

# **THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989**

- Incidences of physical and mental torture of Scheduled Castes (SCs) & Scheduled Tribes (STs) are common in Indian society that lead to high morbidity and mortality. This Act is enacted to prevent the commission of offenses of atrocities against the members of the Scheduled Caste and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offenses and for matters connected therewith or incidental thereto. It extends to the whole of India except the state of Jammu & Kashmir. Section 3 defines punishment for following offenses of atrocities as follows

1. Forces a member of SC or ST to drink or eat inedible or obnoxious substances;
2. Acts with intend to cause injury, insult or annoyance to any member of a SC or ST by dumping excreta, waste matter, carcasses or any other obnoxious substance in her premises or neighbourhood;
3. Forcibly removes clothes from the person of a member of a SC & ST or parades him or her naked or with painted face or body or commits any similar act which is derogatory to human dignity;
4. Wrongfully occupies or cultivates any land owned by, or allocated to, or notified by any competent authority to be allotted to, a member of SC or ST or gets the land allotted to him transferred;
5. Wrongfully dispossesses a member of SC or ST from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;
6. Compels or entices a member of SC or ST to do "beggar" or other similar form of forced or bonded labour other than any compulsory service for public purposes imposed by government;
7. Forces or intimidates a member of SC or ST not to vote or to vote to a particular candidate or to vote in a manner other than the provided by law;
8. Institute false, malicious suit or criminal or other legal proceedings against a member of SC or ST;
9. Gives any false information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of SC or ST;
10. Intentionally insults or intimidates with intend to humiliate a member of SC or ST in any place within public view;

11. Assaults or uses force to any woman belonging to SC or ST with the intend to dishonour or outrage her modesty;

12. Being in a position to dominate the will of a woman belonging to SC or ST and uses that position to exploit her sexually to which she would not have otherwise agreed;

13. Corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the SC or ST so as to render it less fit for the purpose for which it ordinarily used;

14. Denies a member of SC or ST any customary right of passage to a place of public resort or prohibit the use; and

15. Forces or causes a member of SC or ST to leave his house, village or other places of residence.

Anybody contravene the provision of this Act shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine. Anybody likely to conduct an offence against any member of SC or ST may be removed from the office (Sec. 10).

#### References

The Scheduled Caste and the Scheduled Tribes (prevention of atrocities) act 1989. Gazette of India (No. 33 of 1989).