



# **Examining the Socio-Legal Landscape: The Impacts of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 On Marginalized Communities in Madhya Pradesh, a Case Study of Raisen District**

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## **Abstract**

This study examines the many ways in which the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 affected vulnerable populations in Madhya Pradesh, particularly in the Raisen area. In order to thoroughly examine the effects of this landmark law on the lives of marginalised groups, the research takes a socio-legal perspective. Finding out how well the Act has dealt with atrocities and ensured justice requires a thorough analysis of legislative provisions, case studies, and community narratives. By illuminating obstacles encountered throughout the Act's implementation and proposing possible avenues for improvement, the results will provide significant insights into the Act's effectiveness. By zeroing in on a particular area, such as Raisen, this study hopes to provide light on the Act's implementation in Madhya Pradesh's marginalised populations by revealing regional differences and highlighting unique obstacles.

**Keywords – Prevention of Atrocities, SC, ST, implementation, effectiveness**

## **Introduction**

A landmark piece of Indian legislation, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016, seeks to rectify prejudice and past injustices suffered by oppressed groups. The Act reflects a dedication to building a fair and inclusive society by protecting the rights of Scheduled Castes (SCs) and Scheduled Tribes (STs). This study examines the Act's effects on the social and legal environment, with special attention to Madhya Pradesh. The research delves into the Raisen district, shedding light on the complex processes at work in a particular geographic location, within this larger framework.

To evaluate the Act's effectiveness, it is necessary to look at Madhya Pradesh, a state rich in history and culture. Within this broader framework, the Raisen district serves as a microcosm for comprehending the legislation's development within a regional context. This project aims to explore the complex relationship between law and society by examining the real-life impacts of the Act on Raisen's marginalised populations. A potent instrument for justice and empowerment, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 was conceived against the background of historical injustice and social prejudices. This study delves both the legal structure and the lived realities of the communities it strives to protect to uncover the degree to which the Act has achieved its goals. This research aims to provide significant insights into the implementation of the Act in Raisen district, Madhya Pradesh, by combining legal analysis with sociological insights. It will examine the problems, accomplishments, and prospective improvements in this process.

## **Review of literature**

A thorough evaluation has been carried out using academic journals, government manuals, books, websites, and internet literature. So far, studies have examined the current state of implementation of the SC/ST (Prevention of Atrocities) Act, 1989. Even while it doesn't directly address the topic at hand, some research in these areas does have indirect relevance. Some of them are reviewed and discussed here. Act of 1989 pertaining to Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) The ST and SC Amendment Act of 2015, which Taxman authored, is the first law of its kind since 2016.

Author: "Arjun Y. Pangannavar" SC is seen of as a tool for economic and social empowerment and development. As a group that accounts for around 16.9% of India's population, SC people place a premium on social and economic growth as a means of evading the racial and caste-based discrimination that is prevalent in the country. Financial and social exploitation of this



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community in the past breaches human dignity and impacts self-awareness. In terms of general development, women from SC are much behind. Causes of these consequences on SC include deprivation and poverty. Even though SCs have historically been economically disadvantaged, they have made tremendous strides in improving India's manufacturing system as a whole. The founding document of India, the Constitution, is primarily concerned with expediting general empowerment and progress. The growth of SC may be accelerated by the plan for development, which includes equal rights, giving accessibility for the allotted resources, and empowerment. These measures will increase capabilities and social changes. Increases in both commodities production and services in India have recently come to light as part of the country's development strategy, which aims to improve people's standard of living by raising the country's per capita income. The whole book is devoted to explaining the facts and issues of the SC people. The social and economic situation of SC has been improved, and many efforts have been taken to achieve this goal.

"Proactively Resolving Crimes Against Scheduled Castes and Scheduled Tribes," The novel was written by T.R. Naval. Commissions for crimes and the history of untouchability are also covered in the book. Understanding the proposed provision centred on the protection of SC and ST requires identifying the sources and reasons of the ongoing crimes against these communities. With the help of several journals, this book presents evidence of the reactions of a judicial system that sought to eradicate the root causes of the atrocities committed against ST and SC. One possible resource for more reading on this subject is the suggested book. Non-governmental organisations (NGOs), academics, and law enforcement agencies may all benefit from reading this book.

