

DECCAN GROUP OF INSTITUTIONS

Dar-Us-Salam, Aghapura, Hyderabad – 500 001 Telangana
(A Self-Financed Muslim Minority Technical Campus)
Estd. by: Dar-Us-Salam Educational Trust, Hyderabad, Approved by AICTE, New Delhi
Affiliated to Osmania University, Hyderabad, Recognized by Govt. of Telangana

DET/DGI/AICTE/ACAD/ESSENTIALS/06/2025

Dated: 09.12.2025

CERTIFICATE

SC / ST COMMITTEE

(As per the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities)
Act, 1989, No. 33 of 1989, dated 11.09.1989)

Deccan Group of Institutions (PID No: 1-8641511) has constituted the SC/ST Committee for the prevention of atrocities against members of the Scheduled Castes and the Scheduled Tribes, for safeguarding the interests of SC/ST students and employees of the Institution, and for the redressal of their grievances. This is in compliance with the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (No. 33 of 1989), dated 11.09.1989, and the rules and guidelines made thereunder, which being statutory in nature, are binding on the Institution. The Hyperlink for composition of the SC/ST Committee is available on the institution website: <http://www.dgi.org.in/Essentials.html>

COMPOSITION OF THE SC / ST COMMITTEE

S.No.	Name of the Committee Member	Position	Designation	Mobile Number
1	Dr. Mir Iqbal Faheem	Chairperson	Director	9704731117
2	Dr. P. Vishwapathi	Member	Head of Engineering	9948296268
3	Prof. Raza Shah	Member	Head of Business Management	9490792478
4	Prof. Manisha Saxena	Member	Head of Hospital Management	9704009232
5	Prof. Syeda Gauhar Fatima	Member	Professor	9618093994
6	Prof. Jarapala Dhanraj	Member	Professor	9542695455
7	Dr. Mohd Rafi Ahmed	Member	Professor	9849767954
8	Dr. Mohd Minhajuddin Aquil	Member	Associate Professor	9985760218
9	Dr. A. Swetha	Member	Associate Professor	9398134600
10	Dr. C Ramesh Kumar	Member	Associate Professor	9346451260
11	Smt. Kamlesh	Member	--	9866005892
12	Smt. Kalawati	Member	--	8008478370

STATUTORY REQUIREMENTS:

- Constituted in pursuance of Section 21 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, which casts a duty on the Government and institutions to take such measures as may be necessary for the effective implementation of the Act, including the setting up of committees at appropriate levels.
- “Atrocity” means an offence punishable under Section 3 of the Act. Offences under Section 3 include intentional insult or intimidation with intent to humiliate a member of a Scheduled Caste or Scheduled Tribe in any place within public view, and are punishable with imprisonment of not less than six months extending up to five years and with fine.
- Under Section 4 of the Act, a public servant who wilfully neglects the duties required to be performed by him under the Act is punishable with imprisonment of not less than six months extending up to one year.
- Section 18 of the Act bars the application of Section 438 of the Code of Criminal Procedure (anticipatory bail) to persons accused of an offence under the Act.
- Every complaint disclosing a cognizable offence under the Act shall be promptly reported to the jurisdictional police authorities for registration of a First Information Report (FIR); such offences are triable by the Special Court designated under Section 14 of the Act.
- The Committee shall also address complaints of alleged discrimination of students from the Scheduled Castes and Scheduled Tribes categories, and shall maintain a confidential register of all complaints received and the action taken thereon.

Any person desiring to file a complaint can send an email to dcet@deccancollege.ac.in or can forward a hard copy of the same to the Convener of the SC/ST Committee at the office of the Director, Deccan Group of Institutions, Darussalam, Aghapura, Hyderabad, 500001 (Telangana). The confidentiality of the complainant shall be protected at all stages.

