



Report on Atrocities Against SCs and STs

For Prelims: [Supreme Court](#), [Scheduled Castes](#), [Scheduled Tribes](#), [Anticipatory bail](#), [Special courts](#)

For Mains: Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Issues Arising Out of Design & Implementation of Policies

Source: TH

Why in News?

Recently, the union government has released a report under the **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989** highlighting the status of atrocities against Scheduled Castes in 2022.

What are the Key Findings of the Report on Atrocities Against SCs and STs?

- **Case Statistics:** In 2022, there were 51,656 cases of atrocities against [Scheduled Castes\(SCs\)](#) and 9,735 against [Scheduled Tribes \(STs\)](#). Notably, 97.7% of SC cases and 98.91% of ST cases were concentrated in just 13 states.
- **States with Highest Incidents:**
 - **For SCs:** Following **6 States** accounted for nearly **81%** of the total cases.
 - **Uttar Pradesh:** 12,287 cases (23.78%)
 - **Rajasthan:** 8,651 cases (16.75%)
 - **Madhya Pradesh:** 7,732 cases (14.97%)
 - **Other States:** Bihar with 6,799 (13.16%), Odisha with 3,576 (6.93%), and Maharashtra with 2,706 (5.24%).
 - **For STs:**
 - **Madhya Pradesh:** 2,979 cases (30.61%)
 - **Rajasthan:** 2,498 cases (25.66%)
 - **Odisha:** 773 cases (7.94%).
 - Other States: **Maharashtra** with 691 (7.10%) and **Andhra Pradesh** with 499 (5.13%).
- **Charge Sheets and Investigations:**
 - **SC-related Cases:** Charge sheets were filed in **60.38% of the SC-related cases**, while **14.78% were concluded with final reports** due to reasons such as false claims or lack of evidence.
 - **ST-related Cases:** Charge sheets were filed in **63.32%** of ST-related cases while **14.71%** were concluded with final reports.
 - By the end of 2022, 17,166 cases involving SCs and 2,702 cases involving STs were **still under investigation**.
- **Conviction Rates:**
 - The conviction rate under the Act has **declined from 39.2% in 2020 to 32.4% in 2022**, indicating a troubling trend in judicial outcomes.

▪ Infrastructure Deficiencies:

- Only 194 out of 498 districts in 14 states have established **special courts to expedite trials** for atrocities against SCs and STs.
- Specific districts prone to atrocities have **not been adequately identified**, with **Uttar Pradesh reporting no identified atrocity-prone areas** despite having the highest number of cases.

▪ Protection Cells:

- **SC/ST protection cells** have been established in various states and union territories, including Andhra Pradesh, Assam, Bihar, Gujarat, Tamil Nadu, and others, as well as union territories like Delhi, Jammu and Kashmir, and Puducherry.

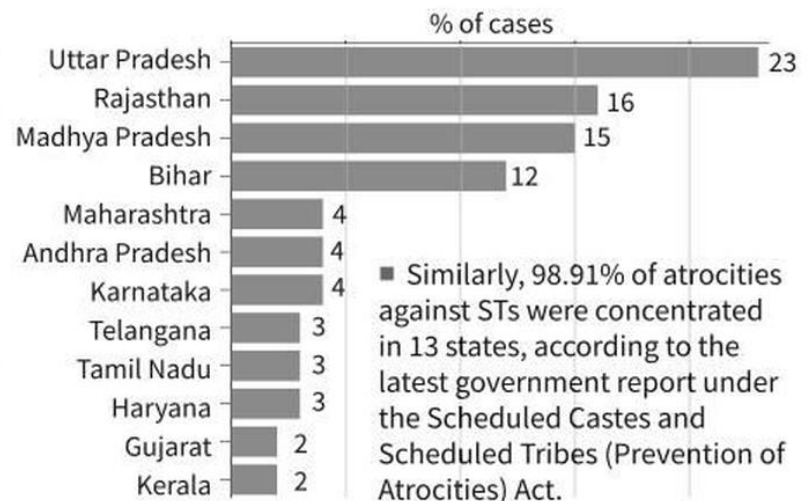
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Atrocities on Dalits, tribal people

The chart shows the States accounting for 97.7% of total cases of atrocities against members of Scheduled Castes during the year 2022.



Source: Ministry of Social Justice and Empowerment



What are the Reasons for Crime Against SC and ST Communities?

- **Caste Prejudice and Untouchability:** Deep-rooted caste hierarchies perpetuate **discriminatory practices**, where SC/ST communities are often deemed "**lower**" and subjected to **social exclusion and violence** due to their **birth-based caste identity**.
- **Land Disputes and Alienation:** Historically deprived of land ownership, SC/ST communities face **constant conflict over land access**, leading to disputes with dominant castes.
- **Economic Marginalisation:** Limited access to **education, employment, and economic resources** heightens the vulnerability of SC/ST groups, leaving them **more susceptible to exploitation and violence** by dominant communities.
- **Social and Political Power Imbalance:** Dominant upper castes often wield **disproportionate political and social influence**, enabling them to uphold discriminatory practices without fear of legal consequences.
- **Inadequate Implementation of Laws:** Although laws like the SC/ST (Prevention of Atrocities) Act exist to protect these communities, **weak enforcement, coupled with police and bureaucratic bias**, often hinders justice for victims of caste-based violence.
- **Political Opportunism:** Caste tensions are sometimes exacerbated by political actors who exploit them for electoral gains, leading to further polarisation and conflict between communities.

