
Status update of police investigation into attack on Dalit families in Shabbirpur village, Saharanpur, on 5 May 2017

Briefing Note

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I. OVERVIEW

1. 5th May 2018 marked the first anniversary of the violence that took place in Shabbirpur village, Saharanpur. That day, last year, a flare up erupted after a procession by the dominant Rajput community.¹ At least 55 Dalit households were attacked, burnt, ransacked and looted; Dalit women were sexually harassed and molested; and their property and cattle were damaged/attacked. At least 12 Dalits were seriously injured. One Rajput died.
2. Following up a fact-finding conducted in May 2017, the Commonwealth Human Rights Initiative (CHRI) and the National Dalit Movement for Justice-and the National Campaign for Dalit Human Rights (NDM-NCDHR) present below a brief review of the status of the investigation into criminal cases registered by Dalit families following the violence, one year on. We point to critical gaps in the investigations and recommend immediate corrective action. Following the violence on 5 May 2017, 9 criminal cases were registered at the Badgaon police station covering Shabbirpur village in Saharanpur. Of these, 4 cases were filed by the Dalit community (FIR Nos 62/17, 64/17, 65/17, 66/17), 1 by a journalist (FIR No 61/17 filed against the Dalits), 1 by the police (FIR No 63/17), and 3 by the dominant community (FIR Nos 58/17, 59/17, and 60/17).
3. We focus specifically on the progress in cases registered by Dalits with regard to attacks on families, houses, property and cattle. These include FIR Nos 62/17, 64/17, 65/17, and 66/17. Our intent is to assess compliance with the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended (and strengthened) in 2015 that defines offences committed against the Scheduled Castes and the Scheduled Tribes (known as atrocities). The Act together with the accompanying Rules, (the latter were first issued in 1995 and amended in 2016), lays down specific procedures and safeguards with regard to police investigation. These include designating all investigations to be done by Deputy Superintendent of Police (and above), mandating charge sheets to be filed within 60 days (extended from 30 days originally), constituting a special cell at the police headquarters in every state to supervise police responses including status of investigations undertaken, and video-recording all proceedings under the Act. We highlight instances of non-compliance and/or violation of established criminal procedure, and point to gaps at different stages of police investigation.
4. We base our assessment on the following:
 - a. Review of case documents: These include copies of FIRs, chargesheets, bail and hearing orders, remand sheet of the arrestees, affidavits filed by victims (especially of 33 Dalit women whose complaints are not registered by the police), and applications by the complainants and other villagers to higher authorities on compensation. The documents were accessed through the lawyer representing the Dalit victims at the Special Court in Saharanpur.

¹ For details, see NCDHR-CHRI Fact Finding Report on Saharanpur violence at <http://www.humanrightsinitiative.org/download/1496051149Fact%20Finding%20Report%20Saharanpur.pdf>.

- b. Interviews with complainants on the status and progress in their cases. We also went over the case documents with the complainants.
- c. Interviews with the lawyer representing the Dalit victims at the Special Court in Saharanpur on the status of cases, court hearings, police investigations, chargesheets and remand orders.
- d. Information received through Right to Information² from the office of the Senior Superintendent of Police (SSP), Saharanpur. Specifically, we asked the following:
 - Total number of FIRs filed in relation to May 5th Shabbirpur violence along with date of registration;
 - Total number of arrests made in all the FIRs along with the date of arrests; and
 - Chargesheets filed, if any, in the FIRs along with date on which it was filed.

II. CURRENT STATUS OF THE POA CASES (Filed by Dalits)

5. As mentioned above, the police registered 9 cases in total in relation to the Shabbirpur violence, of which 4 cases were filed by the Dalits and invoke the POA Act.

FIRs

Cases filed by Dalits are: FIR no. 62/2017, 64/2017, 65/2017, and 66/2017.

