

OFFICE OF THE LEADER OF OPPOSITION

Gujarat Vidhansabha, Gandhinagar.

Press Note

7th May, 2012

- **Despite a mandatory provision in the Act, that the committee on review of the implementation of law relating to protection of rights of SC & ST should meet twice a year, the committee today met after a gap of two years and three months.**
- **Provision of Law is clear that it should meet twice in a year.**
- **Gujarat Chief Minister has not included any of Congress MP or MLA in this Committee despite the law that all elected SC-ST members should be on the committee. It is to make sure that no voice was raised against injustice.**
- **95 percent of people accused of atrocity are acquitted because of anti dalit mentality of the CM.**
- **CM is not willing even to prefer an appeal in the acquittal cases.**
- **CM has a mindset which is against provisions of constitution.**
- **CM has negative attitude towards the solution of the problems of Dalits and Adivasis.**
- **In 822 cases in Gujarat, only 47 got punished while 755 acquitted.**

Leader of Opposition in the State Assembly, Shaktisinh Gohil today alleged that Gujarat Chief Minister has committed criminal contempt for defying the Scheduled Castes and Scheduled Tribes interest and laws relating to their rights and he should be prosecuted for the violation of these rules. He pointed out that Article 17 of the Constitution of India provides for the protection of the rights of SC and ST people. In 1995 Government of India framed rules to deal with the problem of atrocity under which a state level committee was to be formed for the proper implementation of various provisions of this Act. This was under rule 16 of rules framed under this Act. However, he said, Gujarat Chief Minister has anti SC and ST mentality. As a result of which the laws relating to atrocity are being openly violated. Under the law, the state level committee to be headed by Chief Minister must have all Members of Parliament and Members of Legislative Assembly and Council as its members. But, Gujarat Chief Minister has not included any of Congress MP or MLA in this Committee, he said. Gohil raised this issue in the state level committee in its meeting today and pointed out that it was a criminal act. He said that his government was doing injustice to people of SC and ST community and the exclusion of opposition congress members was just to make sure that no voice was raised against injustice.

Rule 16(2) of the Rules framed under this Act provides that the committee should meet twice a year, first in January and second in July. However, the last meeting was held in February 2010-more than two years ago. This is again a criminal act of the Chief Minister, he said. The Committee must meet regularly to review the work for the benefit of SC-ST population, their adequate representation at the all levels of administration right upto Chief Secretary to a police station, adequate land allotment to them and review of cases of atrocity on them. By not calling the meeting he himself is committing atrocity, Gohil said.

He pointed out that seats falling vacant in the reserve category because of SC-ST candidates getting admission in open merit are not filled by reserved candidates, The Roster Act is not at all passed, land is not given to SC-ST people while few favoured businessmen are given away precious land at throw away prices! Land of those SC-ST members who were allotted land during Congress rule is being taken back on flimsy grounds. Central Government has increased compensation ground but Gujarat Government is not implementing it.

He said that acts of non inclusion of elected representatives, not holding meeting of the committee twice a year are the acts against SC and ST and constitute crime under the law. The Chief Minister has also not included the Director of National Commission for ST in the Committee. It is mandatory to have Directors or their representatives of the National Commissions for SC's-ST's in the committee, he pointed out. All these become an offence in the existing law.

Today's meeting clearly reflected the anti- SC ST bias of the government. In the year 2011, 822 cases of atrocity on SCs were tried. In as many as 755 cases, accused were acquitted. Nowhere in the country, is acquittal at such a large scale. Government of Gujarat figures say that in 2010, only 4.94 percent were punished while 95.06 percent were acquitted. In 2011, only 4.54 per cent could be punished as 95.46 got acquittal.

Gohil, in today's, meeting drew the attention of the CM and members of the committee to such a large scale acquittal and said that it was a matter of great concern and government should take serious note of this if it was really concerned about justice and welfare of SC and ST.

He told them that it was the duty of the government to see that people involved in these crimes got punished. Gohil lamented that none showed any concern to these startling figures. Gohil said that in all such cases government should at least move in appeal against the acquittal. But , he said, CM did not accept his demand.

Gohil said that of the 775 acquittal cases, government filed appeal only in 15 cases. Because of no action against offenders, it becomes a deterrent for affected persons to approach police in case of injustice. Despite all this, he said, in 2010 1006 complaints of atrocity were filed while in 2011 the number rose to 1082.

Note :- Copy of The Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Rules, 1995 are available on the website www.shaktisinhgohil.com.

To,
The Editor,

Hon'ble Leader of Opposition has requested to kindly publish this press note in your esteemed newspaper.

(J. J. Rasanía)
Personal Assistant