

shall be notified in the Official Gazette of the State and shall remain in force for a period of three years:

(2) The District Magistrate and the Director of prosecution/in-charge of the prosecution shall review at least twice in a calendar year, in the month of January and July, the performance of Special Public Prosecutors so specified or appointed and submit a report to the State Government.

(3) If the State Government is satisfied or has reason to believe that a Special Public Prosecutor so appointed or specified has not conducted the case to the best of the ability and with due care and caution, his name may be, for reasons to be recorded in writing, denotified.

(4) The District Magistrate and the officer-in-charge of the prosecution at the District level, shall review the position of cases registered under the Act and submit a monthly report on or before 20th day of each subsequent month to the Director of Prosecution and the State Government. This report shall specify the actions taken/proposed to be taken in respect of investigation and prosecution of each case.

(5) Notwithstanding anything contained in sub-rule (1) the District Magistrate or the Sub-Divisional Magistrate may, if deem necessary or if so desired by the victims of atrocity engage an eminent Senior Advocate for conducting cases in the Special Courts on such payment of fee as he may consider appropriate.

(6) Payment of fee to the Special Public Prosecutor shall be fixed by the State Government on a scale higher than the other panel advocates in the State.

5. INFORMATION TO POLICE OFFICER IN-CHARGE OF A POLICE STATION:

(1) Every information relating to the commission of an offence under the Act, if given orally to an officer in-charge of a police station shall be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be maintained by that police station.

(2) A copy of the information as so recorded under sub-rule (1) above shall be given forthwith, free of cost, to the informant.

(3) Any person aggrieved by a refusal on the part of an officer in-charge of a police station to record the information referred to in sub-rule (1) may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who after investigation either by himself or by a police officer not below the rank of Deputy Superintendent of Police, shall make an order in writing to the officer in-charge of the concerned police station to enter the substance of that information to be entered in the book to be maintained by that police station.

6. Spot inspection by officers.—(1) Whenever the District Magistrate or the Sub-Divisional Magistrate or any other executive Magistrate or any police officer not below the rank of Deputy Superintendent of Police receives an information from any person or upon his own knowledge that an atrocity has been committed on the members of the Scheduled Castes or the Scheduled Tribes within his jurisdiction, he shall immediately himself visit the place of occurrence to assess the extent of atrocity, loss of life, loss and damage to the property and submit a report forthwith to the State Government.

(2) The District Magistrate or the Sub-Divisional Magistrate or any other executive Magistrate and the Superintendent of Police/Deputy Superintendent of Police after inspecting the place or area shall on the spot—

(i) draw a list of victims, their family members and dependents entitled for relief;

(ii) prepare a detailed report of the extent of atrocity loss and damage to the property of the victims;

(iii) order for intensive police patrolling in the area;

(iv) take effective and necessary steps to provide protection to the witnesses and other sympathisers of the victims;

(v) provide immediate relief to the victims.

7. INVESTIGATING OFFICER :

(1) An offence committed under the Act shall be investigated by a police officer not below the rank of a Deputy Superintendent of Police. The investigating officer shall be appointed by the State Government/Director General of Police/Superintendent of Police after taking into account his past experience, sense of ability and justice to perceive the implications of the case and investigate it along with right lines within the shortest possible time.

(2) The investigating officer so appointed under sub-rule (1) shall complete the investigation on top priority within thirty days and submit the report to the Superintendent of Police who in turn will immediately forward the report to the Director General of Police of the State Government.

(3) The Home Secretary and the Social Welfare Secretary to the State Government, Director of Prosecution, the officer in-charge of Prosecution and the Director General of Police shall review by the end of every quarter the position of all investigations done by the investigating officer.

8. SETTING UP OF THE SCHEDULED CASTES AND THE SCHEDULED TRIBES PROTECTION CELL :

(1) The State Government shall set up a Scheduled Castes and the Scheduled Tribes Protection Cell at the State head quarter under the charge of Director of Police/Inspector General of Police. This Cell shall be responsible for—

(i) conducting survey of the identified area;

(ii) maintaining public order and tranquility in the identified area;

(iii) recommending to the State Government for deployment of special police force or establishment of special police post in the identified area;

(iv) making investigations about the probable causes leading to an offence under the Act;

(v) restoring the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes;

(vi) informing the nodal officer and special officer about the law and order situation in the identified area;

(vii) making enquiries about the investigation and spot inspections conducted by various officers;

(viii) making enquiries about the action taken by the Superintendent of Police in the cases where an officer in-charge of the police station has refused to enter an information in a book to be maintained by that police station under sub-rule (3) of rule 5;

(ix) making enquiries about the wilful negligence by a public servant;

(x) reviewing the position of cases registered under the Act; and

(xi) submitting a monthly report on or before 20th day of each subsequent month to the State Government/ nodal officer about the action taken/proposed to be taken in respect of the above.

9. NOMINATION OF NODAL OFFICER :

The State Government shall nominate a nodal officer of the level of a Secretary to the State Government preferably belonging to the Scheduled Castes or the Scheduled Tribes, for co-ordinating the functioning of the District Magistrates and Superintendent of Police or other officers authorised by them investigating officers and other officers responsible for implementing the provisions of the Act. By the end of the every quarter, the nodal officer shall review—

(i) the reports received by the State Government under sub-rule (2) and (4) of rule 4, rule 6, clause (x) of rule 8,