



## **PREVALENCE OF MURDER AGAINST SCHEDULE TRIBES: ANALYSIS OF INCIDENCES AND ITS DISPOSAL**

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### **ABSTRACT**

'Scheduled Tribes' is a denotation given for inclusion of tribes under Article 342 of the Indian constitution to protect their cultural diversity, as they are geographically dispersed and isolated from mainland India, which amounts to 8.6% of the Indian population. Historically, they faced oppression and discrimination; to prevent this, various articles in the Constitution of India were included, which are further strengthened by *the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989*, making crimes against Scheduled Tribes a serious offence. The rising crime rate against Scheduled Tribes remains a major concern, with a recorded rate of 12.4 in 2023 (NCRB, 2023). This study has analysed the murder incidence recorded against Scheduled Tribes and the disposal of such cases over a period of five years (2019–2023). The study was conducted using secondary data. Indicators such as recorded incidence, number of victims, police case disposals, and court case disposals have been used to determine the findings. Though the murder rate against the Schedule Tribes is constant at 0.2, still there has been an inconsistent occurrence of murder incidence, with the highest recorded cases in 2019 and 2022, i.e., 226 and 219, respectively. The study can help to determine the vulnerability of Schedule Tribes under the Indian Criminal Justice System.

Keywords: Schedule Tribes, Crime Rate, Murder, Discrimination, Criminal Justice System.

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## **Introduction**

Scheduled Tribes (STs) in India face heightened vulnerability to crime, discrimination, and the denial of justice due to historical marginalisation and structural inequalities. The Ministry of Tribal Affairs, established in 1999, serves as the nodal institution for coordinating policies and programmes aimed at the protection and welfare of STs. Its mandate includes the implementation of key protective legislation such as the *Protection of Civil Rights Act, 1955*, and the *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989*; monitoring of the Tribal Sub-Plan; and oversight of Scheduled Areas. The Ministry plays a crucial role in strengthening justice delivery, safeguarding rights, and making plans for the upliftment of the tribal people (Government of India, 1961; Ministry of Tribal Affairs, 2024).

Scheduling a tribe under the constitution is a complex, cumbersome and mandatory process to avail the benefit of the schemes introduced by the government for the upliftment and protection of the interests of the tribal people (Bodhi and Daroker 2023), especially when the interest of a political party is associated with listing. The discrimination faced by tribal people, who make up 8.6% of the Indian population according to the 2011 census, is particularly evident in educational institutions, especially in primary education, which is a right guaranteed to them under the Constitution of India (Chetty, 2021). The crime committed against the scheduled tribe is at the core of the atrocities done against tribes due to their tribal identity and needs to be addressed, as these crimes often result in systemic marginalisation and hinder their access to essential services and opportunities (Sarkar, 2024).

The term 'tribe' is one of the most ancient and widely used terms in the world. It is, nevertheless, impossible to give it a thorough and comprehensive description. The Cambridge dictionary describes it as "A collection of individuals, frequently of connected origin, families who live together and share the same language, culture, and history, particularly those who do not dwell in towns or cities."

While the technical definition of "tribe" is debatable, it is legally defined in India as the Scheduled Tribes, which are designated by the President under Article 342 of the Indian Constitution. This section further explains that the Scheduled Tribes are merely a small fraction of the Indian tribal population. Furthermore, while India considers all of its citizens to be indigenous, 'indigenous people' refers to the people of Scheduled Tribes. Parakh, H. (2022).

### ***Tribes in India:***

India has the second-largest tribal population in the world, next only to Africa. There are over 700 Scheduled Tribes notified under Article 342 of the Constitution of India, spread over different states and union territories of the country. Many tribals are in all states of India. The largest number of communities listed as Scheduled Tribes are in the State of Odisha, i.e., 62. Scheduled Tribe communities live in about 15% of the country's areas, in various ecological and

geoclimatic conditions ranging from plains and forests to hills and inaccessible areas. Tribal groups are at different stages of social, economic and educational development, with some communities experiencing significant advancements in education and income levels, while others remain marginalised and face challenges in accessing basic services. While some tribal communities have adopted a mainstream way of life, at the other end of the spectrum, there are certain Scheduled Tribes, 75 in number, known as Particularly Vulnerable Tribal Groups (earlier termed 'Primitive Tribal Groups') (PVTGs). (Chakravarthi, M. S., & Lakshminarayana, K.)

