Implications of SC’s verdict on PoA Act

Why in news?

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A nationwide protest against the Supreme Court’s decision on SC/ST Act has resulted in violence.

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What is the recent verdict of SC on the PoA?

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- SC has ruled that Section 18, which bars grant of anticipatory bail to anyone accused of violating its provisions, is not an absolute bar on giving advance bail to those against whom, prima facie, there is no case.
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- In addition, the Bench has prohibited the arrest of anyone merely because of a complaint that they had committed an atrocity against a Dalit or a tribal person.
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- In respect of public servants, no arrest should be made without the written permission of the official’s appointing authority.
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- And for private citizens, the Senior Superintendent of Police in the district should approve the arrest.Click here to know more about this issue.
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What were the reasons for this verdict?

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- There has been increasing number of false and frivolous complaints filed under the SC/ST act for personal motives.
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- No guidelines were present in the act to prevent the misuse of the law and for protecting the innocent.
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- There are also acknowledged abuses of the power to arrest under this Act which perpetuated casteism.
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- Thus, this verdict was made to explain that interpretation of the PoA Act should promote constitutional values of fraternity and integration of society.
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What are the implications from the SC’s verdict?

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- In response to the verdict, most parties demanded that the Union government file a petition to review the order.
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- They contend that the judgment and some of its observations would result in leaving dalits unprotected against atrocities.
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- Following this, there has been nationwide protests resulting in violence due to the explosion of dalit anger after the verdict.
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- The dalit victims also claimed that itwouldbe more difficult for them to get their complaints of caste-based violence and discrimination investigated.
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Source: The Hindu

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