



POA  
2021

# THE ADMINISTRATION OF UNION TERRITORY OF LADAKH

Social & Tribal Welfare Department,  
Civil Secretariat, Ladakh.

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The Joint Secretary,  
Ministry of Social Justice and Empowerment,  
Govt. of India.

**Subject: Annual Report on the working of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) (PoA) Act 1989 and Protection of Civil Rights Act 1955 for the calendar year ended 31<sup>st</sup> December 2021.**


Sir,

Kindly refer your letter No: PCR-11016/1/2022 PCR Dated: 24.01.2022 and No: PCR-11015/1/2022-PCR dated: 10.03.2022 regarding the captioned subject.

In this regard I am directed to communicate the inputs for the annual report on working of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)(PoA) Act 1989 and Protection of Civil Rights Act 1955, for the Calendar Year Ended 31<sup>st</sup> December 2021 for UT of Ladakh for your kind information and further necessary action.

**The report is issued with the approval of the higher authorities.**

Yours Sincerely,

  
Stanzin Shakya (Ph.D.)

**OSD to Commissioner/ Secretary  
Social & Tribal Welfare Dept.**

No: A/55/2021-S&TW SEC/1314-23

Dated: 13/06/2022

Copy to the:

1. Additional Director General of Police, UT of Ladakh for information and necessary action.
2. Deputy Commissioner/CEO LAHDC Leh /Kargil for information.
3. Sr. Superintending Officer of Police, Leh/Kargil for information.
4. Director, Social & Tribal Welfare Department, UT of Ladakh for information.
5. OSD to Advisor to Hon'ble LG, UT of Ladakh for information of Advisor.
6. OSD to Administrative Secretary, Law and Justice, Adm. of UT of Ladakh, for the info. of the Adm./Secy.
7. P.A to Comm./Secy., Social & Tribal Welfare Department, Adm. of UT of Ladakh, for the info. of the Comm./Secy.

**THE ADMINISTRATION OF UNION TERRITORY OF LADAKH****Social and Tribal Welfare Department**

Civil Secretariat, Ladakh.

Email:swladakh@gmail.com

**Annual Report on the working of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) (PoA) Act, 1989 for the calendar year ended 31<sup>ST</sup> December 2021.**

Sr. No.	Question	Answer/Reply
1	Overview of the status of offences of atrocities against members of SCs and STs in the State, and of the steps taken by the State Government/Union Territory Administration towards implementation of the PoA Act as amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No. 1 of 2016), enforced with effect from 26.01.2016.	Majority of the population in the UT of Ladakh belong to ST community, with 71.81% of population in Leh district and 86.88% in Kargil district being Tribal as per 2011 Census. As per Census 2011, the total population of SC in Ladakh stands at 506 with 18 in Kargil and 488 in leh district. In most criminal cases both the victims and criminals belong to ST category and therefore such crimes do not fall under the provision of Prevention of Atrocities against the Scheduled Tribe and Scheduled Caste.
2	Legal aid and other facilities provided to persons subjected to atrocities to enable them to avail themselves of justice (Ref: Section 21 (2)(i) of the Act.	There is no such case reported in the UT of Ladakh during the period.
3	Registration of cases as per provisions of the amended PoA Act. (Ref: Section 3 of the Act as amended).	Nil
4	Specification of an appropriate Scheme to ensure implementation of rights and entitlements of victims and witnesses in accessing justice. (Ref: Section 15A (11) of the Act.	In absence of any such case reported and in view of the population of Ladakh being majorly Tribal, the need for such a scheme has not been felt.
5	Travelling and maintenance expenses paid to witnesses, including the victims of atrocities during investigation and trial of offences under the Act. (Ref: Section 21 (2) (ii) of the Act as amended)	NA in view of nil case
6	Investigation of the case and filing of charge sheet within sixty days (Ref: Rule 7 (2) of the PoA Rules as amended)	NA in view of nil case
7	Relief and rehabilitation of victims of atrocities: Provisions of relief within seven days. Provision and necessary authorization by the State Government/UT Administration to the District Magistrate for immediate withdrawal of money from the treasury. (Ref: Section 21 (2)(iii) of the Act read with Rule 12 (4) and Rule 12 (4A)	NA in view of nil case