## **Literature review**

**Gautam (2013)** in her paper on laudable programmes and schemes for the promotion of education for Scheduled Tribes in India. Education of Scheduled Tribe children is considered important, not only because of the constitutional obligation but also as a crucial input for the holistic development of tribal communities. The paper also evaluates laudable programmes and schemes among scheduled tribes in India.

**Khadse et al. (2017)** reported on crimes committed against Scheduled Tribes in various states and union territories of India in 2015. Their analysis utilised multiple linear regression techniques to examine and compare the number of cases reported at police stations and the crime rates across different states in India, while also studying the socio-economic impact of these crimes on the victims.

**Chandrakanth and Veada (2018)**, in her paper discuss trends and patterns of crime against scheduled tribes in states of the northern and western regions of India. Rajasthan recorded the highest crime against scheduled tribes, followed by Maharashtra and Gujarat. Tribals live challenging lives and are known as marginalised tribes in India. Therefore, the governments of the concerned states should implement appropriate policies to minimise crimes against scheduled tribes.

**Dhulipalla, R. (2022)** did a study on the tribals, who are the most oppressed class of people and live in multiple states of India. This study tries to understand the different aspects of Indian tribal life, like the distribution of tribes in India, their history, etc. The paper highlighted major issues, such as tribal laws and the challenges faced by tribes in India.

**Tiwari and Dixit (2023)** studied trends and patterns of crime against scheduled tribes in India. This study analyses the incidence of crime against them since the beginning of the 21st century. The trends in crime against them are analysed with the help of three primary indicators: temporal changes in the number of incidents, the crime rate, and the share of such crimes in the total crime. They found that scheduled tribes are more dispersed and culturally diverse. They are still facing oppression and discrimination.

**Sahal (2023)** studied the status and main issues of tribal women in India. This paper aims to critically examine the various problems and issues faced by tribal women in the Indian context

based on an exhaustive literature review. It has found that crime against women depends on legal awareness to seek support and protection. Employment, health and educational opportunities are vital for the socio-economic empowerment of tribal women.

### **Objectives**

- To know about the occurrence of murder cases against the Schedule Tribes population across India.
- To know the relationship between the different processes of the criminal justice system.

### **Methodology**

The study employs a quantitative explanatory research design to examine the relationship between crime incidence, charge-sheeting, conviction, and acquittal outcomes in cases of crimes committed against Scheduled Tribes (STs) in India. The analysis is based on secondary data compiled from the National Crime Records Bureau (NCRB), Government of India. State-wise annual data on murders committed against STs and total crimes committed against STs were collected for the selected study period. The variables were standardised to ensure comparability across states and years.

Crime incidence and charge sheets were treated as independent variables, while conviction and acquittal were considered dependent variables. Four key relationships were examined separately for murders against STs and for all crimes against STs: incidence to charge-sheeting, charge-sheeting to conviction, charge-sheeting to acquittal, and incidence to conviction. This approach enables assessment of how cases progress through different stages of the criminal justice process and identifies points where attrition occurs.

Statistical analysis was conducted using Pearson's correlation coefficient to measure the strength and direction of linear relationships between variables. Simple linear regression was applied to estimate the effect of independent variables on judicial outcomes, with the slope of the regression line indicating the magnitude of change in conviction or acquittal associated with changes in incidence or charge-sheeting. The coefficient of determination ( $R^2$ ) was calculated to assess the proportion of variance in dependent variables explained by the corresponding independent variables. For simple linear regression,  $R^2$  was derived as the square of the correlation coefficient.

All computations and graphical representations were performed using Microsoft Excel, employing CORREL, SLOPE, RSQ, and other Excel functions. The analytical strategy focused on interpreting correlation values for association, regression slopes for effect size, and  $R^2$  values for explanatory power. Although the study does not claim causality, the combined use of correlation and regression provides robust empirical insight into the functioning of the criminal justice process

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in cases involving ST victims. As the analysis relies on publicly available, aggregated NCRB data, no ethical concerns relating to individual identification arise.