- Notably, the CHRI and NCDHR teams learned of the existence of FIR no. 65/2017, for the first time, only through the RTI reply received from the SSP office. The RTI reply states that FIR no 65/2017 was also filed on 5th May 2017 with the following sections invoked: IPC 147,148,149,395,307,323,436,295,354,504 and 3 (2)(v) of the POA Act. The reply does not provide any information on the status of investigation (i.e. arrests and whether chargesheet filed). After learning of this FIR, the team spoke with community members, who said that they were **unaware** of this FIR and did not know who had filed it. The lawyer too did not have knowledge of it.
- On FIR no. **64/2017**, the team has a copy of the FIR that was registered on 5th May, 2017. But we have not got any information on the status of the investigation. While the SSP's office mentioned this case in the list of FIRs, it does not mention anything on arrests or chargesheet filed in this case. Neither Dalits nor the lawyer had any information on this case.

Note: As per the RTI reply, there was no final report filed in any of the cases registered with regard to the May 5th violence.

Arrests

- Out of the four FIRs, arrests have been made in two cases: **FIR no.-62/2017, 66/2017**. A total of nine people were arrested on 6th May 2017 from the Rajput community, as per the information received through RTI. In the two other cases, no information was given in the RTI on arrests made.

Chargesheets

² CHRI had filed the RTI application on 23 March 2018 and received the information on 3 May 2018

→ Chargesheets have been filed in two cases – **FIR no.-62/2017** and **66/2017** on 31st July 2017 and 6th August 2017 respectively. There is no information on the other two cases (**FIR no.-64/2017, 65/2017**) neither in the RTI reply nor in the case documents accessed by the team.

Below is a case-wise summary of the status of all cases registered following the violence:

FIR NO	Date of FIR	Date of filing of Chargesheet	Total number of arrests made
58/17	05.05.2017	28.07.2017	11
59/17	05.05.2017	26.07.2017	9
60/17	05.05.2017	01.07.2017	9
61/17	05.05.2017	28.07.2017	9
62/17	05.05.2017	31.07.2017	9
63/17	05.05.2017	29.07.2017	20
64/17 ³	05.05.2017	No information	No information
65/17	05.05.2017	No information	No information
66/17	05.05.2017	06.08.2017	2

III. FINDINGS

Our findings are limited to the role and response of the police.

6. **FIRs do not invoke all relevant sections of the POA Act:** The FIRs registered by the Dalits do not invoke all the relevant sections of the POA Act. Of the three FIRs accessed by the team:

- Only two cases (FIR No 66/17 and 64/17) invoke Section 3(2)(5) of the POA Act. This is an important section as it states that when an Indian Penal Code (IPC) offence punishable with ten years or more prison term is committed against a member of the Scheduled Caste or a Scheduled Tribe, the punishment shall be increased to life imprisonment. This section is not mentioned in FIR No 62/17 although the information included in the FIR alleges actions that also fall under Section 3(2)(5) [see case briefs in the Annex for full details]. This FIR mentions only Section 3(2)(4) of the POA Act which is limited to punishing the act of destroying any building “used either as a place of worship or human dwelling or as a place for custody of the property by a member of the Scheduled Caste or a Scheduled Tribe” by fire or any explosive substance with imprisonment for life.
- **None of the FIRs mention sections such as 3(1)(r) of the POA Act** which punishes intentionally insulting members of a Scheduled Caste or a Scheduled Tribe in any place within public view, or **Section 3(1)(s) of the POA Act** which punishes the act of abusing any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view. Invoking these sections would have been vital to investigate and ascertain that the perpetrators knew the caste of the victims and help decisively

³ For this FIR, the RTI reply mentions 5 May 2017 as the date of registration. However, the FIR copy mentions 6 May as the data of registration.

establish whether the intent of the violence was the deliberate targeting of Dalits in Shabbirpur.

- With regards to allegations of harassment, all three FIRs mention Section 354 of the IPC which deals with assault or criminal force to a woman with intent to outrage her modesty and is punishable with up to five years prison term. But **none of the FIRs include Section 3(1)(w)(ii) of the POA Act** which punishes the act of “using words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe”. At the time of the fact-finding, Dalit women recounted to the team the words and intimidating gestures by the men.

