

5.17 ODISHA

5.17.1 COMMITTEES

STATE LEVEL VIGILANCE AND MONITORING COMMITTEE

A State Level High Power Vigilance and Monitoring Committee under the Chairpersonship of the Chief Minister reviews implementation of the PoA Act.

DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE

District Level Vigilance and Monitoring Committees have also been functioning under the Chairpersonship of District Magistrate in all the districts to review implementation of the PoA, Act. During the year 2016, 48 meetings were held in 36 districts.

SUB DIVISIONAL LEVEL VIGILANCE AND MONITORING COMMITTEE

All Collectors and Sub-Collectors have been requested to constitute the Sub Divisional Level Vigilance and Monitoring Committees vide STSC Development Department's letter dated 4.1.2014 as required under Rule 17A of the PoA Rules, 2013. Sub Divisional Level Vigilance and Monitoring Committees have been constituted in most of the District and meetings were held in the concerned districts. During the year 2016, 12 meetings were held in 36 districts.

5.17.2 STATE LEVEL SC AND ST PROTECTION CELL

The Government of Odisha has constituted Scheduled Castes and Scheduled Tribes Protection Cell under the charge of Additional Director General of Police, Human Rights Protection Cell (HRPC) in the State Police Headquarters at Cuttack in accordance with Rule 8 of the PoA Rules. The State Government has also constituted District Human Right Protection Cells to deal with atrocities against members of Scheduled Castes and Scheduled Tribes.

5.17.3 REGISTRATION OF CASES AS PER PROVISIONS OF THE AMENDMENT PoA ACT

All Police Stations of Odisha have been suitably instructed to register the FIR in accordance with the provisions of Rule 7(2) of PoA Rules and Section 4(2) (e) of the PoA Amendment Act, 2015. Accordingly registration of FIR is done. They have also been instructed to file charge sheet within stipulated period of sixty days as envisaged in said Rule and Act.

5.17.4 INVESTIGATION AND FILING OF THE CHARGE SHEET WITHIN SIXTY DAYS

Instructions have been issued to field level/officers linked to investigation of atrocity cases for filling charge sheet with stipulated period of sixty days in accordance with Rule 7 (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016.

5.17.5 SPECIFICATION AN APPROPRIATE SCHEME TO ENSURE IMPLEMENTATION OF THE RIGHTS AND ENTITLEMENTS OF VICTIMS AND WITNESSES IN ACCESSING JUSTICE

Towards implementing provision of Section 15(A) (ii) of the PoA Act, following steps have been taken by the State Government.

- Copy of recorded FIR is being provided to the complaint in free of cost in all Police Stations of Odisha.
- District Magistrate/Collector looks into the matter for providing immediate relief in cash or kind to the atrocity victims or their dependents.
- Police is provided necessary protection to the atrocity victims and their dependents.
- Police is providing information about the rights of atrocity victim at the time of making complaint and registering FIR.
- Police is providing protection to the witnesses of victims from intimidation and harassment.

- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and PoA Rules, 2016 have been widely circulated with instruction to strictly implement of PoA Act.
- Necessary precautions are being taken at the time of medical examination.
- Information regarding relief amount are being provided to atrocity victim or their dependents and associates organization or individuals.
- Information in respect of dates, place of investigation and trial are being provided by police to atrocities victim or their dependent or associated organization or individuals.
- Adequate briefing on the case and preparation for trial to atrocity victim or their dependents or associates or individual are being given by police along with provision of legal aid for the said purpose.
- Necessary assistance for execution of rights of atrocity victims of their dependent or associated organizations or individuals are being provided by police at every stage of proceedings under the Act.

5.17.6 APPOINTMENT OF OFFICERS

A. NODAL OFFICER

Secretary, Scheduled Tribes and Scheduled Castes Development Department has been nominated as a Nodal Officer as per Rule 9 of the PoA Rules.

B. SPECIAL OFFICER FOR DISTRICTS HAVING ATROCITY PRONE AREAS

The Additional District Magistrates of the concerned districts are the Special Officers as per Rule 10 of the PoA, Rules.