**Finding**

**Table 1: Incidences recorded between 2019 and 2023 against ST**

State/Union Territory	Murder Incidences						POA acts with or without IPC.					
	2019	2020	2021	2022	2023	Total	2019	2020	2021	2022	2023	Total
Andhra Pradesh	16	9	15	8	10	58	330	320	361	396	360	1767
Arunachal Pradesh	0	0	0	0	0	0	0	0	1	0	0	1
Assam	0	0	2	0	0	2	4	10	16	9	2	41
Bihar	4	3	1	0	1	9	97	94	103	146	114	554
Chhattisgarh	6	14	7	13	8	48	427	502	506	516	336	2287
Goa	0	0	0	0	0	0	2	2	5	1	2	12
Gujarat	24	10	19	12	11	76	321	291	341	330	307	1590
Haryana	0	0	0	0	0	0	1	0	0	0	0	1
Himachal Pradesh	0	0	1	0	0	1	1	3	7	4	7	22
Jharkhand		4	1	2	0	7	339	347	250	283	308	1527
Karnataka	15	11	15	17	10	68	327	291	358	438	434	1848
Kerala	2	2	0	5	2	11	140	130	133	172	185	760
Madhya Pradesh	36	59	52	61	47	255	1922	2401	2627	2979	2858	12787
Maharashtra	18	20	26	26	26	116	559	663	628	742	773	3365
Manipur		0	0	0	4	4	2	2	0	1	3399	3404
Meghalaya		0	0	0	0	0	0	0	0	0	0	0
Mizoram	8	0	0	4	1	13	8	0	0	29	21	58
Nagaland		0	0	0	0	0	0	0	0	0	0	0
Orissa	8	8	11	16	13	56	576	624	676	773	662	3311
Punjab		0	0	0	0	0	1	4	0	0	0	5
Rajasthan	19	18	23	40	25	125	1797	1878	2121	2521	2453	10770
Sikkim	0	0	0	0	0	0	2	0	1	4	2	9
Tamil Nadu	2	2	1	2	2	9	31	23	39	67	48	208
Telangana	15	10	22	10	16	73	530	573	512	545	575	2735
Tripur		1	0	0	0	1	2	2	0	3	9	16
Uttar Pradesh	5	0	0	0	0	5	721	3	4	5	6	739
Uttarakhand	4	0	1	0	0	5	8	13	6	1	2	30

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<b>West Bengal</b>		1	2	1	0	4	101	90	92	90	90	463
<b>Andaman &amp; Nicobar</b>	0	0	0	0	0	0	3	2	3	3	2	13
<b>Chandigarh</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Dadar Nagar Haveli, Daman &amp; Diu</b>	0	0	0	0	0	0	0	0	3	5	2	10
<b>Delhi</b>	0	0	0	0	0	0	2	1	5	0	2	10
<b>Jammu &amp; Kashmir</b>	0	0	0	0	0	0		0	1	1	0	2
<b>Ladakh</b>	0	0	0	0	0	0		0	0	0	0	0
<b>Lakshadweep</b>	0	0	0	0	0	0	0	1	0	0	0	1
<b>Puducherry</b>	0	0	0	0	0	0	0	0	0	0	0	0

Source: Crime in India, Chapter 7C

From Table 1, it can be seen that Arunachal Pradesh, Goa, Haryana, Punjab, Meghalaya, Nagaland, and Sikkim are the states where the murder incidence against Scheduled Tribes (ST) is not recorded, especially the states of Meghalaya and Nagaland, which have shown no crime against Scheduled Tribes. In the case of the union territory, there has been no incidence recorded in cases of murder against the scheduled tribe, but it has recorded cases under the POA Act. The highest recorded cases in union territory are in Andaman and Nicobar, followed by Delhi, Dadra and Nagar Haveli, and Daman & Diu, whereas Chandigarh, Ladakh and Puducherry do not record such cases. No union territory records cases of murder against ST. The highest incidence regarding murder where the victim was ST is Madhya Pradesh, followed by Rajasthan and Maharashtra. The murder incidence in Madhya Pradesh has shown an increase with a drop in 2023. Rajasthan showcases the same trend. In the case of Maharashtra, there is slight consistency from 2021 to 2023. Madhya Pradesh records the highest incidence of crime against ST, followed by Rajasthan. The overall trend has showcased an increment of crime against ST with a slight decline in 2023. The highest recorded incidences in a year in any state are 61 cases of murder against ST (Madhya Pradesh in the year 2022) and 3399 under the POA Act (Manipur in the year 2023).

