

Prevention of Atrocities Act, 1989 - Protection, Relief and Rehabilitation

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Prevention of Atrocities Act News

- A Central task force and the **National Commission for Scheduled Tribes (NCST)** have proposed changes to strengthen the implementation of the **SC/ST (Prevention of Atrocities) Act, 1989**, including enhanced compensation, counselling and protection of tribal livelihoods.

SC/ST (Prevention of Atrocities) Act, 1989

- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, is a special legislation enacted to prevent atrocities against members of the **Scheduled Castes (SCs) and the Scheduled Tribes (STs)**, provide relief and rehabilitation to victims, and establish mechanisms for dealing with such offences.
- The Act recognises that members of SC and ST communities can face forms of violence, humiliation, social exclusion, dispossession and exploitation linked to their social identity.
- It therefore provides safeguards beyond those available under general criminal law.

- The Act came into force in **1990** and was subsequently strengthened through amendments, particularly in **2015 and 2018**.

Key Features

- The Act identifies a range of acts that constitute atrocities when committed against SC/ST persons.
- These include offences involving physical violence, humiliation, social discrimination, dispossession from land and interference with rights and dignity.
- It also provides for:
 - Special and Exclusive Special Courts for the speedy trial of offences.
 - Special Public Prosecutors for conducting cases.
 - Relief and rehabilitation for victims and their dependents.
 - Preventive measures by governments and district authorities.
 - Protection of victims and witnesses.
 - The law, therefore, combines **criminal justice, victim compensation and preventive administration**.
- **2015 Amendments**
 - The 2015 amendments expanded the list of offences covered under the Act and strengthened the rights of victims. They also introduced provisions relating to:
 - Presumption in certain circumstances.
 - Protection of victims and witnesses.
 - Greater accountability of public servants for wilful neglect of duties.
 - Establishment of Exclusive Special Courts in appropriate cases.
- **2018 Amendment**
 - The 2018 amendment was introduced following widespread protests by SC and ST communities after a Supreme Court judgment concerning safeguards against alleged misuse of the Act.
 - The amendment restored the position that **no prior approval is required for the arrest** of a person accused under the Act, subject to the statutory framework, and that **anticipatory bail is not ordinarily available** in cases under the Act, subject to the Supreme Court's constitutional interpretation.
 - The task force's current recommendations seek changes primarily to the **Rules framed under the Act**, while the NCST has separately proposed amendments to the **Act itself**.

News Summary

- An internal task force headed by the Secretary, Ministry of Social Justice and Empowerment, has recommended amendments to the SC/ST (Prevention of Atrocities) Rules.
- One of the major proposals is to increase the relief and rehabilitation amounts provided to victims and their dependents to account for inflation.
- At present, the prescribed relief ranges from Rs. 85,000 to Rs. 8.25 lakh, depending on the seriousness of the offence and the extent of injury or harm suffered. These amounts were fixed in 2016.

- The task force has also proposed establishing special relief and rehabilitation cells in States and Union Territories to strengthen implementation and ensure that assistance reaches victims more effectively.
- **Counselling and Faster Case Processing**
 - The proposed amendments also include counselling mechanisms for **victims, their dependants and accused persons**.
 - Another recommendation is that **FIRs and chargesheets should be forwarded to the concerned government officials within 24 hours**. The objective is to improve administrative monitoring and ensure that cases do not face unnecessary delays.
 - The recommendations were contained in a report submitted to the Centre in **July 2026**.

NCST Proposals for Tribal Land and Livelihoods

- Separately, the **National Commission for Scheduled Tribes (NCST)** has suggested amendments to the SC/ST (Prevention of Atrocities) Act, 1989.
- A key concern is the protection of the livelihoods of Scheduled Tribe communities whose land has been alienated and who become involved in prolonged legal disputes over their land.
- The NCST has also called for measures to prevent the registration of “counter FIRs” against individuals who report atrocity cases.
- Such cases can potentially place additional pressure on victims and discourage reporting of offences.
- These recommendations underline that protection under the Act is not limited to criminal prosecution but also involves safeguarding the economic and social security of vulnerable communities.

Parliamentary Panel on Scholarship Delays

- A related issue concerning the welfare of SC and other disadvantaged communities has also been highlighted by the Parliamentary Standing Committee on Social Justice and Empowerment.
- The committee examined the Ministry’s action taken on its recommendations concerning the Demands for Grants for 2026-27. Of its 25 recommendations, the government accepted 14.
- The committee, however, rejected the government’s response on four issues and reiterated its earlier recommendations.
- One of the major concerns was the delay in disbursement of scholarships.
- The committee had earlier found that scholarship funds were sometimes released only in the next academic year because States and Union Territories took additional time to complete application verification and other formalities.
- The Department of Social Justice and Empowerment attributed the delays primarily to the time taken by some States to complete the verification process.
- The committee expressed dissatisfaction with this explanation, noting that the issue had persisted despite repeated observations.
- The panel also reiterated that the Ministry should consider revising the Rs. 8 lakh annual family income ceiling for its free coaching scheme for students belonging to SC and OBC communities.

Special Police Stations Under the Atrocities Act

- The Parliamentary Committee also highlighted the inadequate establishment of special police stations for implementing the Protection of Civil Rights Act, 1955 and the SC/ST (Prevention of Atrocities) Act, 1989.
- It noted that only seven States and Union Territories had established such special police stations even after more than three decades of the enactment of the Atrocities Act.
- The government informed the committee that it had submitted a proposal to the Expenditure Finance Committee (EFC) seeking enhanced budgetary support for strengthening implementation.
- The committee recommended early approval of this proposal so that provisions for establishing special police stations could be included in the 2026-27 to 2030-31 expenditure cycle.

Significance

- The developments highlight that effective social justice legislation requires more than strong statutory provisions. Its impact depends on timely compensation, institutional capacity, effective policing, speedy investigation, victim support and access to welfare schemes.
- The proposed changes to the SC/ST Rules and the NCST's recommendations focus on strengthening protection after an atrocity occurs, while the Parliamentary Committee's observations highlight the importance of timely delivery of welfare benefits and institutional mechanisms.
- Together, these developments underline the need for a rights-based and implementation-oriented approach to social justice.

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