DIRECTOR

DECCAN GROUP OF INSTITUTIONS

Dar-Us-Salam, Aghapura, Hyderabad – 500 001 Telangana

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DET/DGI/AICTE/ACAD/ESSENTIALS/SOP/SCST/05/2026

Dated: 21.08.2026

STANDARD OPERATING PROCEDURE

SC / ST COMMITTEE

*(Prevention of Atrocities against members of the Scheduled Castes
and the Scheduled Tribes)*

Document Title	Standard Operating Procedure – SC / ST Committee
Institution	Deccan Group of Institutions, Dar-Us-Salam, Aghapura, Hyderabad – 500 001, Telangana
AICTE Permanent ID	1-8641511
Affiliating University	Osmania University, Hyderabad
Governing Regulation / Act	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (No. 33 of 1989), dated 11.09.1989, and the rules and guidelines made thereunder
Issued by	Office of the Director
Version / Date	Version 1.0 / 21.08.2026
Review Cycle	Annual, or earlier upon amendment of the governing Regulation
To be read with	The Committee Constitution Order and the consolidated SOP for Statutory Committees

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1. PURPOSE, SCOPE AND LEGAL BASIS

This SOP governs the constitution and functioning of the SC/ST Committee of the Institution. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is an Act to prevent the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences, and for the relief and rehabilitation of the victims of such offences.

Section 21 of the Act casts a duty to take such measures as may be necessary for the effective implementation of the Act, including the provision of adequate facilities and legal aid to persons subjected to atrocities, provision for the economic and social rehabilitation of victims, and the setting up of committees at such appropriate levels as may be thought fit. The SC/ST Committee of the Institution is constituted in furtherance of that duty. This SOP applies to all students, faculty members, non-teaching employees and contract personnel of the Institution.

2. DEFINITIONS

- “Atrocity” means an offence punishable under Section 3 of the Act.
- “Scheduled Castes and Scheduled Tribes” have the meanings assigned to them respectively under clause (24) and clause (25) of Article 366 of the Constitution.
- “Special Court” means a Court of Session specified as a Special Court under Section 14 of the Act, designated for each district by the State Government with the concurrence of the Chief Justice of the High Court, for the purpose of providing for speedy trial.
- “Special Public Prosecutor” means a Public Prosecutor specified as such, or an advocate who has been in practice for not less than seven years appointed as such, under Section 15 of the Act, for the purpose of conducting cases in the Special Court.

3. CONSTITUTION, COMPOSITION AND TENURE

S.No.	Name of the Committee Member	Position	Designation	Mobile Number
1	Dr. Mir Iqbal Faheem	Chairperson	Director	9704731117
2	Dr. P. Vishwapathi	Member	Head of Engineering	9948296268
3	Prof. Raza Shah	Member	Head of Business Management	9490792478
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11	Smt. Kamlesh	Member	--	9866005892
12	Smt. Kalawati	Member	--	8008478370

- The term of the Committee shall be two years, subject to the continuance of the members in the service or studentship of the Institution.
- The Liaison Officer shall be the single point of contact for all matters relating to reservation, scholarships, fee reimbursement and grievances of SC/ST students and employees.

4. OFFENCES OF ATROCITY TO BE GUARDED AGAINST

Section 3(1) of the Act makes punishable, in respect of a person who is not a member of a Scheduled Caste or a Scheduled Tribe, acts which include the following. These are the acts most likely to arise in an educational setting and every member of the institutional community shall be made aware of them:

- Forcing a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance.
- Acting with intent to cause injury, insult or annoyance by dumping excreta, waste matter, carcasses or any other obnoxious substance in the premises or neighbourhood of such a member.
- Forcibly removing clothes, parading naked or with a painted face or body, or committing any similar act derogatory to human dignity.
- Compelling or enticing such a member to do begar or other similar forms of forced or bonded labour.
- Instituting a false, malicious or vexatious suit, or criminal or other legal proceedings, against such a member.

- Giving any false or frivolous information to a public servant and thereby causing such public servant to use his lawful power to the injury or annoyance of such a member.
- Intentionally insulting or intimidating with intent to humiliate such a member in any place within public view.
- Assaulting or using force against any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty.
- Being in a position to dominate the will of such a woman and using that position to exploit her sexually, to which she would not otherwise have agreed.
- Denying such a member any customary right of passage to a place of public resort, or obstructing such member from using or having access to such a place.