**Table 2: Incidence, Victim and Incidence Rate Recorded Under the POA Act Between 2019 and 2023**

<i>Year</i>	<i>Murder Incidence</i>			<i>Under POA with or without IPC</i>		
	<b>Incidence</b>	<b>Victim</b>	<b>Murder rate</b>	<b>Incidence</b>	<b>Victim</b>	<b>Incidence rate</b>
<b>2019</b>	182	226	0.2	8254	8894	7.9
<b>2020</b>	172	179	0.2	8270	8686	8.9
<b>2021</b>	199	206	0.2	8799	9142	8.4
<b>2022</b>	217	219	0.2	10064	10718	9.6
<b>2023</b>	176	179	0.2	10071.9	18988	12.4

Source: NCRB report

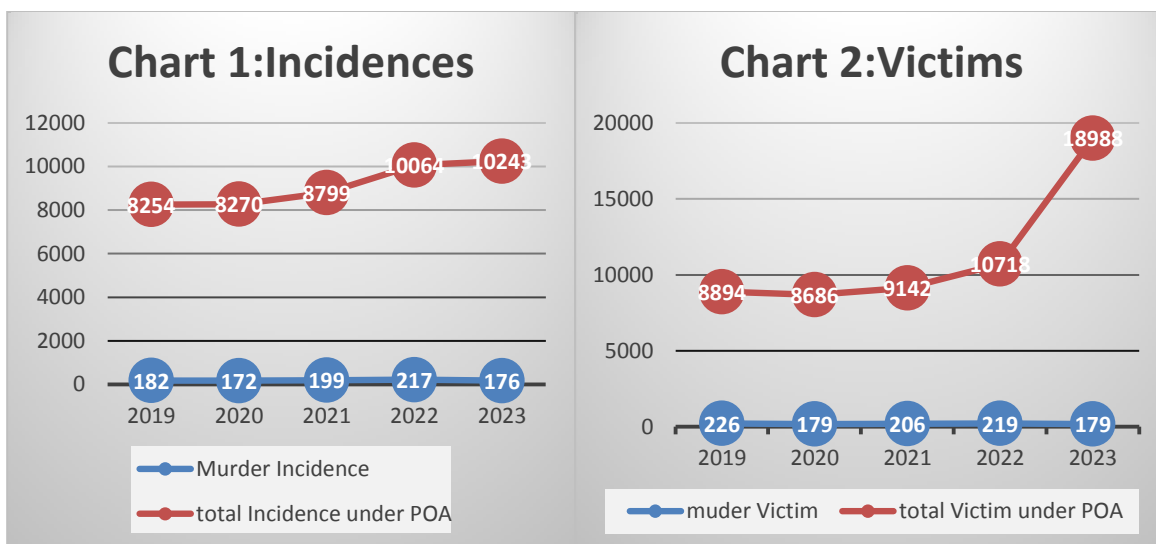


Table 2 showcases the overall reports of offences under the POA Act over a period of five years between 2019 and 2023. The total number of incidences recorded between this period is 946 (in cases of murder against ST) and 48,346 (under the POA Act with or without the IPC). The total number of victims recorded of such offences between this period is 1009 (in cases of murder against ST) and 51179 (under the POA Act with or without the IPC). The mean rate of crime is 0.2 (in cases of murder against ST) and 9.3 (under the POA Act with or without IPC).

**Table 3: relation between the incidence and judicial process**

	Murder committed against ST			Crime committed against ST		
	r	Slope of regression line	R <sup>2</sup>	r	Slope of regression line	R <sup>2</sup>
<b>incidence to chargesheet</b>	0.95	0.89	0.91	0.65	0.20	0.42
<b>chargesheet to conviction</b>	0.67	0.35	0.45	0.69	0.25	0.48
<b>chargesheet to acquittal</b>	0.16	0.07	0.03	0.62	0.62	0.38
<b>incidence to conviction</b>	0.51	0.25	0.26	0.67	0.07	0.44

The statistical analysis indicates that the occurrence of homicides against Scheduled Tribes exhibits a robust correlation with charge-sheeting ( $r = 0.95$ ,  $R^2 = 0.91$ ), signifying that nearly all variation in charge-sheeting can be attributed to the incidence of murder. In the context of all criminal offences, the relationship is of moderate strength ( $r = 0.65$ ,  $R^2 = 0.42$ ). Furthermore, charge-sheeting demonstrates a moderate correlation with conviction rates ( $r = 0.67$  for murder,  $r =$

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0.69 for all offences), thereby substantiating the notion that the efficacy of investigative procedures significantly influences judicial outcomes. In contrast, acquittal rates exhibit a divergent pattern: they are predominantly independent of charge-sheeting in homicide cases ( $r = 0.16$ ) but are moderately associated with other types of crimes ( $r = 0.62$ ), thereby suggesting that the quality of evidence plays a critical role in acquittal determinations. The frequency of crime has a marginal effect on conviction rates ( $r = 0.51-0.67$ ,  $R^2 = 0.26-0.44$ ), suggesting that reporting rates alone do not ensure successful convictions. Collectively, these findings underscore that the completion of charge sheets serves as the principal determinant of conviction outcomes for victims belonging to Scheduled Tribes.