7. **Discrepancy regarding date when FIRs were registered:** The team notes a discrepancy regarding the date when FIRs were registered. Information received from the SSP’s office through RTI states 5 May 2017 as the date when all FIRs were registered. However, copies of the FIRs received by the team shows that FIR No 66/17 and 64/17 were registered on 6 May 2017.
8. **Few arrests made:** The FIRs registered by the Dalit community name at least 40 persons as accused in the attack. Against this, only 9 arrests have been made of the dominant community and it is notable that only 3 named as accused are among the 9 arrested. It is also important to note that the information shared by the SSP through RTI mentions 9 arrests against FIR No 62/2017 and 2 arrest against FIR No 66/2017, but a review of the chargesheet shows that the 2 arrested against FIR No 66/2017 are among the 9 arrested in FIR No 62/2017. In total, therefore, 9 people have been arrested till date.
9. **Delay in filing Chargesheet:** Under the POA Act, the police are mandated to file a chargesheet within 60 days from the date of registration.⁴ This has not been followed in any of the cases:
 - Till date, a **chargesheet has been filed in only 2** (FIR No 62/2017 and 66/2017) out of the 4 cases. It’s been more than a year since the violence and yet, there has been no progress in two cases registered.
 - Of the two chargesheets filed, one (FIR No 62/2017) was filed on 31st July 2017, 25 days after the deadline, and the second one (FIR No 66/2017) was filed on 6 August 2017, a month after the deadline. Notably, for all the three cases registered by the dominant community (FIR No 58/2017, 59/2017 and 60/2017) the chargesheet was filed earlier, and in one of these cases (FIR No 60/2017), it was filed on 1st July 2017.
10. **Gaps in chargesheets filed:** The team notes several gaps in the two chargesheets filed:
 - Charges have been made only under Section 3(2)(v) of the POA Act. Other relevant sections as pointed out above have been left out.
 - Chargesheet filed against case 62/2017 is very basic and does not include supporting documents useful as evidence such as case diary entries of the investigating officer, medical reports, statements made by victims and witnesses to the police under Section 161, CrPC, or before the Judicial Magistrate under Section 164, CrPC, forensic report or the radiology report. Chargesheet for case 66/2017 includes all of these.

⁴ Rule 7(2), The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995

- While a hand drawing of the area in Shabbirpur village where the attack took place is included in the chargesheet for 66/2017, the spot inspection report required to be done by the district administration under Rule 6 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995, as amended in 2016, is not included in either chargesheet. The spot inspection reports seek to provide an assessment of the extent of atrocity, loss of life, and loss and damage to the property.

11. No traveling and maintenance allowance given: None of the complainants/victims have received any allowance due under the POA Act. Rule 11 of the POA Rules requires the district administration (District Magistrate or the Sub-Divisional Magistrate) to provide travelling allowance, daily allowance, maintenance expenses and transport facilities to victims and witnesses for all the times they travel to the place of investigation or attend a hearing at the Special Court. CHRI and NCDHR team spoke to the complainants who stated that they have not received any allowance so far.

12. Insufficient compensation: The victims have not received the relief amounts due under the POA Act. The victims have put forward a demand of Rs 8,25,000/- as relief amount due under the Act. As of date, the amount received is as follows:

- At the time of registration, 48 victims received Rs 25,000/- as monitory relief on 13/5/2017; 11 victims received Rs 50,000/- on 26/5/2017 and 1 victim received Rs 4,12,500/- on 24/5/2017.
- On filing of chargesheet, some victims received Rs 50,000/-. The team was unable to determine how many victims received this amount.

Thereafter, the victims filed an application at the Allahabad High Court demanding full relief due under the Act. On 4 January 2018, the court disposed of the petition directing the district magistrate to consider and decide the petitioner's application for compensation by a reasoned and speaking order within six weeks. Following the order:

- Some victims received Rs 75,000/- as relief whereas others received Rs 2,25,000/- ;
- 11 victims have not received any amount despite the court order.

