in both 2019 and 2020... and an ‘Advocate S. Bagathsingh’ who was removed as the special public prosecutor (SPP) in 2019 from Tirunelveli *‘for not pleading the POA Act related cases effectively’*, was appointed SPP for Thoothukudi in 2020. It is not indicated whether it is the same person and if so the criteria for reappointment. The table with the names of the SPPs and the district is the same in both SAR 2019 and SAR 2020.

As mentioned, the SAR has got the potential to be a gamechanger in preventing atrocities and ensuring social justice in Tamil Nadu but, as demonstrated above, it is as yet unrealised potential. The government can, and must, do better.

Annexes

Annexure 1.1: Cases disposed off by the police 2019

Districts	Cases for Investigation (including previous year)		Cases ended mistake of fact of law of civil dispute		Charge-sheeted (including previous year)		Total cases disposed off by police			Cases pending investigation at end of the year		Charge-sheeting Rate		Total Charge-sheeted cases	Total Charge-sheeting Rate
	SC	ST	SC	ST	SC	ST	SC	ST	Total	SC	ST	SC	ST		
Ariyalur	52	0	10	0	37	0	47	0	47	5	0	78.7	0	37	78.72
Chennai	32	1	1	0	8	0	9	0	9	23	0	88.9	0	8	88.89
Coimbatore	35	0	2	0	15	0	17	0	17	18	0	88.2	0	15	88.24
Cuddalore	45	0	0	0	33	0	33	0	33	12	0	100	0	33	100.00
Dharmapuri	10	1	1	0	9	1	10	1	11	0	0	90	100	10	90.91
Dindigul	50	0	9	0	28	0	37	0	37	13	0	75.7	0	28	75.68
Erode	82	0	8	0	9	0	20	0	20	62	0	45	0	9	45.00
Kanchipuram	47	0	0	0	26	0	26	0	26	21	0	100	0	26	100.00
Kanyakumari	17	1	0	0	13	1	13	1	14	4	0	100	100	14	100.00
Karur	22	0	6	0	12	0	18	0	18	4	0	66.7	0	12	66.67
Krishnagiri	17	1	2	0	14	1	16	1	17	1	0	87.5	100	15	88.24
Madurai	156	0	13	0	76	0	89	0	89	66	0	84.2	0	76	85.39
Nagapattinam	61	0	0	0	20	0	20	0	20	41	0	100	0	20	100.00
Namakkal	33	1	18	0	14	1	32	1	33	1	0	43.8	100	15	45.45
Nilgiris	0	0	0	0	0	0	0	0	0	0	0	-	0	0	0.00
Perambalur	8	0	0	0	0	0	0	0	0	8	0	-	0	0	0.00
Pudukkottai	65	0	0	0	43	0	43	0	43	22	0	100	0	43	100.00
Ramanathapuram	36	0	0	0	30	0	30	0	30	6	0	100	0	30	100.00
Salem	91	6	8	0	46	4	54	4	58	37	2	100	100	50	86.21
Sivagangai	45	0	3	0	38	0	41	0	41	4	0	92.7	0	38	92.68
Thanjavur	64	0	10	0	45	0	55	0	55	9	0	81.8	0	45	81.82
Theni	46	1	9	1	33	0	42	1	43	4	0	78.6	0	33	76.74
Tiruvannamalai	89	5	0	0	62	3	62	3	65	27	2	100	100	65	100.00
Thoothukudi	41	0	5	0	28	0	33	0	33	8	0	84.8	0	28	84.85
Tirunelveli	183	0	22	0	101	0	127	0	127	52	0	79.5	0	101	79.53
Tiruppur	25	0	10	0	13	0	23	0	23	2	0	40	0	13	56.52
Tiruvallur	22	0	4	0	3	0	8	0	8	14	0	37.5	0	3	37.50
Tiruvarur	83	0	0	0	60	0	60	0	60	23	0	100	0	60	100.00
Tiruchirapalli	56	1	13	0	33	1	46	1	47	10	0	66.7	100	34	72.34
Vellore	50	9	4	0	30	8	36	8	44	14	1	83.3	100	38	86.36
Villupuram	95	11	6	1	67	8	73	9	82	22	2	91.8	88.9	75	91.46
Virudhunagar	59	0	2	0	21	0	23	0	23	36	0	91.3	0	21	91.30
Total	1717	38	166	2	967	28	1143	30	1173	569	7	69.21	24	995	84.83

Source: Crime Review Statistics 2019 Report from TN Police Department website, accessed on 23 June 2021.

Link: https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2019.pdf (Table 10.4)

Note: Chengalpattu, Tenkasi, Mayiladuthurai, Tirupathur were formed in mid-2019, so their data is not available in Crime Review Statistics 2019.

