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NATIONAL JUDICIAL ACADEMY



NATIONAL CONFERENCE OF PRESIDING OFFICERS OF THE COURTS ESTABLISHED UNDER THE SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989

September 19-21, 2014

BACKGROUND READING MATERIAL

COMPILED AT
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PART I REPORTS

1. Extracts from 20 years Report Card on the role of judiciary in implementing the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 p. 1-9

2. Extracts from joint stakeholders report on caste based discrimination in India submitted in the 13th Session of the Universal Periodic Review of the UN Human Rights Council – India (21st May - 1st June 2012) p. 10-22

3. Study report by SEEDS on Crimes and Atrocities in six states for Planning Commission p. 23-33

PART II ARTICLES

4. Jeremy Sarkin & Mark Koenig, Ending Caste Discrimination in India, *George Washington Law Review* 2010 p. 34-67

5. Christophe Jaffrelot, Caste and Politics, *India International Centre Quarterly*, 2010 p. 68-90

6. Clifford Bob, "Dalit Rights Are Human Rights": Caste Discrimination, International Activism, and the Construction of a New Human Rights Issue, *Human Rights Quarterly* 2007 p. 91-117

7. Marc Galanter, Law and Caste in Modern India, *Asian Survey* 1963 p. 118-133

8. Anand Teltumbde, Khairlanji and Its Aftermath: Exploding Some Myths, *Economic and Political Weekly* 2007 p. 134-140

9. Debashis Chakraborty, D. Shyam Babu and Manashi Chakravorty, Atrocities on Dalits: What the District Level Data Say on Society-State Complicity, *Economic and Political Weekly* 2006 p. 141-144

10. Sukhdeo Thorat, Oppression and Denial: Dalit Discrimination in the 1990s, *Economic and Political Weekly* 2002 p. 145-151

11. Sheo Nath Singh and Ram Naresh Prasad, Caste Prejudice among Indian Youth, *Social Scientist* 1976 p. 152-160

PART III CASE LAW

- A. Appeals filed urging the high courts to use inherent jurisdiction under section 482 of the Code of Criminal Procedure to quash the cognizance/complaint filed/charge filed under the SCs ad STs (POA) Act
- 2013(1)UC332 Harmod Singh and Others Vs. Ram Sankar p. 161
 - 2010(4)Crimes510: Kala Singh and Anr. Vs. State of Punjab and Anr. p.162
 - 2009CriLJ1512, C. Sathiyathan Vs. Veeramuthu p. 164
 - 2007(2)MPJR320 Devaji Vs. State p. 171
 - CLT(2005)Supp.Crl.1039 Shri Akshaya Kumar Parida Vs. State of Orissa and Anr. p. 173
 - 2000(1)PLJR571 Chandrama Singh & Ors. Vs. The State of Bihar & anr. p. 175
 - 1998CriLJ53, Chandra Poojari Vs. State of Karnataka p. 179
 - 1996(0)MPLJ141 Anand Swaroop Tiwari Vs. Ram Ratan Jatav and Ors. p. 181
- B. Case law deciding the questions related to anticipatory bail, frivolous prosecutions, consequences for not following the procedure laid down by the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995, cognizance – whether can be taken directly by special judge, etc
- 2013(1)RCR(Criminal)216, Busi Koteswara Rao and Ors. Vs. State of A.P. p. 190
 - Ravinder Singh Vs. Sukhbir Singh and Ors. IN THE SUPREME COURT OF INDIA, Criminal Appeal No. 67 of 2013, Decided On: 11.01.2013 p. 193
 - AIR2012SC3316, Vilas Pandurang Pawar and Anr. Vs. State of Maharashtra and Ors. p. 200
 - 2012(9)SCALE664 State of U.P. and Anr. Vs. Ram Ashrey and Anr. p. 203
 - AIR2012SC1485, Rattiram and Ors. Vs. State of M.P. through Inspector of Police AND Satyanarayan and Ors. Vs. The State of Madhya Pradesh through Incharge, Police Station Cantt. p.205
 - AIR2011SC1905 Asmathunnisa Vs. State of A.P. represented by the Public Prosecutor, High Court of A.P., Hyderabad and Anr. p. 221
 - 2010(11)SCALE1 State of Andhra Pradesh Vs. Viswanadula Chetti Babu p. 227