Finally, no victim has received additional relief due within three months of the atrocity as per the POA Rules (Point 46, Norms for Relief Amount, POA Rules). These include education costs of children of the victims, construction of stone masonry houses to replenish the burnt houses, or provision of utensils, rice and wheat for a period of three months.

IV. RECOMMENDATIONS

Based on our findings, we state the following as the corrective actions urgently needed to address the critical delays and gaps in investigations. These would require resolute action on the part of the district administration, the Special Court, and the UP Police:

On Shabbirpur cases

- ✓ Strengthen investigation under **all relevant sections of the POA Act**, and

- File supplementary chargesheet in cases where chargesheet has already been submitted; and
- Expand investigations to include all relevant sections of POA Act including Section 3(1)(r), 3(1)(s) and 3(1)(w)(ii) where chargesheet is yet to be submitted.
- ✓ Initiate inquiry under Section 4 of the POA Act to ascertain police negligence, including excluding relevant and crucial POA Act sections in FIRs; the reasons for delay in submitting chargesheets beyond the stipulated 60 day period particularly in the two cases where no chargesheets have been filed to date, and the critical gaps in chargesheets;
- ✓ Conduct assessments of the loss of damage to property and livelihood of each Dalit household in Shabbirpur and accordingly ensure full relief due to each victim is given in time; and
- ✓ Provide traveling allowance, daily allowance, maintenance expenses and transport facilities to the victims and witnesses for all the days they visit any district office or official, police officer or the Special Court; from the date of registration of the cases. Allowances to continue through the duration of the trial of the cases.

On implementation of the POA Act

- ✓ Ensure proper functioning of the monitoring mechanisms at all levels including the State Vigilance and Monitoring Committee, District Vigilance and Monitoring Committee and Sub-Divisional Vigilance and Monitoring Committees;
- ✓ Closely monitor and ensure that the rights of victims and witnesses under the Act are protected and guaranteed at all times;
- ✓ Set up exclusive special courts/special courts in all districts and appoint Special Public Prosecutors in each court to facilitate access to justice;
- ✓ Review areas prone to atrocities and make use of the preventive measures, such as declaring an area atrocity-prone so additional police may be deployed to prevent atrocities;
- ✓ Submit annual reports on the implementation of the Act's provisions before the state assembly as required under Rule 18 of the PoA Rules; and
- ✓ Ensure the Home Secretary and Principal Secretary of Department of Social Justice and Empowerment; Director of Prosecution; Office In charge of Prosecution and Director General of Police review all investigations conducted by the Investigating Officers by the end of the every quarter.

Other matters of concern

National Dalit Movement for Justice (NCDHR) takes this opportunity to express concern on recent developments including the Supreme Court judgment that dilute the safeguards in the POA Act and the attacks against members of the Bhim Army Ekta Mission including the recent murder of its Saharanpur unit member. NCDHR demands:

- ✓ Charges under National Security Act against Bhim Army leader Advocate Chandrashekar be dropped and that he is guaranteed a fair trial;
- ✓ Central government pass an Ordinance to REINSTATE the SCs and STs (PoA) Act 1989 and the PoA Amendment Act 2015 in its originality;
- ✓ Initiatives be taken to include SCs and STs (PoA) Act 1989 and the PoA Amendment Act 2015 in the IX Schedule of the Constitution of India to protect from judicial review; and
- ✓ All the Human Rights Defenders, activists, leaders, community members and employees arrested for the "Bharat Bandh" on 02nd April 2018 on arbitrary grounds be released immediately.

For more information, please contact:

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Annex 1: Case Brief – FIR No 62/2017

Information provided below for each case is taken verbatim from case documents.