What is the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989?

▪ About:

- It was enacted to **protect SCs and STs from caste-based violence** and discrimination.

- **Objective:**
 - The Act aims to protect [Article 15 and Article 17](#) of the Constitution, seeks to safeguard disadvantaged communities, and addresses the shortcomings of previous legislation, such as the [Protection of Civil Rights Act, 1955](#).
- **Rules and Implementation:**
 - The Act empowers the **Central Government to establish rules** for its enforcement, while **State Governments and Union Territories** are responsible for its **administration** with central support.
- **Key Provisions:**
 - **Offences:** It defines various offences against SC/ST members, including **physical violence, harassment, and social discrimination**, categorising them as **atrocities** and prescribing **stricter punishments** than those in the [Indian Penal Code, 1860 \(BNS, 2023\)](#).
 - **Anticipatory Bail Provisions:** Section 18 of the Act excludes the application of Section 438 of the [Code of Criminal Procedure 1973 \(Bharatiya Nagrik Suraksha Sanhita, 2023\)](#), which provides for **anticipatory bail**.
 - **Special Courts:** The Act mandates the establishment of [Special Courts](#) for **speedy trial** and **SC/ST Protection Cells** at the state level, led by senior police officers, to oversee the implementation of the Act.
 - **Investigations:** Investigations into offences under the Act must be **conducted by officers not below the rank of Deputy Superintendent of Police (DSP)** and must be completed within a stipulated time frame.
 - **Relief and Compensation:** The Act provides for relief and rehabilitation of victims, including financial compensation, legal aid, and support services.
- **Exclusions:**
 - The Act **does not apply to offences between SCs and STs**, nor can they invoke the Act against one another.
- **Recent Amendments:**
 - **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015:**
 - This amendment **expanded the definition of offences**, including acts like **forcing manual scavenging, social ostracism, sexual exploitation, and dedicating SC/ST women as devadasis**.
 - Public servants who fail to perform duties concerning SCs and STs can also face imprisonment.
 - **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018:** This removed the requirement for approval from a Senior Superintendent of Police before arresting an accused, **allowing immediate arrests without prior clearance**.

Judgments Related to SC and ST (Prevention of Atrocities) Act, 1989

- **Kanubhai M. Parmar v. State of Gujarat Case, 2000:** The Gujarat High Court ruled that the **Act does not apply to crimes between members of SCs or STs**, as its intent is to protect these communities from atrocities committed by outsiders.
- **Raj Mal v. Ratan Singh Case, 1988:** The Punjab & Haryana High Court clarified that **Special Courts** under the SC and ST Act are **exclusively designated** for trying offenses under the Act, distinguishing them from regular magistrate or session courts.
- **Arumugam Servai v. State of Tamil Nadu Case, 2011:** The Supreme Court ruled that insulting a member of an SC/ST community constitutes an offense under the Act.
- **Subhash Kashinath Mahajan v. State of Maharashtra Case, 2018:** The Supreme Court clarified that the **bar on anticipatory bail under Section 18** of the Act is **not absolute, allowing courts to grant bail in cases** where the **allegations appear baseless**.
- **Shajan Skaria v. The State of Kerala Case, 2024:** In this the Supreme Court ruled that **not every insult or [intimidating remark directed at an individual belonging](#) to a SC or ST constitutes an offence** under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989.

Way Forward

- **Strengthening Legal Framework:** There is a need to **enhance the infrastructure** for **special courts** to ensure **timely trials and convictions**.
 - Also there is a need to **increase the number of trained personnel in law enforcement** to handle SC/ST cases sensitively and effectively.
- **Improving Reporting Mechanisms:** Establish **better reporting and monitoring systems** to track atrocities against SCs and STs, ensuring that victims can report incidents without fear of retribution.
- **Awareness and Education:** Implement **awareness campaigns** to educate communities about SC/ST rights and the legal protections available under the Act.
- **Targeted Interventions:** Identify and **declare atrocity-prone districts**, implementing targeted interventions to address the root causes of caste-based violence in these areas.
- **Monitoring and Evaluation:** Establish a **robust monitoring framework** to evaluate the effectiveness of the measures implemented, **ensuring accountability and continuous improvement** in addressing atrocities against SCs and STs.
- **Collaboration with NGOs:** Partner with **non-governmental organizations and civil society** groups to **support victims and advocate for their rights**, ensuring their voices are heard in policy-making processes.

Drishti Mains Question:

Analyse the key factors behind the continued atrocities against SC/ST communities in India. How effective is the SC/ST (Prevention of Atrocities) Act, 1989 in addressing these challenges?

UPSC Civil Services Examination Previous Year Question (PYQ)

Mains

Q. What are the two major legal initiatives by the State since Independence addressing discrimination against Scheduled Tribes (STs)? **(2017)**

PDF Reference URL: <https://www.drishtias.com/printpdf/report-on-atrocities-against-scs-and-sts>