Restoration of SC/ST (PoA) Act Provisions

Why in news?

\n\n

\n
- Centre has decided to restore the original provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
\n
- It comes in response to an earlier verdict of Supreme Court on the Act.
\n

\n\n

What was the court's verdict?

\n\n

\n
- The Supreme Court in a recent verdict had struck down some original provisions of the Act. Click here to know more
\n

\n\n

\n
- It issued some guidelines to protect people against arbitrary arrests under the Act.
\n
- It directed that public servants could be arrested only with the written permission of their appointing authority.
\n
- In the case of private employees, the Senior Superintendent of Police concerned should allow it.
\n
- A preliminary inquiry should be conducted before the First Information Report (FIR) was registered.
\n
- This was to check if the case fell within the ambit of the Act, and whether it was frivolous or motivated.
\n

\n\n

What was the response?

\n\n

\n
- The verdict faced sharp criticism from Dalit leaders across the country and political parties.
\n
- Dalit groups claimed that the court's order diluted the true spirit of the law.
\n
- Despite widespread opposition, the court refused to stay its ruling.
\n
- So dalit groups demanded an ordinance or an Amendment Bill to restore the provisions.
\n
- Following widespread protest, the Union Cabinet had given its nod to the Amendment Bill.
\n

\n\n

What does the Bill aim for?

\n\n

\n
- The Amendment Bill seeks to insert three new clauses after Section 18 of the original Act.
\n

\n\n

\n
1. preliminary enquiry shall not be required for registration of an FIR against any person
\n
2. arrest of a person accused of having committed an offence under the Act would not require any approval
\n
3. provisions of Code of Criminal Procedure on anticipatory bail shall not apply to a case under this Act, “notwithstanding any judgment or order of any Court”
\n

\n\n

\n
- The Centre's decision to amend the provisions of the Act appears both reasonable and unavoidable at this juncture.

\n

\n\n

\n\n

Source: The Hindu

\n