A. General Information

FIR No	62/2017
Date and time of the FIR	05/05/2017; 4.30pm
Name of the victim/s (Address)	Manveer s/o Harmal Singh (8 others are injured as per the FIR) Add: Shabbirpur, Badgaon, Saharanpur, U.P
Caste	SC- Chamar
Date of Incident	05/05/2017
Place of Incident	Shabbirpur Village
Police station	Badgaon
District	Saharanpur
State	Uttar Pradesh
Main Accused	41 people have been named as accused. Of these, 38 people are residents of Shabbirpur, 1 is a resident of Maheshpur village, 1 is from Bandpur and 1 accused is unknown.
Sections in the FIR	IPC Section: 147, 148, 149, 395, 295, 354, 436, 323 POA Act: 3(2)(4)

B. Details of incident as mentioned in the FIR:

“On 5th may, 2017, the Thakur community of the village and of some nearby villages were taking out a procession on bikes, four wheelers and on foot, through the Dalit settlement. They possessed hockey sticks, batons, local-made revolvers, swords, knives and other kind of sharp objects. While passing from the region, they were sloganeering “ambedkar murdabad”. When asked by the elders of the Dalit community to not do such provoking acts, the Thakurs (Rajputs) attacked the Dalits and the set 56 houses of the community on fire. The Dalit houses were looted, animal of the community were burnt and women molested by the Thakurs. The Thakurs commented that they will teach them the lessons to the great chamars. They went on to vandalize the 45 year old statue of Sant Ravidas. The loot was to an extent that they did not even leave the basic utensils in the houses. In this attack 8 people of Dalit community are seriously injured and their treatment is going on in the hospital. The whole incident went on

from 11 am to 4 pm. Some 200-250 Rajputs from villages – Maheshpur, Dalhedi, Bandpur, Badgaon, Jaroda and Shimlana, joined in to execute the attack on the Dalits.”

C. Chronology of the case:

FIR

The FIR was filed in Badgaon police station on 5th May 2017.

Arrests

As per the RTI reply, on 6th May 2017, the police arrested 9 people from the Thakur community in relation to the violence. Among these, two are believed to have been released without any charges.⁵ The team could not verify this.

Bail

Of the remaining 7 arrested:

- On 22 May 2017, the Special Court at Saharanpur rejected the bail application of two of those arrested. One of them filed an application at the Allahabad High Court that was dismissed on 1 September 2017. The High Court cited the following reasons:
 - Name of the appellant is reflected since the very beginning of the investigation;
 - It is clear from the victim’s statement under Section 161 CrPC that the appellant belongs to the same community, which took out the procession. Thus, incident had occurred on account of the appellant and his community members.
 - Seriousness of the offences, punishment provided therefore, and evidence available in support of the allegations.
- On 25 May 2017, the Special Court, Saharanpur rejected the bail application of another arrestee. The Allahabad High Court, however, granted bail to this person on 2 February 2018. In this case, the court concluded that given that the trial of the case is not likely to be concluded in near future and the appeal has substance, this person is to be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court along with following conditions:
 - An undertaking that no adjournments will be sought on the dates fixed;
 - Shall remain present in the trial court on the dates fixed;
 - Should not misuse the liberty of the bail during trail;
 - Applicant shall remain present, in person, before the trail court for a) opening of the case b) framing of charges c) recording of statement under section 313 CrPC.
- On 6 February 2018, the High Court granted bail to the fourth arrestee on the following conditions:
 - The appellant will continue to attend and cooperate in the trial pending before the court concerned on the date fixed after release;
 - He will not temper with the witnesses and he will not indulge in any illegal activities during the bail.

Chargesheet

The Chargesheet has been filed on 31st July, 2017 in which charges have been made against seven accused named in the FIR under IPC section 147/148/149/395/295/354/436/323/325

⁵ Based on interactions with the Dalit community in Shabbirpur village and the lawyer representing the Dalit community.

and Section 3(2)(5) of SC/ST POA Act. Chargesheet submitted does not include supporting documents like medical report and section 161 CrPC statements of the victims.

D. Present Status of the Case:

The case is at trial stage in the special court. The complainant further shared that in the last hearing, the Judge pointed out that the chargesheet is incomplete and inquired about when a complete chargesheet will be filed.