5.17.7 IDENTIFICATION OF ATROCITY PRONE AREAS

The Home Department of the State has identified following atrocity prone areas in the State: -

S.No.	District	Atrocity Prone Areas
1.	Angul	Angul (Pallahara, Chhendipada, Jarapada)

		Police Stations areas).
2.	Bhadrak	Bhadrak (Bhadrak town, Rural (Sadar), Naikanidihi, Dhusuri, Bansada Police Station areas).
3.	Boudh	Boudh (Boudh, Baunsuni, Manamudna, Kantamal, Purunakatak, Harbhanga, Police Stations areas).
4.	Balasore	Balasore (Balasore Town, Khantapara, Industrial Areas, Oupada, Singla, Sadar Police stations areas).
5.	Cuttack	Cuttack (Baramba, Niali, Govindpur Police Stations areas).
6.	Dhenkanal	Dhenkanal (Sadar, Gondia Police Stations areas).
7.	Deogarh	Deogarh (Entire Deogarh District in all the 4 Police Stations areas)
8.	Kandhamal	Kandhamal (Entire Kandhamal District is the atrocity prone area as intimated by the S.P.Kandhamal).
9.	Kalahandi	Kalahandi (Dharmagarh, Junagarh, Jaipatna, Koksara, Sadar, Kegaon and Bhawanipatna Town Police Stations areas).
10.	Khurda	Khurda (badagada, Lingaraj, Balianta, Balugaon, Banapur, Jankia, Balipatna, Khandagiri Police Stations areas).
11.	Keonjhar	Keonjhar (Keonjhar Town, Sadar, Patna, Ghasipura, Ghatagaon, Anandapur, Champua, Joda, Barbil Police Stations. Areas).
12.	Mayurbhanj	Mayurbhanj (Baripada Town, Bangripose, Khunta, Udala, Thakurmunda, Karanjia, Jharpokharia, Rasagovindapur, Barsahi, Police Stations areas)
13.	Nuapada	Nuapada (Sinapali Block area)
14.	Puri	Puri (Sadar, Town, Sea-Beach, Chandrapur, Satyabadi, Brahmagiri, Delang, Kanas, Pipili, Gop, Balanga, Nimapada-krushnaparsad Police Stations Areas)
15.	Sonepur	Sonepur (Sonepur, Birmaharajpur Police Stations areas).
16.	Sundergarh	Sundergarh (Sundergarh Town, Sadar, Lephripada, Hemgiri, Bisra, Rajgangpur and Sector-19 Police Stations areas)

5.17.8 SPECIAL COURTS

Ninety two District and Sessions Courts and Additional District and Sessions Courts have been designated as Special Courts, for the trial of the offences under the PoA, Act. Three Exclusive Special Courts at Cuttack, Bolangir and Balasore have also been set up.

5.17.9 SPECIFICATION OF SPECIAL PUBLIC PROSECUTORS

At present twenty nine Special Public Prosecutors have specified in the ninety two designated Special Courts and three Exclusive Special Public Prosecutors have also been specified in three Exclusive Special Courts, to conduct the cases of offence of atrocities under the PoA Act.

5.17.10 PUBLICITY AND AWARENESS GENERATION

The field Officers of the Scheduled Castes and the Scheduled Tribes Development Department usually contact the villagers in course of their field visits for creating awareness and gathering their problems if any. Sanjog Helpline No. 155335 (24x7) has also been installed in ST and SC Development Department to receive grievances members of SCs and STs. Besides, all the District Collectors have been instructed to set up awareness campaign with the help of NGOs by organizing workshop in identified areas in District. All District Magistrates/SPs have been instructed to display through hoardings. The salient features of PoA Act in Odiya version at all the Police Stations and other important public places like Courts, District Headquarters etc for awareness of the general public and members of SCs and STs. The ST and SC Development Department through its Research and Training Institute (SCSTR&TI) has been entrusted to generate awareness among SCs and STs about their entitlements, if any atrocities are committed to them and various measures taken for them for better implementation of the Act to prevent them from atrocities. The Government has also been circulating IFC materials among different communities in villages to make them aware of the provisions of the PoA Act. The Government through NGOs has also been trying to generate awareness and sensitize SCs and STs communities about the provisions of the PoA Act and types of atrocities committed against them. The Government has translated the PoA Act and PoA Rules in all tribal languages and has circulated throughout the State. Further Radio jingles, short documentary film/ Audio –visual spots have also been

broadcasted/transmitted/telecasted to generate awareness among the general public.

