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Crimes against Tribals Groups-Violation of the Rights

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ABSTRACT

The offences committed against the scheduled caste (SC) and scheduled tribes (ST) in various forms in Indian Society. Using abusive language against them has been very common, individual and group assault also have been found to be common. Dalits and indigenous people (known as scheduled tribes or Adivasis) continue face discrimination, exclusion, and act of violence, laws and policies adopted by Indian government provide a basis for protection, but are not being faithfully implemented by local authorities.

There is no shortage of laws to address the violence against scheduled tribes, specific laws includes the protection of civil rights Act 1955 and the SC and ST Act (prevention of atrocities Act 1989). Beside the Indian penal code, which governs most crime in India has adequate legal provision; if implemented. Thus higher rate of crimes against tribal group, reflects urgency to ensure the implementation of legal remedies besides ascertaining other measures on ground level in the state.

The paper mainly focuses on crimes against tribal caste specially in reference of Madhya Pradesh State by analysing the secondary data pertaining to the registration of crime incidents in the state. The study will be helpful to plan strategy for development of tribal groups and implementing some valuable measures for crime prevention against tribal groups and prevention of violation of tribal rights.

Keywords : Scheduled tribes, Violation of the rights, Incidence & rate of crime

INTRODUCTION

The offences committed against the scheduled caste and scheduled tribes in various forms in Indian Society. Using abusive faulty language against them has been very common, individual and group assault also have been found to be common. Dalits and indigenous people (known as scheduled tribes or adivasis) continue face discrimination, exclusion, and act of violence, laws and policies adopted by Indian government provide a basis for protection, but are not being faithfully implemented by local authorities.

Indeed, "the Indian constitution ensured to the welfare and development of its people in general and of vulnerable section of society in particular. Article 46 of the constitution of India expressly provides that the state shall promote the educational and economic upliftment of the weaker sections of the society, in particular of scheduled caste and scheduled tribes with special care and shall protect them from injustice and all forms of exploitation. Equality of status and opportunity to all citizens of the country is guaranteed by the Constitution of India, which also provides that no individual shall be discriminated against on the grounds of religion, caste or sex, etc. Fundamental Rights and other specific provisions, namely, Articles 38, 39 and 46 in the

Constitution of India stand testimony to the commitment of the State towards its people. The strategy of the State is to secure distributive justice and allocation of resources to support programmes for social, economic and educational advancement of the weaker sections in general and those of Scheduled Castes and Scheduled Tribes."¹

Legal Frame

"Police' and Public Order' are State subjects under the Seventh Schedule (list-II) to the Constitution of India and, therefore, the State Governments and UT Administrations are primarily responsible for prevention, detection, registration. Investigation and prosecution of all crimes within their jurisdiction including crimes against Scheduled Castes/Scheduled Tribes. The Union Government, however, attaches the highest importance to matters relating to the prevention of crime; and therefore; the Union Government has been advising the State Governments/UT Administrations from time to time to give more focused attention to the administration of the criminal justice system with emphasis on prevention and control of crime including crimes against Scheduled Castes/Scheduled Tribes."²