 13/03

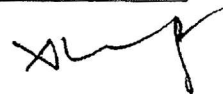
I/5038/2022	of the PoA Rules,1995 as amended)	
8	Officers appointed for initiating or exercising supervision over prosecutions for contravention of the provisions of the Act: Setting up of SC/ST Protection Cell (Ref: Section 21(2)(VI) of the ACT READ WITH RULE 8 OF PoA Rules,1995)	Vide order no. 228 LA(GAD) of 2021 dated 11.12.2021 of GAD UT Ladakh, sanction has been accorded for constitution of SC and ST Protection Cell in the UT of Ladakh. 5.22.22
9	Constitution and frequency of conduct of meetings of State, District and Sub-divisional Level Vigilance & Monitoring Committees and review of implementation of the provisions of the PoA Act, Scheme for the rights and entitlements of victims and witnesses in accessing justice as specified in sub-section (ii) of section 15 a of chapter IVA of the Act, relief and rehabilitation of atrocity victims, prosecution of cases and review of various reports received by the State Governments/UT Administrations. (Ref: Section 21(2)(v) of POA Act read with rule 16,17 & 17A of POA Rules,1995 AS amended.	Vide order no. 229 LA(GAD) of 2021 dated 11.12.2021 of GAD UT Ladakh, UT Level Vigilance and Monitoring Committee has been constituted under the Chairmanship of Hon'ble Lt. Governor. District Level Vigilance & Monitoring Committees have also been constituted in both Leh and Kargil under chairmanship of Deputy Commissioner vide Order No. 236/SW of 2020 dated: 31-3-2022 and Order No. DCK-Rev.131/of 2022 dated: 02.03.2022.. 5.22.22
10	Periodic Survey conducted on the working of the provisions of the PoA Act. (Ref: Section 21(2)(vi) of the Act)	NA in view of nil case
11	Areas identified where members of SCs and STs are likely to be subjected to atrocities and measures adopted to ensure their safety (Ref: Section 21(2)(vii) of the Act)	District police Leh and Kargil has been directed to identify such area, if any.
12	Special Courts and Exclusive Special Courts set up for speedy trial of cases under the PoA Act (Ref: Section 14 of the PoA Act as amended)	Concurrence of the Hon'ble Chief Justice, High Court of J&K and Ladakh has been sought for designating Session Court, Leh and Kargil a 'Special Court' as stipulated in terms of provision to sub-section (1) of 14 of the SC/ST PoA Act 1989 and response is awaited.
13	Specification of Special Public Prosecutors and Exclusive Public Prosecutors (Ref: Section 15 (1 and 2) of the PoA Act as amended)	NA in view of nil case
14	Setting up SC/ST Protection Cells (Ref: Rule 8 of the PoA Rules as amended)	Vide order no. 228 LA(GAD) of 2021 dated 11.12.2021 of GAD UT Ladakh, sanction has been accorded for constitution of SC and ST Protection Cell in the UT of Ladakh.
15	Special Police Stations set up to investigate offences of atrocities against members of SC/ST.	Minority cell is established in every police unit
16	Non - SC/ST officers punished for wilful neglect of duties (Ref: Section 4 of the PoA Act as amended)	Nil
17	Nodal Officers nominated to co-ordinate functioning of the District Magistrates and	Secretary, Social & Tribal Welfare Department, is nominated as Nodal Officer for co-ordinating the

	superintendent of Police and other officers, responsible for implementing provisions of the Act. (Ref: Rule 9 of PoA Rules, 1995 as amended)	functioning of the District Magistrate and Superintendent of Police, investing Officer and other officer responsible for implementing the provisions of the SC/ST prevention of Atrocities Act 1989, vide order no.230-LA(GAD) of 2021 dated 11.12.2021.
18	Special Officers appointed for identified areas to co-ordinate with the District Magistrate, Superintendent of Police or other officers responsible for implementing the provisions of the Act, various committees and the Scheduled Castes and the Scheduled Tribes Protection Cell (Ref: Rule 10 of PoA Rules, 1995 as amended)	NA as there are no area has been identified where members of SCs and STs are likely to be subjected to atrocities
19	Implementation of Plan for effectively implementing provisions of the Act and its notification in the State Gazette (Ref: Rule 15 of PoA Rules, 1995 as amended)	NA in view of nil cases
20	Steps taken by State Government/ Union Territory Administration by way of: <ol style="list-style-type: none"> <li>Sensitization, awareness programmes and publicity.</li> <li>Training programmes to sensitise police and other officers, in regard to provisions of the Act and the Rules, as amended.</li> <li>Filing of appeals in superior Courts against acquittals.</li> <li>Recognition of Persons/Organizations for having done explanatory work in prevention of atrocities.</li> <li>Review of performance of Special Public Prosecutors and Exclusive Special Public Prosecutors.</li> </ol>	<ol style="list-style-type: none"> <li>Necessary direction has been issued to subordinate formation to conduct awareness programme to make people familiar in this regard while conducting PCPG meeting at Police Station level.</li> <li>Training programme could not be conducted during the period mentioned in view of covid pandemic.</li> <li>Nil, as there are no such cases reported under this Act as on date.</li> <li>As there have been no cases reported under the Act, there are no organisations/NGOs/VOs working in this field.</li> <li>As no case has been reported, the review of performance of the public prosecutor does not arise</li> </ol>