**Table 4: Conviction rate and Pendency Percentage between the years 2019 and 2023**

YEAR	IN CASES OF MURDER OF SCHEDULE TRIBE		IN CASES OF CRIME AGAINST SCHEDULED TRIBES	
	Conviction Rate	Pendency Percentage	Conviction Rate	Pendency Percentage
2019	52.3	93.3	26.4	91.4
2020	48.6	96.5	28.5	96.6
2021	46	95.9	28.1	95.4
2022	58.2	94.2	28.1	93.4
2023	40	94.3	24.6	93

**Table 5: Conviction rate and Pendency Percentage between the years 2019 and 2023**

YEAR	IN CASES OF MURDER		IN CASES OF IPC OFFENCE	
	Conviction Rate	Pendency Percentage	Conviction Rate	Pendency Percentage
2019	41.9	92.4	50.4	88.9
2020	50	98	69.9	95.7
2021	44.6	97.5	59.7	92.7
2022	43.8	93.8	54.2	89.4
2023	37.7	92.5	54.0	88.3

From Tables 4 and 5, analysis of conviction rates and pendency percentages over the period 2019–2023 reveals several key trends. In murder cases involving Scheduled Tribes, conviction rates fluctuated, peaking at 58.2% in 2022 before declining to 40% in 2023, while pendency remained consistently high at around 93–96%, indicating substantial delays in case disposal. For all crimes against STs, conviction rates were comparatively lower and relatively stable, ranging from 24.6% to 28.5%, with pendency also consistently high (91–96%).

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When considering all murder cases (general population), conviction rates ranged from 37.7% to 50%, showing modest variation, while pendency remained elevated (92–98%). In contrast, IPC (Indian Penal Code) offences exhibited higher conviction rates, peaking at 69.9% in 2020, with pendency slightly lower than murder cases (88–95%). Overall, the findings highlight that case pendency remains a persistent issue, while conviction rates vary by offence type, with crimes against STs showing lower judicial outcomes relative to general IPC offences.

### **Conclusion**

It can be seen that three states, mainly Madhya Pradesh, Rajasthan and Maharashtra, have registered the highest offences against Schedule Tribes, especially under the POA Act, with or without the IPC. The same can be seen when particular crimes like murder are considered. The state, like Haryana and Nagaland, does not record any offence under the act, but this does not constitute the non-occurrence of such an offence. As the Schedule tribe population in Haryana is zero (Census, 2011), it may have contributed to zero incidence, but it does not amount to the tribal group migrating there for work. There has been shown an increase of incidences recorded under the POA Act as well as victims of such crimes, which is not followed in cases of murder, where a decline in the year 2023 was recorded. If we look at the criminal justice process, though, it starts with an incident but is not completed till the conviction or acquittal. The pendency of cases at the police stage marks the hurdle that police face during the investigation or the unavailability of the evidence to constitute the chargesheet filling or disposal. The court is facing the backlog of the cases; it is highly shown in the cases related to the scheduled tribes. The three-way relation between the incidence, chargesheet and conviction tries to establish the effect of each on the other. The analysis of conviction rates and pendency from 2019 to 2023 indicates that judicial outcomes for crimes against Scheduled Tribes remain weak, where conviction rates are low and highly variable, consistent with high pendency levels (over 90%). This suggests that case backlogs and procedural delays significantly impede timely justice for ST victims. Compared to general IPC offences, crimes against STs show lower conviction rates, highlighting systemic challenges in investigation, prosecution, and adjudication processes. The data underscores the urgent need for strengthening legal mechanisms, expediting trials, and improving the efficacy of investigative and prosecutorial procedures to ensure justice for marginalised tribal communities. Though the conviction rate in cases of murder against Schedule tribes is high compared to murder incidences in India, the pendency rate foreshadows the high conviction rate with high recorded pendency.

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