Annexure 1.2: Cases disposed off by the police 2020

Districts	Cases for Investigation (including previous year)		Cases ended mistake of fact of law of civil dispute		Charge-sheeted (including previous year)		Total cases disposed off by police			Cases pending investigation at end of the year		Charge-sheeting Rate		Total Charge-sheeted cases	Total Charge-sheeting Rate
	SC	ST	SC	ST	SC	ST	SC	ST	Total	SC	ST	SC	ST		
Ariyalur	34	0	4	0	16	0	20	0	20	14	0	80.00	0.00	16.00	80.00
Chengalpattu	23	2	0	0	15	0	15	0	15	8	2	100.00	0.00	15.00	100.00
Chennai	35	1	0	0	4	0	4	0	4	30	1	100.00	0.00	4.00	100.00
Coimbatore	45	1	0	0	22	1	22	1	23	23	0	100.00	100.00	23.00	100.00
Cuddalore	57	0	0	0	35	0	35	0	35	22	0	100.00	0.00	35.00	100.00
Dharmapuri	13	1	2	1	11	0	13	1	14	0	0	84.60	0.00	11.00	78.57
Dindigul	66	2	16	0	38	0	54	0	54	12	2	70.40	0.00	38.00	70.37
Erode	95	0	7	0	42	0	49	0	49	46	0	48.40	0.00	42.00	85.71
Kallakurichi	40	1	2	0	36	0	38	0	38	2	2	94.70	0.00	36.00	94.74
Kanchipuram	15	0	0	0	4	0	4	0	4	11	0	100.00	0.00	4.00	100.00
Kanyakumari	12	2	4	0	7	1	11	1	12	1	1	63.60	100.00	8.00	66.67
Karur	25	0	0	0	7	0	7	0	7	18	0	100.00	0.00	7.00	100.00
Krishnagiri	10	0	0	0	5	0	5	0	5	5	0	100.00	0.00	5.00	100.00
Madurai	187	0	26	0	77	0	107	0	107	74	0	67.30	0.00	77.00	71.96
Nagapattinam	74	0	0	0	28	0	28	0	28	46	0	100.00	0.00	28.00	100.00
Namakkal	33	0	1	0	10	0	11	0	11	22	0	90.90	0.00	10.00	90.91
Nilgiris	0	1	0	0	0	0	0	0	0	0	1	0.00	0.00	0.00	0.00
Perambalur	20	0	1	0	8	0	9	0	9	11	0	88.90	0.00	8.00	88.89
Pudukkottai	77	0	13	0	60	0	73	0	73	4	0	82.20	0.00	60.00	82.19
Ramanathapuram	55	0	0	0	43	0	43	0	43	12	0	100.00	0.00	43.00	100.00
Ranipet	4	0	0	0	2	0	2	0	2	2	0	100.00	0.00	2.00	100.00
Salem	73	5	1	0	53	3	54	3	57	19	2	100.00	100.00	56.00	98.25
Sivagangai	66	0	13	0	38	0	54	0	54	12	0	70.40	0.00	38.00	70.37
Tenkasi	64	0	1	0	31	0	33	0	33	31	0	93.90	0.00	31.00	93.94
Thanjavur	84	2	24	0	47	2	71	2	73	13	0	66.20	100.00	49.00	67.12
Theni	58	1	5	0	43	0	48	0	48	10	1	89.60	0.00	43.00	89.58
Tiruvannamalai	72	6	14	1	20	2	34	3	37	38	3	58.80	66.70	22.00	59.46
Thoothukudi	51	1	4	0	21	1	25	1	26	25	0	84.00	100.00	22.00	84.62
Tirunelveli	102	0	7	0	47	0	54	0	54	48	0	86.50	0.00	47.00	87.04
Tiruppur	32	2	11	0	19	2	30	2	32	2	0	63.30	100.00	21.00	65.63
Tiruvallur	23	1	0	0	0	0	0	0	0	23	1	0.00	0.00	0.00	0.00
Tiruvarur	42	0	0	0	39	0	39	0	39	3	0	100.00	0.00	39.00	100.00
Tiruchirapalli	68	0	4	0	42	0	46	0	46	22	0	95.00	0.00	42.00	91.30
Vellore	14	0	0	0	0	0	0	0	0	14	0	0.00	0.00	0.00	0.00
Villupuram	67	2	4	0	51	2	55	2	57	12	0	92.70	100.00	53.00	92.98
Virudhunagar	86	0	5	0	39	0	44	0	44	42	0	88.60	0.00	39.00	88.64
Total	1822	31	169	2	960	14	1137	16	1153	677	16	79.11	20.70	974.00	84.48

Source: Crime Review Statistics 2020 Report from TN Police Department website, accessed on 23 June 2021
Link: https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2020.pdf (Table 10.4)

Note: Mayiladuthurai was formed in mid-2020, so their data is not available in Crime Review Statistics 2020.