"The Scheduled Tribes & Commentary on The Scheduled Castes (Prevention of Atrocities) Act, 1999" is written by Yawer Qazalbash and is being regarded as a book. The other punitive status provides comprehensive interpretation based on phrases, words, and expressions; different compensations have been offered to SC and ST under the rule 1995; and it is necessary to follow the commentary under the act 1989. All of the work is done using real-life examples. The author of the book "Atrocities on Scheduled Castes the Law and the Realities" is H.S. Saksena. Based on the ST/ST Act of 1989, the complete book is written. Important steps were taken to address the growing crime tendencies against certain castes, particularly SC, by relief and punitive measures, among other regulations. Courts draught the legislation, and Article 17's elimination of untouchability is its overarching goal. The paper delves into the nature of the offences and shows how the courts fairly execute them by administrations. The whole study was based on data collected from police stations; of them, half came from the five districts of UP throughout the last five years. By keeping track of the sample cases, we were able to track the cases' progression and identify ten factors that contribute to the time it takes to get convictions. We also studied data from the ground, which revealed how families deal with these kinds of circumstances. Sociological research has proven that laws serve to achieve the goals set forth by legislatures, and critical analysis has shed light on the specific mechanisms via which these laws achieve their ends.

"Review of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Subordinate Rules," This book, written by Justice P.S. Narayana and filled up by Justice Syed Shah Mohammed Quadri, gives information about the Civil Rights Acts of 1955 and the Act of 1989, which is based on the comments of the SC and ST. Here is the relevant case study that offers insightful analysis on the topic. This book also includes a breakdown of SC and ST regulations.

The book "Atrocities and Untouchability against Scheduled Caste and Scheduled Tribes (2006)" written by V Narayana Swamy provides an analysis of untouchability based on many case studies. There are a number of new laws that address the crimes committed against ST and Sc people, as outlined in the Act of 1989.

According to the "Foreword Preface Surbey of the Literature on Hindu Society and Untouchability," written by K.D. Purane in 2000, "Untouchability and the Law - The Ground



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Reality - 2000" The Untouchability Myth, Hindu Society, and the Indian Constitution: A Philosophical Look at the Need for Lawmaking and the Protection of Civil Rights Act of 1976. The cases under the Protection of Civil and Rights Act, 1976 and the Prevention of Atrocities Act, 1989 were reviewed and concluded.

According to P.K. Gupta, "Commentaries on Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989" was written by him. For the purpose of preventing crimes against members of Scheduled Castes and Scheduled Tribes, providing relief and rehabilitation to victims of such crimes, and establishing Special Courts to hear such cases, the Parliament passed the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. By illuminating each portion, the author of this book has offered an analysis of the supporting legislation. The best part about this book is that it covers every single tribe and territory that falls under the SC, ST, and other categories. This book has detailed information on civil rights and the 1977 statute that protects them.

### Objectives of the study

- To examine the level of awareness and understanding of the Act among marginalized communities in the Raisen district.
- To explore the knowledge of the provisions, rights, and protections afforded by the Act within the targeted communities.

### Hypothesis of the study

Null Hypothesis (H01): The level of awareness and understanding of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016, is not significantly different among marginalized communities in the Raisen district.

Null Hypothesis (H02): There is no significant difference in the effectiveness of the implementation and enforcement mechanisms of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016, in Raisen district.

### Research Methodology

Research methodology encompasses all techniques, both empirical and non-empirical, and is used to commission new work. Evidence used in doctrinal or non-empirical analyses comes from a plethora of sources, including statutes, commission reports, books, journals of law, and court decisions. Concerning the real problems and obstacles, the empirical investigation zeroes in. When gathering information, you may do it either directly or indirectly. The first part of the document includes data collected from those who took the survey regarding their familiarity with various laws and constitutional provisions, as well as the Prevention of Atrocities Act of 2016, various government initiatives, and relevant government agencies. Among the latter are main and secondary sources of knowledge, such as books, journals, reports, legislation, textbooks, websites, publications, legal periodicals, and agency handbooks.

### Discussions

Although the Caste Disabilities Removal Act XXI outlawed caste discrimination and untouchability in 1850, it was still practiced in British India. Nevertheless, no significant national action was taken prior to the 1975 revision of the Untouchability (Offences) Act of 1955, renamed the Protection of Civil Rights Act of 1955. Following its revision in 1955, this statute was rechristened the Civil Rights Act. (Care for Obligations Associated with Delivering a Child)

However, its impact and effectiveness when put into practice are still lacking. A nine-year-old Dalit student from Rajasthan's Jalore District was assaulted and beaten to the core on the day the nation celebrated its independence in 2022. The boy had gotten water from an earthen pot, which was meant for the upper class, and his teacher had slurs and insults to spare. The nation's conscience was wounded by these comments, which serve as a reminder to lawmakers of unfulfilled pledges and unfinished business. Tragically, he is not the only one; in 2016, a Ph.D. student at Central University of Hyderabad named Rohit Vemula committed himself after suffering from caste-based harassment at work. Likewise, sixty police officers ride horseback to accompany a Dalit groom on Brides Call in the Bareilly District of Uttar Pradesh on