These offences are punishable with imprisonment for a term which shall not be less than six months but which may extend to five years, and with fine. Section 3(2) provides enhanced punishments for the fabrication of false evidence, mischief by fire or explosive substance, offences under the Indian Penal Code punishable with ten years or more committed on the ground that the person is a member of a Scheduled Caste or a Scheduled Tribe, and the causing of evidence to disappear with the intention of screening the offender.

5. STATUTORY PROVISIONS TO BE BORNE IN MIND

Section	Provision
Section 3(2)(vii)	A public servant who commits any offence under the section is punishable with imprisonment of not less than one year, which may extend to the punishment provided for that offence.
Section 4	A public servant who wilfully neglects the duties required to be performed by him under the Act is punishable with imprisonment of not less than six months, which may extend to one year.
Section 5	Enhanced punishment for a second or subsequent conviction — not less than one year, extending to the punishment provided for that offence.
Section 7	Forfeiture of property of certain persons used for the commission of the offence, and attachment during trial.
Section 8	Presumption as to abetment where financial assistance was rendered to an accused person, and as to common intention where a group commits an offence sequel to an existing dispute.
Section 14	Speedy trial by a Special Court — a Court of Session specified for each district.
Section 17	Preventive action to be taken by the District Magistrate, Sub-divisional Magistrate, Executive Magistrate or any police officer not below the rank of Deputy Superintendent of Police, including declaring an area prone to atrocities.
Section 18	Section 438 of the Code of Criminal Procedure — anticipatory bail — shall not apply in relation to any case involving the arrest of a person on an accusation of having committed an offence under the Act.
Section 19	Section 360 of the Code and the Probation of Offenders Act, 1958 shall not apply to a person above the age of eighteen years found guilty of an offence under the Act.
Section 20	The Act has effect notwithstanding anything inconsistent contained in any other law for the time being in force, or any custom or usage, or any instrument having effect by virtue of any such law.
Section 21	Duty to take measures for the effective implementation of the Act, including legal aid, travelling and maintenance expenses to witnesses and victims, economic and social rehabilitation, and the setting up of committees.
Section 22	No suit, prosecution or other legal proceeding shall lie against any person for anything done in good faith or intended to be done under the Act.

6. FUNCTIONS OF THE COMMITTEE

- Receive and inquire into complaints of insult, intimidation, humiliation, discrimination or atrocity against students and employees belonging to the Scheduled Castes and the Scheduled Tribes, whether occurring in the classroom, laboratory, hostel, library, campus, transport or in any activity connected with the Institution.
- Ensure that the reservation policies applicable in admission and in recruitment are implemented without discrimination, and that the disbursement of scholarships, fee reimbursement and other financial assistance to SC/ST students takes place without delay.
- Create awareness among students, faculty, non-teaching staff and security personnel of the provisions of the Act and of the consequences of committing an atrocity, through induction programmes, workshops and prominent display of the relevant provisions.
- Assist victims in availing legal aid so as to enable them to avail themselves of justice, and provide for travelling and maintenance expenses and academic support during investigation and trial.
- Monitor the academic progress and welfare of SC/ST students, including remedial coaching, mentoring and counselling support, and identify situations in which such students are likely to be subjected to discrimination.
- Maintain a confidential register of all complaints received, the inquiry conducted and the action taken, and place an annual report before the Director.

7. PROCEDURE ON RECEIPT OF A COMPLAINT

1. The complaint may be submitted in writing, by e-mail to dcet@deccancollege.ac.in, or through the online grievance portal, addressed to the Convener of the SC/ST Committee, or handed in at the office of the Director against acknowledgement.
2. The complaint is entered in the confidential SC/ST Complaint Register on the date of receipt and an acknowledgement bearing the complaint number and date is issued.
3. Where the complaint discloses a cognizable offence under Section 3 of the Act, the matter shall be reported promptly to the jurisdictional police for registration of a First Information Report. The internal inquiry shall not be cited as a reason to delay or withhold such reporting, and the complainant shall be assisted in approaching the police.