E. Documents Collected:

- FIR
- Chargesheet
- Bail rejection order of few accused
- Counter affidavit in High Court for bail rejection by the special court

Annex 2: Case Brief – FIR No 64/2017

A. General Information

FIR No.	64/2017
FIR Date and Time	06/05/2017; 04:30pm
Name of the victim/s (Address)	Yashpal s/o Chetu (8 others are injured as per the FIR) Add: Shabbirpur, Badgaon, Saharanpur, U.P.
Caste	SC - Chamar
Date of Incident	05/05/2017
Place of Incident	Shabbirpur Village
Police Station	Badgaon
District	Saharanpur
State	Uttar Pradesh
Main Accused	20 accused + 1 unknown
Sections in FIR	IPC Section: 147, 148, 149, 395, 295A, 354, 436, 427 SC/ST (POA)Act: 3(2)(5)

B. Details of incident as mentioned in the FIR

“On 5th may, 2017, some 250-300 men of Rajput community were passing through the Dalit settlement in the village, while taking out a procession on bikes, four-wheelers and on foot. While crossing the Dalit community settlement they were shouting “Jai Shree Ram” and “Ambedkar Murdabad”, which was provocative for the Dalits. When pointed by one of the Dalits that why are you insulting the great men, the Rajputs attacked the Dalits with hockey sticks, revolvers, knives and swords. From kids to aged people, they did not spare anyone, the Dalit women were molested too. In my house, everything- all my furniture has been turned into ashes. And within minutes the whole of Dalit settlement was set on fire.”

C. Chronology of the case

FIR

The FIR was lodged on 06/05/2017 at 4.30pm at the Badgaon Police station. The reason for registering the FIR a day late is unclear as the team was unable to speak to the complainant. The FIR itself is supposed to specify reason for registering a crime late, but no such explanation is mentioned in the FIR.

Arrest

As per the Dalit community and the lawyer, same 9 people from the Thakur community who were arrested for case no 62/2017 were arrested on 5th May, 2017. Out of these nine people,

two have been absolved with the conclusion that they were not a part of the violence. The information of the arrest made in this case is missing from the RTI reply.

Bail and Chargesheet

Community members and the lawyer claim that there is no follow-up on this FIR. We were unable to get any clarity on the details of the complainant or status of this case.

D. Present Status of the Case:

- ✓ No arrests made
- ✓ No chargesheet filed

E. Documents Collected:

Only copy of the FIR is available.

Annex 3: Case Brief – FIR No 66/2017

A. General Information

FIR No.	66/2017
FIR Date and Time	06/05/2017; 07:00pm
Name of the victim/s (Address)	Srikant s/o Dileram (8 others are injured as per the FIR) Add: Shabbirpur, Badgaon, Saharanpur, U.P.
Caste	SC- Chamar
Date of Incident	05/05/2017
Place of Incident	Shabbirpur Village
Police Station	Badgaon
District	Saharanpur
State	Uttar Pradesh
Main accused	33 persons are listed as accused of which 31 are residents of Shabbirpur village, 1 is from Maheshpur village and 1 is from Bandpur
Sections in FIR	IPC Section: 147, 148, 149, 395, 307,323,436, 295, 354, 504 SC/ST (POA)Act: 3(2)(5)

B. Details of the incident as mentioned in the FIR

“At 11 am on 5th May, 2017, 250-300 men of Rajput community, carrying weapons like sticks, batons, swords, knives and revolvers, surrounded the Ravidas temple premises and vandalized the statue of Guru Ravidas. They made comments like “today we will desolate these chamars and teach them about their status”, “they did not vote for our candidate and we will breathe only after teaching them a lesson”. When the villagers tried to stop them, they attacked the Dalits with the intention to kill and set the houses of the whole community on fire. Subsequently, they looted the houses, misbehaved with the women, torn their clothes off and threatened to kill. 13 members of Dalits were seriously injured in this and a lot of houses of the Dalits were turned into ashes. All the injured are admitted in hospital and seeking treatment. Sant kumar was critical and hence referred to the higher sector. The complainant was delayed in reporting because he was occupied in dealing with the aftermath of the violence.”