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November 27, 2022. 'Restrictions' enforced by certain males of the upper castes on Dalit wedding processions in Lohamai village of the Gunnar region were the impetus for this strong security deployment by the UP police. This section of the SC/ST (PoA) Act, 1989 lists the case registration numbers:

**Table.1: The total number of cases filed in Raisen between 2016 and 2020 under the SC/ST (PoA) Act**

Year	SC	ST	Total
2018	521	114	635
2019	465	102	567
2020	453	117	570
2021	625	189	814
2022	697	176	873

The provided data presents the number of cases registered under the Scheduled Castes (SC) and Scheduled Tribes (ST) (Prevention of Atrocities) Act for the years 2018 to 2022. Let's interpret the data:

**Total Cases Registered:** In 2018, there were 521 cases related to Scheduled Castes and 114 cases related to Scheduled Tribes, totaling 635 cases. In 2019, the total number of cases reduced slightly to 567, with 465 cases related to Scheduled Castes and 102 cases related to Scheduled Tribes. In 2020, the total number of cases increased to 570, with 453 cases related to Scheduled Castes and 117 cases related to Scheduled Tribes. The year 2021 saw a significant rise in cases, with a total of 814 cases, comprising 625 cases related to Scheduled Castes and 189 cases related to Scheduled Tribes. In 2022, there was a further increase in total cases, reaching 873, with 697 cases related to Scheduled Castes and 176 cases related to Scheduled Tribes.

**Trends Over the Years:** The data indicates fluctuations in the number of cases over the years, with an overall increasing trend from 2018 to 2022. There is a notable spike in cases in the year 2021, suggesting a potential surge in reported incidents during that period.

**Differential Impact on SC and ST:** Throughout the years, the number of cases related to Scheduled Castes is consistently higher than those related to Scheduled Tribes. The gap between the number of cases for SC and ST varies each year but remains in favor of Scheduled Castes.

**Implications for Analysis:** The data provides a foundation for further analysis to understand the factors contributing to the fluctuations and differences in the number of cases over the years. An examination of regional or demographic patterns, changes in reporting mechanisms, and the effectiveness of legal interventions could contribute to a more comprehensive interpretation.

Year	SC	ST	Total
2018	61	21	82
2019	897	24	921
2020	69	29	98
2021	89	22	111
2022	62	24	86

**Table.2:- The total number of cases where SCs and STs have been found guilty**

The provided data represents the number of convictions under crimes against Scheduled Castes (SC) and Scheduled Tribes (ST) for the years 2018 to 2022. Let's interpret the data:

**Total Convictions:** In 2018, there were 82 convictions related to crimes against SCs and STs, with 61 convictions related to SCs and 21 related to STs. In 2019, the total number of convictions substantially increased to 921, with a significant number (897) related to crimes against SCs and a smaller portion (24) related to crimes against STs. In 2020, there were 98 convictions, with 69 related to crimes against SCs and 29 related to crimes against STs. The year 2021 saw 111 convictions, with 89 related to crimes against SCs and 22 related to crimes



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against STs. In 2022, there were 86 convictions, with 62 related to crimes against SCs and 24 related to crimes against STs.

**Trends Over the Years:** The data reflects fluctuations in the number of convictions over the years, with a significant spike in 2019. There is a general trend of variations in convictions from year to year, suggesting changes in the legal outcomes of reported crimes against SCs and STs. **Differential Impact on SC and ST:** Throughout the years, the number of convictions related to crimes against SCs is consistently higher than those related to crimes against STs. The proportion of convictions related to crimes against SCs is much larger compared to convictions related to crimes against STs.

**Implications for Analysis:** Further analysis is necessary to understand the factors contributing to the variations in convictions over the years. Examining the types of crimes, the effectiveness of legal interventions, and the socio-legal implications of the convictions could provide a more comprehensive interpretation.

**Table 3: - Relief was extended to a number of victims of atrocities.**

Year	Relief
17-18	127
18-19	359
19-20	386
20-21	924
21-22	1354

The provided data represents the number of atrocity victims who received relief for the years 2017-2018 to 2021-2022. **Relief for Atrocity Victims:** In the year 2017-2018, 127 atrocity victims received relief. In the year 2018-2019, the number of atrocity victims receiving relief increased significantly to 359. The trend continued to rise in 2019-2020, with 386 atrocity victims provided relief. There was a substantial increase in the year 2020-2021, with 924 atrocity victims receiving relief. The year 2021-2022 saw a further rise, with 1354 atrocity victims provided relief.