Annexure 2. Performance of Investigation officer

Districts	2019				2020			
	Investigation officer	Cases investigated	Charge-sheeting		Investigation officer	Cases investigated	Charge-sheeting	
			Total	Rate			Total	Rate
Ariyalur	G. Sankar G. Ayyanar G. Kumar (SJHR) M. Babu Ilangovan (SJHR) Rajan (SJHR) P. Thirumeni (SJHR) P. Kannan	47	37	78.72	P. Kannan S. Karthikeyan U.S. Rajan	20	16	80.00
Chengalpattu		-	-	-	T.A.J. Lawmake Prakash Kumar R. Sekar	15	15	100.00
Chennai		9	8	88.89		4	4	100.00
Coimbatore	C. Karthikeyan V.S. Kalivarthan H.M. Shagul Hameed	17	15	88.24		23	23	100.00
Cuddalore		33	33	100.00		35	35	100.00
Dharmapuri		11	10	90.91		14	11	78.57
Dindigul	Avirapandi Isdin Prabhakaran Rajapandi	37	28	75.68		54	38	70.37
Erode	M. Saraswathi	20	9	45.00	M. Saraswathi R. Soundirarajan	49	42	85.71
Kallakurichi		-	-	-		38	36	94.74
Kanchipuram		26	26	100.00	Manimegalai	4	4	100.00
Kanyakumari	R. Subburaju	14	14	100.00	R. Subburaju Peterpaul N. Kalyanakumar	12	8	66.67
Karur	A.Sivaraman M. Thurairaj G. Seenivasan	18	12	66.67	G. Seenivasan	7	7	100.00
Krishnagiri	A. Rajendran	17	15	88.24	A. Rajendran	5	5	100.00
Madurai		89	76	85.39		107	77	71.96
Nagapattinam		20	20	100.00		28	28	100.00
Namakkal		33	15	45.45		11	10	90.91
Nilgiris		0	0	0.00		0	0	0.00

Annexure 2. Performance of Investigation officer

Districts	2019				2020			
	Investigation officer	Cases investigated	Charge-sheeting		Investigation officer	Cases investigated	Charge-sheeting	
			Total	Rate			Total	Rate
Perambalur	S. Arumugam K. Subramaniyan T. Ravichandran V. Palani	0	0	00.00	V Palani	9	8	88.89
Pudukkottai		43	43	100.00		73	60	82.19
Ramanathapuram	A. Philip Franklin Kennady	30	30	100.00		43	43	100.00
Ranipet		-	-	-	Geetha K.T. Poorani K. Manokaran	2	2	100.00
Salem	VACANT	58	50	86.21		57	56	98.25
Sivagangai	Manoharan P. Nagaraja G. Anand	41	38	92.68		54	38	70.37
Tenkasi		-	-	-	Ragupathi	33	31	93.94
Thanjavur		55	45	81.82	A.P. Selvan Kamaraj Balamurugan	73	49	67.12
Theni	A. Soorakumaran R. Krishnasami	43	33	76.74	R. Krishnasami	48	43	89.58
Tiruvannamalai	A. Ravi S.K. Thuraipandiyar J. Sankar A. Ravi	65	65	100.00		37	22	59.46
Thoothukudi	C. MuheshJeyakumar E. Palanikumar	33	28	84.85	E. Palanikumar	26	22	84.62
Tirunelveli		127	101	79.53		54	47	87.04
Tiruppur		23	13	56.52		32	21	65.63
Tiruvallur	M. Thurairaj R. Chinnaraj T. Pirakashkumar	8	3	37.50	T. Pirakashkumar	0	0	0.00
Tiruvarur	N. Ravi Kumar	60	60	100.00	N. Ravi Kumar K. Rajamohan M. Annadurai	39	39	100.00
Tiruchirapalli		47	34	72.34		46	42	91.30
Vellore	K. Varadharaj G. Balu	44	38	86.36	G. Balu S. Ramesh	0	0	0.00
Villupuram	N. Karunanidhi	82	75	91.46	N. Jeevanandham	57	53	92.98
Virudhunagar		23	21	91.30		44	39	88.64

Source: Crime Review Statistics 2019 and 2020 Report from TN Police Department website, accessed on 23 June 2021
 Links: 1) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2019.pdf (Table 10.4)
 2) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2020.pdf (Table 10.4)