**Annual Report on the working of the protection of Civil Right Act, 1955 for the Calendar year ended 31<sup>st</sup> December 2021.**

S.No.	Question	Answer/Reply
1	Overview of the status of practice of "untouchability" in the State/UT, and of the steps taken by the State Government/Union Territory Administration towards implementation of the Act.	No such case related to practice of "untouchability" is reported in UT of Ladakh during the Calendar year 2020-21.
2	Legal aid and other facilities provided to persons subjected to any disability arising out of untouchability to enable them to avail themselves of their legal rights (Ref: Section 15A (2)(i) of the Act).	NA
3	Officers appointed for initiating or exercising	No such case has been reported and

I/5038/2022	supervision over prosecutions for the contravention of the provisions of the Act (Ref: Section 15A (2)(ii) of the Act)	accordingly no officers has been yet appointed
4	Special Courts set up for trial of offences under the Act (Ref: Section 15A (2)(iii) of the Act)	Delegation of power of State Govt. in favour of Administration of UT of Ladakh has been taken up with MHA, GOI, for setting up of Special court under clause (iii) of sub-section (2) of section 15A of the Protection of Civil Rights Act, 1955.
5	Committees set up at appropriate levels to assist the State Government in formulating or implementing measures necessary for implementing the Act (Ref: Section 15A (2) (iv) of the Act)	As no case is reported till date, no measures are required to be formulated
6	Periodic Survey conducted on the working of the provisions of the Act (Ref: Section 15A (2) (v) of the Act)	Not required as no case reported so far, however vigil is being kept at all police station level in UT Ladakh.
7	Areas identified where persons are under any disability arising out of untouchability and measures taken for the removal of such disability in such areas (Ref: Section 15A (2) (vi) of the Act)	As of now no such area has been detected.
8	Steps taken by State Government/Union Territory Administration by way of: i. Sensitization and Publicity/Awareness Programmes. ii. Training programmes to sensitize the police and other Government personnel, in regard to provisions of the Act.	i. Necessary direction has been issued to subordinate formation to conduct awareness programme to make people familiar in this regard while conducting PCPG meeting at Police Station level. ii. Training programme could not be conducted during the period mentioned in view of covid pandemic.
9	Number of inter-caste marriages (where one spouse belongs to a Scheduled Caste and the other is non-SC/ST) for which incentive amount paid.	Nil
10	Any other Relevant Information which the State Government/Union Territory Administration may wish to furnish.	Majority of the population in the UT of Ladakh belong to ST community, with 71.81% of population in Leh district and 86.88% in Kargil district being Tribal as per 2011 Census. As per Census 2011, the total population of SC in Ladakh stands at 506 with 18 in Kargil and 488 in Leh district and it is understood that majority of this SC population are Government employees.





## **5.32 LADAKH**

### **5.32.1 COMMITTEES**

#### **U.T. LEVEL VIGILANCE AND MONITORING COMMITTEE**

U.T level Vigilance and Monitoring Committee has been constituted under the Chairmanship of Hon'ble Lt. Governor and is functioning to review implementation of the PoA Act.

#### **DISTRICT LEVEL VIGILANCE AND MONITORING COMMITTEE**

The District Level Vigilance and Monitoring Committees have been constituted under the Chairpersonship of Deputy Commissioners to review implementation of the Act.

### **5.32.2 SC & ST PROTECTION CELL**

The Union Territory Administration has been accorded for constitution of Scheduled Castes and Scheduled Tribes Protection Cell in the U.T. of Ladakh.

### **5.32.3 APPOINTMENT OF OFFICER**

#### **A. NODAL OFFICER**

The Secretary, Social & Tribal Welfare Department has been nominated as a Nodal Officer for co-ordinating the functioning of the District Magistrate and Superintendent of Police.

### **5.32.4 SPECIAL COURT**

The Hon'ble Chief Justice, High Court of Jammu & Kashmir and Ladakh has been sought for designating Session Court, Leh and Kargil as Special Courts as stipulated in terms of provision to sub-section (1) of (14) of the PoA Act and the response is awaited.