4. The Committee gives notice to the person complained against, furnishes a copy of the complaint, and affords both the complainant and the respondent a reasonable opportunity of being heard, together with the opportunity to produce documents and witnesses.
5. The complainant and the witnesses shall be protected against victimisation, intimidation and any adverse academic or service consequence during the pendency of the proceedings; where necessary, the Committee shall recommend a change of section, department, supervisor or hostel accommodation.
6. The Committee completes its inquiry expeditiously and ordinarily within sixty days from the receipt of the complaint, records its findings and the reasons for them, and submits its report with recommendations to the Director.
7. The Director takes action on the recommendations — under the service rules if the respondent is an employee, and under the disciplinary rules if the respondent is a student — and the action taken is recorded in the Register and communicated to the complainant.
8. The Institution extends full co-operation to the investigating officer, to the Special Public Prosecutor and to the Special Court designated under Section 14 of the Act, including the production of records and the release of witnesses to attend proceedings.
9. Relief and rehabilitation measures available to the victim under the Act and the rules made thereunder shall be brought to the notice of the victim, and the Institution shall assist in the making of the necessary applications.

8. GENERAL PRINCIPLES OF PROCEDURE

- Natural justice: no person shall be held guilty without being given notice of the allegation, a copy of the complaint, and a reasonable opportunity of being heard; both parties shall be permitted to place facts, documents and witnesses before the committee.
- Reasoned decisions: the committee shall record in writing the findings arrived at and the reasons for them.
- Conflict of interest: no member having a personal, professional or financial interest in a matter shall participate in the proceedings of that matter; the recusal shall be recorded in the minutes.
- Confidentiality: the identity of the complainant, the victim, the witnesses and the respondent shall not be made public or placed in the public domain, particularly during the pendency of the inquiry.
- Protection: no retaliatory or adverse action shall be taken against a complainant, a witness, or any person associated with a complainant, on account of participation in the proceedings.
- Meetings: the committee shall meet at least once per semester, and as often thereafter as is required to dispose of complaints within the statutory timelines; minutes shall be signed by the Chairperson and preserved permanently.
- Continuity: a fresh constitution order shall be issued on expiry of the term of the committee and immediately upon any vacancy arising from resignation, retirement, transfer or cessation of studentship.

9. RECORDS, REPORTING AND WEBSITE DISCLOSURE

- The SC/ST Complaint Register, the minutes of every meeting, the inquiry reports and the records of the action taken shall be maintained in sealed confidential custody with the Convener.
- Records of admissions, appointments, scholarships and fee reimbursement relating to SC/ST students and employees shall be maintained and made available for inspection by the competent authorities.
- The composition of the SC/ST Committee, with the contact details of the Chairperson, the Liaison Officer and the Convener, and the procedure for filing a complaint, shall be displayed prominently on the website and on the notice boards of all departments and hostels.
- An annual report on the complaints received, disposed of and pending, and on the measures taken for the welfare of SC/ST students and employees, shall be placed before the Director.

10. CONSEQUENCES OF NON-COMPLIANCE

Failure to act on a complaint disclosing an offence under the Act exposes the officers concerned to prosecution under Section 4 of the Act for wilful neglect of duty, punishable with imprisonment of not less than six months extending to one year. In addition, complaints of alleged discrimination of students from the Scheduled Castes and the Scheduled Tribes constitute a grievance under the AICTE and UGC Regulations governing the redressal of student grievances, and non-compliance attracts action by the Council or the Commission against the Institution, including withdrawal of approval, withholding of grants, public notification of the default, and a recommendation to the affiliating University for withdrawal of affiliation.

11. ANNEXURES

ANNEXURE – A: Format of Complaint / Application

Particulars	Details to be furnished by the Complainant
Committee to which addressed	SC / ST Committee
Name of the complainant	
Status	Student / Faculty / Non-teaching staff / Parent / Other
Roll No. or Employee ID; Department; Year or Designation	
Mobile number and e-mail address	
Date, time and place of the incident / cause of grievance	
Name(s) of the person(s) complained against, if known	
Statement of the grievance (attach separate sheet if required)	
Names and addresses of witnesses, if any	
List of documents enclosed	
Relief sought	
Declaration	The information furnished above is true to the best of my knowledge and belief.
Signature of the complainant and date	

ANNEXURE – B: Contact Points

Purpose	Contact
Committee – e-mail	dcet@deccancollege.ac.in
Institution – telephone	(L) 040-24802634 (M) 9704731117
Office of the Director	Deccan Group of Institutions, Dar-Us-Salam, Aghapura, Hyderabad – 500 001, Telangana
Institution website – committee details	http://www.dgi.org.in/Essentials.html

This Standard Operating Procedure is issued for the information and strict compliance of all members of the SC / ST Committee, all Heads of Departments, and all students and employees of the Institution.