Annexure 3.1: Case disposal in court 2019

Districts	Cases for Trial (including previous year)		Cases Disposed off Without Trial		Cases Convicted (including previous year)		Cases Acquitted		Conviction Rate		Pendency %		Total cases Acquired	Total Conviction Rate	Total pendency %
	SC	ST	SC	ST	SC	ST	SC	ST	SC	ST	SC	ST			
Ariyalur	103	0	1	0	11	0	9	0	55	0	79.6	0	9	55.00	79.61
Chengalpattu	-														
Chennai	43	0	1	0	0	0	2	0	0	0	93	0	2	0.00	93.02
Coimbatore	126	1	0	0	8	0	6	0	57.1	0	94.25	0	6	57.14	88.19
Cuddalore	111	0	0	0	0	0	26	0	0	0	76.6	100	26	0.00	77.48
Dharmapuri	53	1	0	0	0	0	5	0	0	0	90.6	100	5	0.00	92.59
Dindigul	246	2	0	0	1	0	31	0	3.1	0	87	0	31	3.13	86.29
Erode	93	0	0	0	0	0	0	0	-	0	100	0	0	0.00	100.00
Kallakurichi	-	-	-	-	-	-	-	-	-	-	-	-	0	-	-
Kanchipuram	131	0	0	0	0	0	6	0	0	0	95.4	0	6	0.00	95.42
Kanyakumari	46	3	0	0	0	0	1	0	0	0	97.8	100	1	0.00	95.92
Karur	41	0	0	0	0	0	5	0	0	0	87.8	0	5	0.00	87.80
Krishnagiri	74	1	0	0	0	0	12	0	0	0	83.8	100	12	0.00	84.00
Madurai	439	0	2	0	3	0	34	0	39.2	0	92.25	0	34	8.11	91.12
Mayiladuthurai	-														
Nagappatinam	132	2	0	0	0	0	0	0	-	0	100	100	0	0.00	100.00
Namakkal	96	0	0	0	1	0	16	2	5.9	0	82.3	0	18	5.26	82.29
Nilgiris	10	2	0	0	0	0	0	0	-	0	100	100	0	0.00	100.00
Perambalur	69	0	0	0	0	0	0	0	-	0	100	0	0	0.00	100.00
Pudukkottai	203	2	1	0	0	0	25	0	0	0	87.2	100	25	0.00	87.32
Ramanathapuram	185	0	0	0	2	0	67	0	2.9	0	62.7	0	67	2.90	62.70
Ranipet	-	-	-	-	-	-	-	-	-	-	-	-	0	-	-
Salem	173	9	0	0	34	0	4	0	94.4	0	83.8	100	4	89.47	77.47
Sivagangai	145	0	0	0	10	0	32	0	23.8	0	71	0	32	23.81	71.03
Tenkasi	-	-	-	-	-	-	-	-	-	-	-	-	0	-	-
Thanjavur	255	0	3	0	0	0	50	0	0	0	79.2	0	50	0.00	79.22
Theni	215	0	0	0	0	0	24	0	0	0	88.8	0	24	0.00	88.84
Tiruvannamalai	321	14	0	0	0	0	19	1	0	0	94.1	92.9	20	0.00	94.03
Thoothukudi	180	0	0	0	0	0	3	0	0	0	98.3	0	3	0.00	98.33
Tirunelveli	851	1	3	0	1	0	110	0	2	0	84.3	100	110	0.90	86.62
Tirupathur	-														
Tiruppur	111	0	0	0	0	0	15	0	0	0	77.8	0	15	0.00	86.49
Tiruvallur	77	6	1	0	0	0	18	0	0	0	75.3	100	18	0.00	77.11
Tiruvarur	182	0	0	0	0	0	62	0	0	0	65.9	0	62	0.00	65.93
Tiruchirapalli	119	1	0	0	2	0	9	0	22.2	0	89.4	100	9	18.18	90.83
Vellore	275	12	0	0	1	0	3	0	25	0	98.5	100	3	25.00	98.61
Villupuram	313	56	0	0	15	6	74	15	16.9	28.6	71.6	62.5	89	19.09	70.19
Virudhunagar	257	0	6	0	0	0	33	0	0	0	84.8	0	33	0.00	84.82
Total	5675	113	18	0	89	6	701	18	11.3	25	85.8	78.2	719	11.67	85.57

Source: Crime Review Statistics 2019 from TN Police Department website, accessed 23 June 2021.
Link: https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2019.pdf (Table 10.6)

Note: Chengalpattu, Tenkasi, Mayiladuthurai, Tirupathur were formed in mid-2019, so their data is not available in Crime Review Statistics 2019.

