Polity & Governance · GS - II

The effective implementation of protective legislation requires a balance between safeguarding vulnerable communities and preventing misuse of criminal proceedings. Examine this issue in the context of the SC/ST (Prevention of Atrocities) Act, 1989.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 14/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Constitutional equality, affirmative protection, Article 17, Article 21, dignity, statutory safeguards, specific ingredients of offences, judicial scrutiny, procedural fairness, access to justice, accountability.

Model Answer

Introduction

The SC/ST (Prevention of Atrocities) Act, 1989, is an important instrument to protect historically disadvantaged communities from caste-based violence, discrimination and humiliation. Its implementation must uphold both social justice and due process.

Need for Strong Protection

Caste-based atrocities continue to threaten dignity, equality and access to justice. The Act provides stringent provisions, special courts, enhanced penalties and safeguards to improve accountability. Dilution of its protections may discourage victims from reporting offences.

Importance of Procedural Fairness

Criminal liability must be based on the specific ingredients of statutory offences and relevant evidence. Vague allegations that do not disclose an offence may invite judicial scrutiny. However, concerns about misuse should not become grounds for routinely disbelieving complainants or weakening legitimate prosecutions.

Way Forward

Police personnel and prosecutors require sensitisation and specialised training. Timely investigation, witness protection, victim compensation and effective legal aid should be ensured. Judicial review must prevent arbitrary prosecution while preserving the Act's protective purpose.

Conclusion

The objective should be neither indiscriminate prosecution nor dilution of safeguards, but credible enforcement that advances substantive equality and constitutional justice.

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