DIRECTOR

**THE SCHEDULED CASTES AND THE SCHEDULED TRIBES
(PREVENTION OF ATROCITIES) ACT, 1989**

No. 33 OF 1989

[11th September, 1989.]

An Act to prevent the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fortieth Year of the Republic of India as Follows :-

CHAPTER I
PRELIMINARY

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(2) It extends to the whole of India except the State of Jammu & Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. (1) In this Act unless the context otherwise requires,-

(a) "atrocities" means an offence punishable under section 3;

(b) "Code" means the Code of Criminal Procedure, 1973 (2 of 1974);

(c) "Scheduled Castes and Scheduled Tribes" shall have the meanings assigned to them respectively under clause (24) and clause (25) of article 366 of the Constitution:

(d) "Special Court" means a Court of Session specified as a Special Court in section 14;

(e) "Special Public Prosecutor" means a Public Prosecutor specified as a Special Public Prosecutor or an advocate referred to in section 15;

(f) words and expressions used but not defined in this Act and defined in the Code or the Indian Penal Code (45 of 1860) shall have the meanings assigned to them respectively in the Code, or as the case may be, in the Indian Penal Code.

(2) Any reference in this Act to any enactment or any provision thereof shall in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II
OFFENCES OF ATROCITIES

Punishment
for offences of
atrocities.

3. (1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-

(i) forces a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance;

(ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste, or a Scheduled Tribe by dumping excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighbourhood;

(iii) forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;

(iv) wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred;

(v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;

(vi) compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do 'begar' or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government;

(vii) forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote to a particular candidate or to vote in a manner other than that provided by law;

(viii) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe.

(ix) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

(xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;

(xii) being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;

(xiii) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or a Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;

(xiv) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any section thereof have a right to use or access to;

(xv) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence,

shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-

(i) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is capital by the law for the time being in force shall be punished with imprisonment for life and with fine; and if an innocent member of a Scheduled Caste or a Scheduled Tribe be convicted and executed in consequence of such false or fabricated evidence, the person who gives or fabricates such false evidence, shall be punished with death;

(ii) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is not capital but punishable with imprisonment for a term of seven years or upwards, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years or upwards and with fine;

(iii) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause damage to any property belonging to a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years and with fine;

(iv) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause destruction of any building which is ordinarily used as a place of worship or as a place for human dwelling or as a place for custody of the property by a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for life and with fine;

(v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property on the ground that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with imprisonment for life and with fine;

(vi) knowingly or having reason to believe that an offence has been committed under this Chapter, causes any evidence of the commission of that

offence to disappear with the intention of screening the offender from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with the punishment provided for that offence; or

(vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

Punishment
for neglect
of duties.

4. Whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.

Enhanced
punishment
for subse-
quent convic-
tion.

5. Whoever, having already been convicted of an offence under this Chapter is convicted for the second offence or any offence subsequent to the second offence, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

Application
of certain
provisions of
the Indian
Penal Code.

6. Subject to the other provisions of this Act, the provisions of section 34, Chapter III, Chapter IV, Chapter V, Chapter VA, Section 149 and Chapter XXIII of the Indian Penal Code (45 of 1860), shall, so far as may be, apply for the purposes of this Act as they apply for the purposes of the Indian Penal Code.

Forfeiture of
property of
certain per-
sons.

7. (1) Where a person has been convicted of any offence punishable under this Chapter, the Special Court may, in addition to awarding any punishment, by order in writing, declare that any property, movable or immovable or both, belonging to the person, which has been used for the commission of that offence, shall stand forfeited to Government.