C. Chronology of the case

FIR

The FIR was registered on 06/05/2017, at 7.00pm at Badgaon Police station. The complainant submitted an application to the SSP Saharanpur first and then he was directed to Badgaon police station to register an FIR.

Arrest

Two accused were arrested in this case on 6th May 2017. On the same day, the Addl District and Sessions Judge ordered judicial custody for both of them till 19th May 2017. Multiple remand orders for both the accused were given till 10th October 2017 by the Addl District and sessions Judge, Saharanpur.

Bail

No bail orders could be accessed for this case.

Chargesheet

- ✓ The chargesheet has been filed and charges have been framed against 2 accused out of the 33 named in the FIR. Section 3(2)(5) of SC/ST (POA) Act has been invoked against the two accused named in the chargesheet along with IPC sections 147/148/149/295/395/307/436/ 354/504. The chargesheet submitted includes necessary documents such as medical reports and 161 statements.
- ✓ As per the information received through the RTI reply, the chargesheet of the case was filed on 6th August 2017.

D. Present Status of the Case:

The case is currently at the trial stage in the SC/ST special court, Saharanpur. The chargesheet has been filed and charges have been framed against 2 accused out of the 33 named in the FIR. Section 3(2)(5) of SC/ST (POA) Act has been invoked against the two accused named in the chargesheet along with IPC section 147/148/149/295/395/307/436/354/504.

E. Documents Collected:

- ✓ FIR
- ✓ Medical certificate copies and Affidavits of the remaining complainants
- ✓ Chargesheet
- ✓ Remand sheet of the arrestees

Annex 4: List of offences for which the accused have been charged

Law	Section	Offence
Indian Penal Code	147	Punishment for rioting
Indian Penal Code	148	Rioting, armed with deadly weapon
Indian Penal Code	149	Every member of the unlawful assembly guilty of offence committed in prosecution of common object
Indian Penal Code	295	Injuring or defiling place of worship with intent to insult the religion of any class
Indian Penal Code	295 A	Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs
Indian Penal Code	307	Attempt to murder
Indian Penal Code	323	Punishment for voluntarily causing hurt
Indian Penal Code	325	Punishment for voluntarily causing grievous hurt
Indian Penal Code	354	Assault or criminal force to women with intent to outrage her modesty
Indian Penal Code	395	Punishment for dacoity
Indian Penal Code	427	Mischief causing damage to the amount of fifty rupees
Indian Penal Code	436	Mischief by fire or explosive substance with the intent to destroy house, etc
Indian Penal Code	504	Intentional insult with the intent to provoke breach of the peace
Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989	3(2)(4)	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 and Scheduled Tribe, shall be punishable with imprisonment for life with fine
Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989	3(2)(5)	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 [knowing 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

About:

CHRI is an international, independent, non-governmental organization working towards the practical realization of human rights across the Commonwealth. Our main areas of work are Access to Information, Access to Justice (encompassing police and prison reform), and Human Rights advocacy. CHRI's objectives include promoting awareness of and adherence to the 2013 Commonwealth Charter, the Harare Principles, the Universal Declaration of Human Rights and other internationally recognized human rights instruments, as well as domestic instruments supporting human rights.

The National Dalit movement for Justice (NDMJ) is a democratic, secular, non-party movement of Dalit survivors, defenders, academics, organizations headed by Dalits to initiate advocacy and involve in mass action to address the issues of caste based discrimination (CBD) and violence (primarily untouchability and atrocities) to ensure dignity, equality and justice. It is one of the four movements that comprise the National Campaign for Human Rights (NCDHR). It has presence in 17 states across India to organize, educate and mobilize the Dalit community, organizations and civil society to promote and protect civil and political rights of Dalits.