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MISUSE OF THE SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT: A COMPREHENSIVE JUDICIAL ANALYSIS AND SOCIO-LEGAL EXAMINATION

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ABSTRACT

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act) serves as a critical statute in the Indian legal system aimed at providing certain protections and remedies to some of the most marginalized communities in India. While the intentions behind the passage of this law were laudable, the PoA Act has recently become embroiled in a contentious debate about it being misused for false or frivolous complaints. The following paper is aimed towards providing a legal analysis, giving judicial consideration to the evolving jurisprudence from the Supreme Court on the PoA Act – in particular, the significant cases of Dr. Subhash Kashinath Mahajan and Prathvi Raj Chauhan. The paper deconstructs the refrain of “misuse” arguing that high acquittals and dismissals are not evidence of false complaints – but rather the result of systemic inadequacies of a criminal justice system composed of biased police officers, poorly executed investigations, and incapable victims who are susceptible to threats, violence, and coercion. To conclude, this paper indicates that the solution is not to erode the important statute, but rather build upon it with structural changes and a more responsive judiciary who conforms to the social reality of caste-based discrimination in contemporary India.

[Keywords: SC/ST Act, Misuse, Judicial Consideration, Dr. Subhash Kashinath Mahajan , Prathvi Raj Chauhan, Caste Discrimination, Social Justice, Law and Society, India]

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I. Introduction

The Perpetual Shadow of Caste: Ontological and Legislative Genesis

The caste system in India is a social stratification system that has shaped social, political and economic life for centuries and continues to loom larger than life in the present. This ascription-based and inherited system has traditionally placed Dalits and Adivasis -the Scheduled Castes (SCs) and Scheduled Tribes (STs) -at the societal bottom, with conclusive discrimination, violence, and purposeful exploitation.^{2,3,4} Although discrimination on the grounds of caste was (legally) abolished by the Indian Constitution (1950) under Article 17, and “untouchability” was declared illegal, entrenched prejudice remains.^{5,6} To implement this constitutional mandate, Parliament passed the Untouchability (Offences) Act, 1955⁷ (hereinafter referred to as the Untouchability Act). This statute was later renamed in 1976 the Protection of Civil Rights Act (hereinafter referred to as the PCRA), adding sanctions for enforcing any disability pursuant to untouchability.

However, all of these early legislative attempts fell short. They were plagued by significant shortcomings, such as loopholes in the law, lower sanctions than the Indian Penal Code (IPC), and no measures for empowerment for proper implementation.⁸ Crimes against SCs and STs, which include verbal attacks, physical violence, and the unlawful appropriation of land, persisted—proving existing law was unable to deter a ubiquitous social evil.⁹ In response to this relentless and violent backdrop, the Parliament of India enacted the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989¹⁰ (hereinafter referred to as the PoA Act) with the purposeful objective of constitutently prohibiting and penalizing such crimes and

²J. Bhalla, *et al.*, *The Role of the SC/ST Act in addressing Caste-Based Atrocities: A Critical Legal Analysis*, 19 J. OF ADVANCES AND SCHOLARLY RSCH. IN ALLIED EDUC. 644 (2022), <https://www.researchgate.net/publication/392382836> *The Role of the SCST Act in addressing Caste-Based Atrocities A Critical Legal Analysis*.

³*Caste Discrimination and Consequences*, INVESTOPEDIA (Mar. 23, 2025), <https://www.investopedia.com/caste-discrimination-and-consequences-8421061>.

⁴Ashish Tripathi, *SC/ST Act Misuse: Caste Alone Not Enough for Prosecution, Says Supreme Court*, DECCAN HERALD (Jul. 23, 2025), <https://www.deccanherald.com/india/victims-status-solely-cant-be-ground-for-prosecution-under-scst-act-sc-3644925>.

⁵*The Constitution of India*, (1950), <https://www.refworld.org/legal/legislation/natlegbod/1950/en/91718>.

⁶C. Jayasekhar, *Analysis of The SC ST Act and Its Implementation*, LAW COLLOQUY 81 (2020), <https://lawcolloquy.com/journals/Ridhima%20final.pdf>.

⁷*The Untouchability (Offences) Act, 1955*.

⁸*Historical Background of the SC/ST Act*, REST THE CASE (Apr. 2, 2024), <https://restthecase.com/knowledge-bank/sc-st-atrocity-act-a-complete-guide>.

⁹*The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989: A Legal Shield or a Shortcut for Misuse?*, JUS CORPUS L.J. (Oct. 26, 2023), <https://www.juscorpus.com/sc-st-act-a-legal-shield-or-a-shortcut-for-misuse>.

¹⁰*The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989*

creating a stronger legal framework.¹¹

The Two Faced nature of a Law: Sword vs. Shield

The PoA Act is often considered an important landmark social justice legislation, indeed serves as an important legal shield to communities that have faced structural oppression. It offers the main purpose of prohibiting crimes known as atrocity and aims to provide a space for members of such communities to live with dignity and self-esteem free from persecution or harm by dominant castes. It gives a clear legal pathway with both punitive measures against perpetrators and comprehensive supports for the victim.¹² Even with its noble aim and an objective to protect, a controversial narrative has arisen contending that law is a double-edged sword, a “legal terrorism” weapon which could be abused.¹³ Detractors suggest that act is often weaponized and used by individuals to seek personal vendetta, to make false and frivolous complaints, or engage in harassment of public servants and others with “ulterior motives”. This is a chronic discussion in legal and public vernacular, with a multitude of entities claiming that the Act’s severe provisions, chiefly the bar on anticipatory bail, infringe upon the basic human rights of the accused and run afoul the fundamentals of equality.¹⁴

Thesis Statement

This paper presents complete judicial analysis of the PoA Act, asserting that, the judicial history of this legislation, particularly with the historic decisions of Dr. Subhash Kashinath Mahajan and Prathvi Raj Chauhan, is a living chronicle of the Supreme Court’s dynamic attempts to reconcile the law’s purpose of social justice with the fundamental rights of the accused. The contentious debate of its “misuse” is not an issue of frivolous complaints; rather a complex narrative located in broader systemic issues of police inquiry, legal mechanisms, and the ever-present reality of caste equity in India.