(2) Where any person is accused of any offence under this Chapter, it shall be open to the Special Court trying him to pass an order that all or any of the properties, movable or immovable or both, belonging to him, shall, during the period of such trial, be attached, and where such trial ends in conviction, the property so attached shall be liable to forfeiture to the extent it is required for the purpose of realisation of any fine imposed under this Chapter.

Presumption
as to offences.

8. In a prosecution for an offence under this Chapter, if it is proved that -

(a) the accused rendered any financial assistance to a person accused of, or reasonably suspected of committing, an offence under this Chapter, the Special Court shall presume, unless the contrary is proved, that such person had abetted the offence;

(b) a group of persons committed an offence under this Chapter and if it is proved that the offence committed was a sequel to any existing dispute regarding land or any other matter, it shall be presumed that the offence was committed in furtherance of the common intention or in prosecution of the common object.

Conferment
powers.

9. (1) Notwithstanding anything contained in the Code or in any other provision of this Act, the State Government may, if it consider it necessary or expedient so to do, -

(a) for the prevention of and for coping with any offence under this Act, or

(b) for any case or class or group of cases under this Act,

in any district or part thereof, confer, by notification in the Official Gazette, on any officer of the State Government, the powers exercisable by a police officer under the Code in such district or part thereof or, as the case may be, for such case or class or group of cases, and in particular, the powers of arrest, investigation and prosecution of persons before any Special Court.

(2) All officer of police and all other officers of Government shall assist the officer referred to in sub-section (1) in the execution of the provisions of this Act or any rule, scheme or order made thereunder.

(3) The provisions of the Code shall, so far as may be, apply to the exercise of the powers by an officer under sub-section (1).

CHAPTER III

EXTERNMENT

Removal
of person
likely to
commit
offence.

10. (1) Where the Special Court is satisfied, upon a complaint, or a police report that a person is likely to commit an offence under Chapter II of this Act in any area included in 'Scheduled Areas' or 'tribal areas', as referred to in article 244 of the Constitution, it may, by order in writing, direct such person to remove himself beyond the limits of such area, by such route and within such time as may be specified in the order, and not to return to that area from which he was directed to remove himself for such period, not exceeding two years, as may be specified in the order.

(2) The Special Court shall, along with the order under sub-section (1) communicate to the person directed under that sub-section the grounds on which such order has been made.

(3) The Special Court may revoke or modify the order made under sub-section (1), for the reasons to be recorded in writing, on the representation made by the person against whom such order has been made or by any other person on his behalf within thirty days from the date of the order.

Procedure on
failure of per-
son to remove
himself
from area
and enter
thereon
after
removal.

11. (1) If a person to whom a direction has been issued under section 10 to remove himself from any area-

(a) fails to remove himself as directed; or

(b) having so removed himself enters such area within the period specified in the order,

otherwise than with the permission in writing of the Special Court under sub-section (2), the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

(2) The Special Court may, by order in writing, permit any person in respect of whom an order under section 10 has been made, to return to the area from which he was directed to remove himself for such temporary period and subject to such conditions as may be specified in such order and may require him to execute a bond with or without surety for the due observation of the conditions imposed.

(3) The Special Court may at any time revoke any such permission.

(4) Any person who, with such permission, returns to the area from which he was directed to remove himself shall observe the conditions imposed, and at the expiry of the temporary period for which he was permitted to return, or on the revocation of such permission before the expiry of such temporary period, shall remove himself outside such area and shall not return thereto within the unexpired portion specified under section 10 without a fresh permission.

(5) If a person fails to observe any of the conditions imposed or to remove himself accordingly or having so removed himself enters or returns to such area without fresh permission the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

Taking measurements and photographs, etc., of persons against whom order under section 10 is made.

12. (1) Every person against whom an order has been made under section 10 shall, if so required by the Special Court, allow his measurements and photographs to be taken by a police officer.

(2) If any person referred to in sub-section (1), when required to allow his measurements or photographs to be taken resists or refuses to allow his taking of such measurements or photographs, it shall be lawful to use all necessary means to secure the taking thereof.

