

Reference:- Director (TW) queries at para 44/N.

(45) This was discussed with Director (TW) on 28.8.2003. This is the first reference (P.U.C) we have received from the Govt. of India, Ministry of Social Justice and Empowerment New Delhi regarding periodic meetings of the Monitoring Committee set up in accordance with the Rules 16 & 17 of the SCs & ST (Prevention of Atrocities) Rules, 1995. So this issue was not dealt earlier, nor was any decision taken.

(46) As per a report recently received from District and Session Judge, Port Blair who functions as a special Court for cases relating to atrocities under the SCs, STs (Prevention of Atrocities) Act, 1989, two cases of atrocities have so far been registered of which one case has already been disposed off and remaining one is under trial. Although the number of cases of the atrocities against the STs is only few the statutory provisions of the rule 16 relating to constitution of State Level Vigilance & Monitoring Committee & rule 17 relating to District Level Vigilance and Monitoring Committee of SCs & STs (Prevention of Atrocities) Rules 1995 ( copy of the relevant portion of the rules is placed at page 65/C ) are to be complied with. As provided under Rule 16, the State / UT level Vigilance and Monitoring Committee comprising of the following is to be constituted by the State Government.

- (i) Chief Minister/ Administrator- Chairman ( in case of a State under President's Rule Governor – Chairman
- (ii) Home Minister, Finance Minister & welfare Minister- Members ( in case of a State under the President's Rule Advisors- Members)
- (iii) All elected members of Parliament and state Legislative Assembly and Legislative Council from the state belonging to the Scheduled Castes and the scheduled Tribes – Members.
- (iv) Chief Secretary, the Home secretary, the Director General of Police, Director/ Deputy Director of National Commission for the scheduled Castes and the Scheduled Tribes – Members.
- (v) The Secretary-in-Charge of the Welfare and Development of the Scheduled Castes and the Scheduled Tribes – Convenor.

(47) So far as this UT is concerned there is no Legislature. So the Committee is to be constituted with the Hon'ble Lt. Governor as Chairman instead of Chief Minister. This UT is a single MP constituency and the present MP is a non-ST. However, he may be included in the Committee as a member. In place of the elected members of the Legislative Assembly and Legislative Council, we may include Chairman of each of the eight Nicobarese Tribal Councils viz – Car Nicobar, Chowra, Kamorta, Nancowry, Katchal, Philobabhi, Kondul & Teressa in Nicobars District.( a list of Tribal Councils collected from Deputy