Annexure 3.2: Case disposal in court 2020

Districts	Cases for Trial (including previous year)		Cases Disposed off Without Trial		Cases Convicted (including previous year)		Cases Acquitted		Conviction Rate		Pendency %		Total cases Acquitted	Total Conviction Rate	Total pendency %
	SC	ST	SC	ST	SC	ST	SC	ST	SC	ST	SC	ST			
Ariyalur	98	0	1	0	2	0	11	0	15.4	0	85.7	0	11	15.38	85.71
Chengalpattu	103	0	0	0	0	0	2	0	0	0	98.1	0	2	0.00	98.06
Chennai	44	0	0	0	0	0	1	0	0	0	97.7	0	1	0.00	97.73
Coimbatore	134	1	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Cuddalore	120	1	0	0	1	0	9	0	10	0	91.7	100	9	10.00	91.74
Dharmapuri	59	2	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Dindigul	252	0	0	0	1	0	17	0	5.6	0	92.9	0	17	5.56	92.86
Erode	135	0	0	0	0	0	0	0	0	0	100	0	0	0.00	100.00
Kallakurichi	124	13	0	0	0	0	1	0	0	0	99.2	100	1	0.00	99.27
Kanchipuram	11	0	0	0	0	0	0	0	0	0	100	0	0	0.00	100.00
Kanyakumari	52	3	0	0	2	0	0	0	50	0	92.3	100	0	50.00	92.73
Karur	43	0	0	0	0	0	24	0	0	0	44.2	0	24	0.00	44.19
Krishnagiri	67	1	0	0	0	0	1	0	0	0	98.5	100	1	0.00	98.53
Madurai	477	0	0	0	3	0	21	0	14.3	0	95.3	0	21	12.50	94.97
Mayiladuthurai	-														
Nagappatinam	160	2	0	0	34	0	26	0	56.7	0	62.5	100	26	56.67	62.96
Namakkal	89	0	1	0	14	0	19	0	42.4	0	61.8	0	19	42.42	61.80
Nilgiris	10	2	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Perambalur	77	0	0	0	0	0	2	0	0	0	97.4	0	2	0.00	97.40
Pudukkottai	237	2	0	0	3	0	15	0	16.7	0	92.4	100	15	16.67	92.47
Ramanathapuram	159	0	0	0	0	0	14	0	0	0	91.2	0	14	0.00	91.19
Ranipet	95	5	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Salem	188	9	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Sivagangai	141	0	0	0	2	0	27	0	6.9	0	79.4	0	27	6.90	79.43
Tenkasi	289	0	0	0	0	0	1	0	0	0	99.7	0	1	0.00	99.65
Thanjavur	249	2	0	0	0	0	14	0	0	0	94.4	100	14	0.00	94.42
Theni	234	0	0	0	0	0	26	0	0	0	88.9	0	26	0.00	88.89
Tiruvannamalai	322	15	2	0	0	0	35	0	0	0	88.5	100	35	0.00	89.02
Thoothukudi	198	1	0	0	2	0	1	0	66.7	0	98.5	100	1	66.67	98.49
Tirunelveli	526	1	1	0	55	0	31	0	64	0	85.8	100	31	63.95	83.49
Tirupathur	171	2	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Tiruppur	115	2	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Tiruvallur	58	6	0	0	0	0	0	0	0	0	100	100	0	0.00	100.00
Tiruvarur	159	0	0	0	0	0	8	0	0	0	95	0	8	0.00	94.97
Tiruchirapalli	150	1	0	0	1	0	12	0	5.9	0	93.5	100	12	5.88	88.74
Vellore	39	0	0	0	0	0	0	0	0	0	100	0	0	0.00	100.00
Villupuram	193	29	0	0	7	0	22	0	24.1	0	85	100	22	24.14	86.94
Virudhunagar	257	0	5	0	2	0	36	0	5.1	0	82.9	0	36	5.13	82.88
Total	5835	100	10	0	129	0	376	0	25.2	0	91.1	100	376	25.20	91.20
Source: Crime Review Statistics 2020 from TN Police Department website, accessed 23 June 2021. Link: https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2020.pdf (Table 10.6)															
Note: Mayiladuthurai was formed in mid-2020, so their data is not available in Crime Review Statistics 2020.															

Annexure 3.3: Convictions and acquittals

Districts	2019								2020							
	Cases Acquitted				Cases Convicted				Cases Acquitted				Cases Convicted			
	SC	ST	Total	%	SC	ST	Total	%	SC	ST	Total	%	SC	ST	Total	%
Ariyalur	9	0	9	45.00	11	0	11	55.00	11	0	11	84.62	2	0	2	15.38
Chengalpattu	-	0	0	0.00	-	0	0	0.00	2	0	2	100.00	0	0	0	0.00
Chennai	2	0	2	100.00	0	0	0	0.00	1	0	1	100.00	0	0	0	0.00
Coimbatore	6	0	6	42.86	8	0	8	57.14	0	0	0	0.00	0	0	0	0.00
Cuddalore	26	0	26	100.00	0	0	0	0.00	9	0	9	90.00	1	0	1	10.00
Dharmapuri	5	0	5	100.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Dindigul	31	0	31	96.88	1	0	1	3.13	17	0	17	94.44	1	0	1	5.56
Erode	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Kallakurichi	-	0	0	0.00	0	0	0	0.00	1	0	1	100.00	0	0	0	0.00
Kanchipuram	6	0	6	100.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Kanyakumari	1	0	1	100.00	0	0	0	0.00	0	0	0	0.00	2	0	2	100.00
Karur	5	0	5	100.00	0	0	0	0.00	24	0	24	100.00	0	0	0	0.00
Krishnagiri	12	0	12	100.00	0	0	0	0.00	1	0	1	100.00	0	0	0	0.00
Madurai	34	0	34	91.89	3	0	3	8.11	21	0	21	87.50	3	0	3	12.50
Mayiladuthurai	-	0	0	0.00	0	0	0	0.00	-	0	0	0.00	-	0	0	0.00
Nagappatinam	0	0	0	0.00	0	0	0	0.00	26	0	26	43.33	34	0	34	56.67
Namakkal	16	2	18	94.74	1	0	1	5.26	19	0	19	57.58	14	0	14	42.42
Nilgiris	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Perambalur	0	0	0	0.00	0	0	0	0.00	2	0	2	100.00	0	0	0	0.00
Pudukkottai	25	0	25	100.00	0	0	0	0.00	15	0	15	83.33	3	0	3	16.67
Ramanathapuram	67	0	67	97.10	2	0	2	2.90	14	0	14	100.00	0	0	0	0.00
Ranipet	-	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Salem	4	0	4	10.53	34	0	34	89.47	0	0	0	0.00	0	0	0	0.00
Sivagangai	32	0	32	76.19	10	0	10	23.81	27	0	27	93.10	2	0	2	6.90
Tenkasi	-	0	0	0.00	0	0	0	0.00	1	0	1	100.00	0	0	0	0.00
Thanjavur	50	0	50	100.00	0	0	0	0.00	14	0	14	100.00	0	0	0	0.00
Theni	24	0	24	100.00	0	0	0	0.00	26	0	26	100.00	0	0	0	0.00
Tiruvannamalai	19	1	20	100.00	0	0	0	0.00	35	0	35	100.00	0	0	0	0.00
Thoothukudi	3	0	3	100.00	0	0	0	0.00	1	0	1	33.33	2	0	2	66.67
Tirunelveli	110	0	110	99.10	1	0	1	0.90	31	0	31	36.05	55	0	55	63.95
Tirupathur	-	0	0	0.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Tiruppur	15	0	15	100.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Tiruvallur	18	0	18	100.00	0	0	0	0.00	0	0	0	0.00	0	0	0	0.00
Tiruvarur	62	0	62	100.00	0	0	0	0.00	8	0	8	100.00	0	0	0	0.00
Tiruchirapalli	9	0	9	81.82	2	0	2	18.18	12	0	12	92.31	1	0	1	7.69
Vellore	3	0	3	75.00	1	0	1	25.00	0	0	0	0.00	0	0	0	0.00
Villupuram	74	15	89	80.91	15	6	21	19.09	22	0	22	75.86	7	0	7	24.14
Virudhunagar	33	0	33	100.00	0	0	0	0.00	36	0	36	94.74	2	0	2	5.26
Total	701	18	719	88.33	89	6	95	11.67	376	0	376	74.46	129	0	129	25.54

