

LS RESTORES OLD PROVISIONS OF SC/ST LAW

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NEW DELHI: The government on Monday tabled and passed The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2018 in Lok Sabha, seeking to overturn a Supreme Court order that laid down certain safeguards in the law to prevent arrest of those accused of atrocities against people of Scheduled Castes and Scheduled Tribes.

The bill was introduced by the government. It rules out any provision for an anticipatory bail for a person accused of atrocities against SC/STs, notwithstanding any court order. It also provides that no preliminary inquiry will be required for registering a criminal case and an arrest under this law would not be subject to any approval.

The Bill was introduced by minister for social justice and empowerment Thaawarchand Gehlot on August 3, 2018.

In 2018, the Supreme Court has issued a verdict stating that for a person accused of committing an offence under the Act, approval of the senior superintendent of police would be required before an arrest is made. The deputy superintendent of police may conduct a preliminary enquiry to find out whether prima facie a case is made out under the Act. Leader of the Congress in Lok Sabha, Mallikarjun Kharge, said the Congress's demand on the bill was the SC/ST (Prevention of Atrocities) Act be put in the Ninth Schedule of the Constitution, otherwise courts would continue to interfere with it.