**Trends Over the Years:** The data reveals a consistent upward trend in the number of atrocity victims receiving relief over the specified years. The increase is particularly significant from 2018-2019 onwards, with a more than twofold rise in the number of victims receiving relief. **Implications for Analysis:** The increasing trend in the number of atrocity victims receiving relief could be indicative of heightened awareness, improved legal mechanisms, or increased efforts to provide support and compensation to victims. Further analysis is needed to understand the specific factors contributing to the rise in the number of victims receiving relief and to assess the effectiveness of relief programs.

### Conclusion

Several important findings emerge from the analysis of the social and legal context surrounding the effects of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016, on disadvantaged populations in Madhya Pradesh, particularly in the Raisen District: The underprivileged people of Raisen District need to learn more about the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016. The Act's rights and legal requirements should be better understood by the public via outreach and education initiatives. The Act's enforcement and implementation methods had varied degrees of success. Consistent and strong enforcement of the law may be difficult to achieve, necessitating efforts to strengthen the abilities of law enforcement and other appropriate authorities via training.

A changing socio-legal context may be indicated by the changes in the number of cases registered under the Act. The reasons for these variations, which include changes in reporting methods, public opinion, and the reaction time of law enforcement, need a thorough investigation. The number of convictions shows how far the judicial system has come and how difficult it has been. To further understand how the courts have responded to cases brought under the Act, it is necessary to go more into the factors that contributed to convictions, acquittals, and adjudication delays.



## References

- Deshpande A and Newman K (2007) Where the path leads: the role of caste in post-University employment expectations. *Economic and Political Weekly* 42(41): 4133–4140.
- Gorringe H (2012) Caste and politics in Tamil Nadu. Seminar 633. Available at: [http://www.indiaseminar.com/2012/633/633\\_hugo\\_gorringe.htm](http://www.indiaseminar.com/2012/633/633_hugo_gorringe.htm)
- Gundimeda S (2016) *Dalit Politics in Contemporary India*. Abingdon: Routledge.
- Gupta D (2005a) Caste and politics: identity over system. *Annual Review of Anthropology* 34: 409–427.
- Gupta D (2005b) Whither the Indian village: culture and agriculture in rural India. *Economic and Political Weekly* 40(8): 751–758.
- Jain D (2018) Why India's official crime rate figures are unreliable. *Livemint*, 10 August.
- Jodhka S and Newman K (2007) In the name of globalisation: meritocracy, productivity and the hidden language of caste. *Economic and Political Weekly* 42(41): 4125–4132.
- Khora S (2014) Final reports under Sec-498A and the SC/ST atrocities act. *Economic & Political Weekly* 49(41): 17–20.
- Kumar A (2018) Rhetoric to reasoned debate. *Indian Express*, 7 April,
- Nair S (2018) Rising pendency, falling convictions: what data on SC/ST Act trials show. *Indian Express*, 3 April
- National Commission for Scheduled Castes (2004–05) *First Annual Report*. New Delhi: Government of India.
- National Human Rights Commission (2002) *Report on Prevention of Atrocities against SCs and STs*. New Delhi: Government of India.
- Pai S (2002) *Dalit Assertion and the Unfinished Democratic Revolution: The Bahujan Samaj Party in Uttar Pradesh*. New Delhi: Sage.
- Sashittal N (2018a) Have crimes against SCs and STs increased of late? Here are the facts. *Financial Express*, 22 May.
- Sashittal N (2018b) Do SCs and STs face disproportionately more violent crimes in India? *Financial Express*, 21 June.
- Sashittal N (2018c) Amnesty lied on caste violence and it lies again. *Financial Express*, 5 August.
- Sharma S (2014) Caste-based crimes and economic status: evidence from India. *Journal of Comparative Economics* 43(1): 204–226.
- Sheth DL (1999) Secularisation of caste and making of new middle class. *Economic and Political Weekly* 34(34–35): 2502–2510.
- Subhash Kashinath Mahajan v. State of Maharashtra, Criminal Appeal No.416 of 2018, Special Leave Petition (Crl.) No.5661 of 2017.
- Teltumbde A (2007) Khairlanji and its aftermath: exploding some myths. *Economic and Political Weekly* 42(12): 1019–1025.
- Thorat S and Attewell P (2007) The legacy of social exclusion: a correspondence study of job discrimination in India. *Economic and Political Weekly* 42(41): 4141–4145.
- Women against Sexual Violence and State Repression (2015) *Rape as atrocity in contemporary Haryana*. *Economic & Political Weekly* 50(44): 47–56.