Source: Crime Review Statistics 2019 and 2020 Report from TN Police Department website, accessed on 23 June 2021

1) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2019.pdf (Table 10.6)

2) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2020.pdf (Table 10.6)

Annexure 4: Performance of Special Public Prosecutors

Districts	Special Public Prosecutor	2019			2020		
		Acquitted	Convicted	Conviction %	Acquitted	Convicted	Conviction %
Ariyalur	M. Thiruvasan	9	11	55.00	11	2	15.38
Chengalpattu		0	0	0.00	2	0	0.00
Chennai	V.S. Narayanarao	2	0	0.00	1	0	0.00
Coimbatore	S. Marimuthu	6	8	57.14	0	0	0.00
Cuddalore	M. Arumugam	26	0	0.00	9	1	10.00
Dharmapuri	M. Mohan	5	0	0.00	0	0	0.00
Dindigul	C. Manickam	31	1	3.13	17	1	5.56
Erode	VACANT	0	0	0.00	0	0	0.00
Kallakurichi		0	0	0.00	1	0	0.00
Kanchipuram	K. Devaraj	6	0	0.00	0	0	0.00
Kanyakumari	C. Suresh Babu	1	0	0.00	0	2	100.00
Karur	B. Ravichandran	5	0	0.00	24	0	0.00
Krishnagiri	M. Babu	12	0	0.00	1	0	0.00
Madurai	A. Kalyana Sundaram and S. Arivudainambi	34	3	8.11	21	3	12.50
Mayiladuthurai		0	0	0.00	0	0	0.00
Nagapattinam	R. Vinoth Nayak	0	0	0.00	26	34	56.67
Namakkal	P. Madeswaran	18	1	5.26	19	14	42.42
Nilgiris	S. Karuppusamy	0	0	0.00	0	0	0.00
Perambalur	K. Kathir Kanagaraj	0	0	0.00	2	0	0.00
Pudukkottai	M. Nallan Asaithambi	25	0	0.00	15	3	16.67
Ramanathapuram	S. Kamaraju	67	2	2.90	14	0	0.00
Ranipet		0	0	0.00	0	0	0.00
Salem	E. Saravanan	4	34	89.47	0	0	0.00
Sivagangai	N. Sureshkumar	32	10	23.81	27	2	6.90
Tenkasi		0	0	0.00	1	0	0.00
Thanjavur	R. Sadhishkumar	50	0	0.00	14	0	0.00
Theni	S. Thangadurai	24	0	0.00	26	0	0.00
Tiruvannamalai	M. Dinakaran	20	0	0.00	35	0	0.00
Thoothukudi	S. Bagathsingh	3	0	0.00	1	2	66.67
Tirunelveli	D. Rajaprabakaran	110	1	0.90	31	55	63.95
Tirupathur		0	0	0.00	0	0	0.00
Tiruppur	S. Ruban	15	0	0.00	0	0	0.00
Tiruvallur	R. Vijayan	18	0	0.00	0	0	0.00
Tiruvarur	P.J. Archunan	62	0	0.00	8	0	0.00
Tiruchirappalli	M. Rathinam	9	2	18.18	12	1	7.69
Vellore	VACANT	3	1	25.00	0	0	0.00
Villupuram	R. Sundaramurthy	89	21	19.09	22	7	24.14
Virudhunagar	G. Kanagaraj	33	0	0.00	36	2	5.26

Source: Tamil Nadu State Annual Reports 2019, 2020 and Crime Review Statistics 2019 and 2020 from TN Police Department website, accessed on 23 June 2021

1) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2019.pdf (Table 10.6)

2) https://eservices.tnpolice.gov.in/content/crime_review/tn_cr_statistics_2020.pdf (Table 10.6)

The blank cells for SPP names are for the new districts. The names of the Special Public Prosecutors (SPP) are from Tamil Nadu State Annual Reports 2019, 2020.

