

Restoration of SC/ST (PoA) Act Provisions

Why in news?

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- Centre has decided to restore the original provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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- It comes in response to an earlier verdict of Supreme Court on the Act.

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What was the court's verdict?

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- The Supreme Court in a recent verdict had struck down some original provisions of the Act. Click [here](#) to know more

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- It issued some guidelines to protect people against arbitrary arrests under the Act.

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- It directed that public servants could be arrested only with the written permission of their appointing authority.

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- In the case of private employees, the Senior Superintendent of Police concerned should allow it.

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- A preliminary inquiry should be conducted before the First Information Report (FIR) was registered.

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- This was to check if the case fell within the ambit of the Act, and whether it was frivolous or motivated.

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What was the response?

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

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What does the Bill aim for?

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

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1. preliminary enquiry shall not be required for registration of an FIR against any person
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2. arrest of a person accused of having committed an offence under the Act would not require any approval
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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"

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

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Source: The Hindu

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