During the year 2016, 76 training programmes were conducted by SCSTRTI. BPSPA Bhubaneswar, NGO and Audio-visual spots were shown in 13 TV Channels during Cart Festival-2016. 4665 participants had participated in training programmers. As per State HRPC, Odisha vide letter dated 24.9.2016, all range Inspector General of Police of Odisha and Commissioner of Police have been requested to organize quarterly training programme in their Range level for sensitizing the police and other personnel towards proper implementation of the amended PoA Act and PoA Rules. The district SPs also told steps to sensitize their field officers towards proper implementation of the Act.

5.17.11 LEGAL AID

Legal Aid is given to persons belonging to Scheduled Castes under the Legal Aid and Advice Scheme, 1981, which is administered by the Law Department. Besides that the Scheduled Castes/Scheduled Tribes litigants are also given legal aid under a Scheme in operation by the Scheduled Tribes and Scheduled Castes Development Department to fight-out cases to establish their right, title, interest and possession over the disputed land.

In order to provide legal aid to SC and ST litigants, 390 Legal Aid Cells have been opened. So far 421 Legal Retainers/Advocates have been engaged in different Legal Aid Cells

5.17.12 RELIEF MEASURES

During the year 2016, an amount of Rs.713.71 lakhs was released towards economic and social rehabilitation of 1715 victims of atrocities.

5.17.13 TRAVELLING AND MAINTENANCE EXPENSES TO WITNESSES AND VICTIMS OF ATROCITIES

The Government of Odisha has revised maintenance expenses to the witnesses and victims of offences of atrocities from Rs.20/- to 100/- for Diet expenses and from Rs.50/- to Rs. 200/- for maintenance expenses.

5.17.14 IMPLEMENTATION OF PLAN FOR EFFECTIVELY IMPLEMENTING PROVISION OF THE ACT AND ITS NOTIFICATION IN THE STATE GAZETTE

- Copies of Gazette Notification of Government of India regarding the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No. 1 of 2016) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016 have been circulated to all concerned vide ST and ST Development Department letter dated 20.03.2016 and 18.06.2016 with a request for its proper implementation. These amended Act and Rules have also been republished in Odisha Gazette Notification dated 2.4.2016 and 09.08.2016 respectively and the said notifications have also been circulated to all concerned vide letter dated 29.11.2016 with instructions for its proper implementation.
- SCs and STs Protection Cell, HRPC, Odisha has issued letter dated 10.8.2016 addressed to all concerned District Superintendent of Police including DCP for strict implementation of amended PoA Act and Rules as well as spreading public awareness in the respective districts.

- SCs and STs Protection Cell, HRPC, Odisha vide letter dated 17.9.2016 has also issued to all SSP including DCP and SRP Roulkela with a request to prominently display the salient features in all Police Stations/prominent places and take steps to be sensitization of the Police Personnel for proper implementation of the said Act and Rules.
- SCs and STs Protection Cell, HRPC, Odisha vide letter dated 13.6.2016 issued to Commissioner of Police and all IGPs/DIGs had requested for organizing one day training programme in their respective ranges.

5.17.15 REVIEW OF PERFORMANCE OF PUBLIC PROSECUTORS

During the year 2016, Director Public Prosecution, along with District Magistrate and Superintendent of Police have conducted review of the performance of the Special Public Prosecutors in districts of Rayagada, Sambalpur, Bolangir, Kalahandi and Nayagarh. Director, Public Prosecutions also holds joint review meetings with the District Magistrate to review the performance of the Special Public Prosecutor as per the Rules.