Annexure 5: DVMC meetings

Districts	District collector	2019	% Compliance	District collector	2020	% Compliance
Ariyalur	M. Vijayalakshmi Dr. T.G. Vinay D. Rathna	1	25.00	D. Rathna	1	25.00
Chengalpattu		-	-	A. John Louis	2	50.00
Chennai	A. Shanmuga Sundram R. Seethalakshmi	2	50.00	R. Seethalakshmi	2	50.00
Coimbatore	Ramasamy	0	0.00	Ramasamy	1	25.00
Cuddalore	V. Anbuselvan	2	50.00	Chandra Sekhar Sakhamuri	0	0.00
Dharmapuri	S. Malarvizhi	2	50.00	S. Divyadharshini	3	75.00
Dindigul	Dr. T.G. Vinay M. Vijaya Lakshmi	3	75.00	M. Vijaya Lakshmi	1	25.00
Erode	C. Kathiravan	1	25.00	C. Kathiravan	2	50.00
Kallakurichi		-	-		2	50.00
Kancheepuram	P. Ponniah	0	0.00	Mageswari Ravikumar	2	50.00
Kanyakumari	Prashant M. Wadnere	2	50.00	Prashant M. Wadnere	1	25.00
Karur	T. Anbalagan	1	25.00	T. Anbalagan	2	50.00
Krishnagiri	Dr. C. Prabhakar	2	50.00	Dr. C. Prabhakar Dr. V. Jayachandra Banu Reddy	3	75.00
Madurai	Dr. T.G. Vinay T.S. Rajasekhar	1	25.00	Dr. S. Aneesh Sekhar	2	50.00
Mayiladuthurai	-					
Nagappatinam	Dr. S. Suresh Kumar Praveen P. Nair	2	50.00	Praveen P. Nair	2	50.00
Namakkal	M. Asia Mariam K. Megraj	2	50.00	K. Megraj	3	75.00
Nilgiris	J. Innocent Divya	1	25.00	J. Innocent Divya	0	0.00
Perambalur	V. Santha	2	50.00	V. Santha	4	100.00
Pudukkottai	S. Ganesh P. Uma Maheswari	2	50.00	P. Uma Maheswari	4	100.00
Ramanathapuram		1	25.00	S. Gopala Sundara Raj Dinesh Ponraj Oliver	2	50.00
Ranipet		-	-	S. Divyadharshini Gladstone Pushparaj	1	25.00
Salem	Rohini R. Bhajibhakare S.A. Raman	2	50.00	S.A. Raman	1	25.00
Sivagangai	J. Jayakanthan	3	75.00	P. Madhusudhan Reddy	0	0.00

Annexure 5: DVMC meetings

Districts	District collector	2019	% Compliance	District collector	2020	% Compliance
Tenkasi		-	-	G.K. Arun Sundar Thayalan G.S. Sameeran	0	0.00
Thanjavur	A. Annadurai	2	50.00	M. Govinda Rao	2	50.00
Theni	M. Pallavi Baldev	2	50.00	M. Pallavi Baldev	1	25.00
Tiruvannamalai	K.S. Kandasamy	0	0.00	K.S. Kandasamy	2	50.00
Thoothukudi	Sandheep Nandhuri	2	50.00	Sandheep Nandhuri Dr. K. Sendhil Raj	1	25.00
Tirunelveli	Shilpa Prabhakar Satish	1	25.00	Shilpa Prabhakar Satish V. Vishnu	1	25.00
Tirupathur		-	-		2	50.00
Tiruppur	Dr. K.S. Palanisamy Dr. K. Vijayakarthiskeyan	0	0.00	Dr. K. Vijayakarthiskeyan	3	75.00
Tiruvallur	Mageshwari Ravikumar	2	50.00	Mageshwari Ravikumar P. Ponniah	0	0.00
Tiruvarur	L. Nirmal Raj T. Anand	3	75.00	T. Anand V. Santha	3	75.00
Tiruchirapalli	K. Rajamani S. Sivarasu	1	25.00	S. Sivarasu	1	25.00
Vellore		0	0.00	P. Kumaravel Pandian	0	0.00
Villupuram	Dr. L. Subramaniam A. Annadurai	1	25.00	A. Annadurai	3	75.00
Virudhunagar	A. Sivagnanam R. Kannan	2	50.00	R. Kannan	4	100.00
Total		48	37.5		64	43.24
Source: Tamil Nadu State Annual Reports 2019, 2020 (Annexure IX) .						
Note: Chengalpattu, Ranipet, Tenkasi, Tirupathur and Mayiladuthurai were formed in mid-2019, so their data is not available in Tamil Nadu State Annual Reports 2019, 2020. The data on the name of collectors is from RTI replies.						