(3) Resistance to or refusal to allow the taking of measurements or photographs under sub-section (2) shall be deemed to be an offence under section 186 of the Indian Penal Code (45 of 1860).

(4) Where an order under section 10 is revoked, all measurements and photographs (including negatives) taken under sub-section (2) shall be destroyed or made over to the person against whom such order is made.

Penalty for non compliance of order under section 10.

13. Any person contravening an order of the Special Court made under section 10 shall be punishable with imprisonment for a term which may extend to one year and with fine.

CHAPTER IV SPECIAL COURTS

Special Court.

14. For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for each district a Court of Session to be a Special Court to try the offences under this Act.

Special
Public Pro-
secutor.

15. For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

CHAPTER V

MISCELLANEOUS

Power of
State Govern-
ment to impose
collective fine.

16. The provisions of section 10A of the Protection of Civil Rights Act, 1955 (22 of 1955) shall, so far as may be, apply for the purposes of imposition and realisation of collective fine and for all other matters connected therewith under this Act.

Preventive
action to be
taken by
the law and
order machi-
nery.

17. (1) A District Magistrate or a Sub-divisional Magistrate or any other Executive Magistrate or any police officer not below the rank of a Deputy Superintendent of Police may, on receiving information and after such inquiry as he may think necessary, has reason to believe that a person or a group of persons not belonging to the Scheduled Castes or the Scheduled Tribes, residing in or frequenting any place within the local limits of his jurisdiction is likely to commit an offence or has threatened to commit any offence under this Act and is of the opinion that there is sufficient ground for proceeding, declare such an area to be an area prone to atrocities and take necessary action for keeping the peace and good behaviour and maintenance of public order and tranquility and may take preventive action.

(2) The provisions of Chapters VIII, X and XI of the Code shall, so far as may be, apply for the purposes of sub-section (1).

(3) The State Government may, by notification in the Official Gazette, make one or more schemes specifying the manner in which the officers referred to in sub-section (1) shall take appropriate action specified in such scheme or schemes to prevent atrocities and to restore the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes.

Section 438
of the code
not to apply to
persons
committing
an offence
under the Act.

18. Nothing in section 438 of the Code shall apply in relation to any case involving the arrest of any person on an accusation of having committed an offence under this Act.

Section 360
of the Code
or the Provi-
sions of the
Probation of
Offenders Act
not to apply to
persons guilty
of an offence
under the Act.

19. The provisions of section 360 of the Code and the provisions of the Probation of Offenders Act, 1958 (20 of 1958) shall not apply to any person above the age of eighteen years who is found guilty of having committed an offence under this Act.

Act to override other laws. **20.** Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

Duty of Government to ensure effective implementation of the Act. **21. (1)** Subject to such rules as the Central Government may make in this behalf, the State Government shall take such measures as may be necessary for the effective implementation of this Act.

(2) In particular, and without prejudice to the generality of the foregoing provisions, such measures may include,-

(i) the provision for adequate facilities, including legal aid to the persons subjected to atrocities to enable them to avail themselves of justice;

(ii) the provision for travelling and maintenance expenses to witnesses, including the victims of atrocities, during investigation and trial of offences under this Act;

(iii) the provision for the economic and social rehabilitation of the victims of the atrocities;

(iv) the appointment of officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act;

(v) the setting up of committees at such appropriate levels as the State Government may think fit to assist that Government in formulation or implementation of such measures;

(vi) provision for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provision of this Act;

(vii) the identification of the areas where the members of the Scheduled Castes and the Scheduled Tribes are likely to be subjected to atrocities and adoption of such measures so as to ensure safety for such members.

(3) The Central Government shall take such steps as may be necessary to co-ordinate the measures taken by the State Governments under sub-section (1)

(4) The Central Government shall, every year, place on the table of each House of Parliament a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this section.

Protection of action taken in good faith. **22.** No suit, prosecution or other legal proceedings shall lie against the Central Government or against the State Government or any officer or authority of Government or any other person for anything which is in good faith done or intended to be done under this Act.

Power to
make rules.

23. (1) The Central government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

V. S. RAMA DEVI,
Secy. to the Govt. of India.