Annexure 6: SdVMC meetings

Districts	Sub Division	2019	% Compliance	2020	% Compliance
Ariyalur	Ariyalur	0	0.00	0	0.00
	Udayarpalayam			0	0.00
Chengalpattu	Tambaram	-	0.00	0	0.00
	Chengalpattu			0	0.00
	Maduranthakam			-	-
Chennai	Central Chennai	0	0.00	2	50.00
	South Chennai			2	50.00
	North Chennai			1	25.00
Coimbatore	North Coimbatore	0	0.00	0	0.00
	South Coimbatore			0	0.00
	Pollachi			0	0.00
Cuddalore	Cuddalore	0	0.00	0	0.00
	Chidambaram			0	0.00
	Virudhachalam			0	0.00
Dharmapuri	Dharmapuri	0	0.00	1	25.00
	Harur			2	50.00
Dindigul	Dindigul	3	75.00	0	0.00
	Palani			0	0.00
	Kodaikanal			0	0.00
Erode	Erode	2	25.00	0	0.00
	Gobichettipalayam			1	25.00
Kallakurichi	Thirukovilur	-	0.00	1	25.00
	Kallakurichi			1	25.00
Kanchipuram	Kanchipuram	1	13.00	0	0.00
	Sriperumbudur			1	25.00
Kanyakumari	Nagercoil	0	0.00	0	0.00
	Padmanabhapuram			0	0.00
Karur	Kulithalai	2	25.00	0	0.00
	Karur			0	0.00
Krishnagiri	Hosur	0	0.00	1	25.00
	Krishnagiri			2	50.00
Madurai	Usilampatti	1	6.00	0	0.00
	Madurai			0	0.00
	Melur			0	0.00
	Thirumangalam			0	0.00
Mayiladuthurai	Mayiladuthurai	-	0.00	0	0.00
	Sirkali	-	0.00	-	-

Annexure 6: SdVMC meetings

Districts	Sub Division	2019	% Compliance	2020	% Compliance
Nagapattinam	Nagappatinam Vedaranyam	0	0.00	0 -	0.00 -
Namakkal	Namakkal Thiruchengodu	0	0.00	0 0	0.00 0.00
Nilgiris	Udhagamandalam Coonoor Gudalur	0	0.00	0 0 0	0.00 0.00 0.00
Perambalur	Perambalur	0	0.00	1	25.00
Pudukkottai	Pudukkottai Aranthangi Ilupur	0	0.00	1 1 2	25.00 25.00 50.00
Ramanathapuram	Ramanathapuram Paramakudi	0	0.00	0 0	0.00 0.00
Ranipet	Ranipet Arakkonam	-	0.00	0 0	0.00 0.00
Salem	Salem Attur Omalur/Mettur Sankagiri	9	75.00	0 0 0 0	0.00 0.00 0.00 0.00
Sivagangai	Sivagangai Devakottai	0	0.00	0 0	0.00 0.00
Tenkasi	Tenkasi Sankarankoil	-	0.00	0 0	0.00 0.00
Thanjavur	Thanjavur Pattukottai Kumbakonam	0	0.00	0 0 0	0.00 0.00 0.00
Theni	Periyakulam Uthamapalayam	0	0.00	0 0	0.00 0.00
Tiruvannamalai	Arani Cheyyar Tiruvannamalai	0	0.00	1 0 0	25.00 0.00 0.00
Thoothukudi	Kovilpatti Tiruchendur Thoothukudi	0	0.00	0 0 0	0.00 0.00 0.00
Tirunelveli	Tirunelveli Cheranmadevi	0	0.00	0 0	0.00 0.00

Annexure 6: SdVMC meetings

Districts	Sub Division	2019	% Compliance	2020	% Compliance
Tirupathur	Tirupattur	-	0.00	0	0.00
	Vaniyambadi			1	25.00
Tiruppur	Tiruppur	0	0.00	0	0.00
	Dharapuram			2	50.00
	Udumalpet			1	25.00
Tiruvallur	Tiruvallur	0	0.00	0	0.00
	Ponneri			0	0.00
	Tiruttani			0	0.00
Tiruvarur	Tiruvarur	3	38.00	0	0.00
	Mannarkudi			0	0.00
Tiruchirapalli	Lalgudi	1	6.00	0	0.00
	Srirangam			0	0.00
	Musuri			0	0.00
	Tiruchirapalli			0	0.00
Vellore	Vellore	0	0.00	0	0.00
	Gudiyatham			0	0.00
Villupuram	Villupuram	0	0.00	0	0.00
	Tindivanam			0	0.00
Virudhunagar	Sivakasi	0	0.00	2	50.00
	Aruppukottai			1	25.00
	Sattur			0	0.00
Total	94	22	6.54	28	7.44
Source: Tamil Nadu State Annual Reports 2019, 2020. Annexure IX table c.					

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