II. The SC/ST (Prevention of Atrocities) Act, 1989: The Legislative Groundwork

Defining and Detering Atrocities

The PoA Act was a direct response to prior law’s inadequacies and the horrific nature of caste-

¹¹ Z. Khorakiwala, *Democracy of Inclusion or Exclusion? Understanding and Analysing the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989*, <https://core.ac.uk/download/581122989.pdf>.

¹²*The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989*, SOCIAL WELFARE DEPT., GOVT. OF UK, <https://socialwelfare.uk.gov.in/organization/sc-and-st-prevention-of-atrocities-act-1989>.

¹³*Misuse Allegations*, LAWSCHOOL POLICY REV. (Jul. 8, 2025), <https://lawschoolpolicyreview.com/2025/07/08/does-caste-persist-beyond-hinduism-a-realist-critique-of-the-exclusive-trend-of-the-judiciary>.

¹⁴*Misconstruing misuse of the SCST (Prevention of Atrocities) Act, 1989*, SUPREME CT. OBSERVER (Apr. 16, 2018), <https://www.scobserver.in/journal/misconstruing-misuse-of-the-scst-prevention-of-atrocities-act-1989>.

based violence in India. It precisely outlines numerous acts as “atrocities” that pertain exclusively to SC/ST persons, which are more serious than crimes in general. These acts include:

- Deliberate insult or intimidation intending to insult a member of a SC or ST and/or at a place within “public view”.¹⁵
- Gratuitously acts like; forcing a person to drink or eat any inedible substance or non-edible item, or, forcibly removing clothes or displaying them in indecent attire (with painted face).
- Disposing of a SC/ST person’s land/premises/property without consent.
- Forcing a SC/ST person to engage in manual scavenging or remove animal/human carcasses.
- Instituting legal processes maliciously and falsely against a SC/ST person.

The Indian Penal Code assigns strict punishments for these acts from six months to seven years for lesser atrocities to life imprisonment or death for the extremities. It establishes stricter punishments for recidivism which can provide stronger deterrence. A key provision states that if a public official who isn’t SC/ST, they can be punished for willfully failing to perform their duties as required under Act.

Procedural Innovations for Social Justice

As a response to the procedural short-comings in earlier legislation, the PoA Act has several innovative provisions that seek to simplify the justice process and prioritize victims. It mandates the creation of Special Courts and Exclusive Special Courts to provide fast tracked and specialized trial for crimes under the Act.¹⁶ These courts are competent to take “cognizance” of offences, and the government shall appoint designated Special Public Prosecutors to prosecute cases.

A core procedural distinction of the PoA Act in terms of its social objective of justice, is that it bars anticipatory bail. The 1989 Act and its subsequent amendments explicitly made section 438 of the Code of Criminal Procedure, re this bail, inapplicable to PoA cases. This was no accident, and it was a legislative design to keep individuals accused of atrocities from leveraging their social capital and economic strength to avoid being arrested, and pressure the victim and witness from the outset of the investigation. The law acknowledged that repeated threats by persons of the dominant caste dissuaded the victim from making a complaint in the first place, and the anticipatory bail restriction was a preventative measure to preserve the

¹⁵ S. S., *Caste-based crimes and economic status: Evidence from India*, <https://core.ac.uk/download/pdf/327365354.pdf>.

¹⁶*The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989*, (1989), [https://adsdatabase.ohchr.org/IssueLibrary/INDIA_Scheduled%20Castes%20and%20the%20Scheduled%20Tribes%20\(Prevention%20of%20Atrocities\)%20Act.pdf](https://adsdatabase.ohchr.org/IssueLibrary/INDIA_Scheduled%20Castes%20and%20the%20Scheduled%20Tribes%20(Prevention%20of%20Atrocities)%20Act.pdf).

justice process.

The Act also describes financial and rehabilitative benefits for victims, to ensure that those injured persons benefit from financial compensatory and rehabilitative assistance. The Act's rules lay out a tiered process for the payment of benefits that range from ₹60,000 to just over ₹8,25,000, for various forms of injury.¹⁷ These legislative provisions highlight the purpose of the Act was not a mere penal provision but was intended to be a complete welfare scheme to remedy the severe injustices suffered by SC and ST groups.

III. The Judicial Scrutiny of Alleged Misuse: The Dr. Subhash Kashinath Mahajan Era

The Judgment of March 20, 2018

The debate on the “misuse” of the PoA Act reached a crescendo with the landmark Supreme Court judgment in *Dr. Subhash Kashinath Mahajan vs. The State of Maharashtra*. This shocking Supreme Court judgment came down on March 20, 2018¹⁸, with a two-judge bench remarking, the “staggering rise in false complaint” being filed under the provisions of the Act. The bench concluded that these complaints were filed with an “oblique motive” of vendetta or persecution of people with SC and ST backgrounds or supervisory types in public or judicial service.¹⁹

The specific legal issue for the bench was balance the protections afforded to victims under the PoA Act while ensuring the rights of the accused, particularly right to life and personal liberty pursuant to Article 21 of the Constitution, were not infringed. The bench stated that the law was intended to be a protective device, but in order to do so, it risked becoming an “assassin’s weapon” allowing for the prosecution and detention of innocent individuals relying on false claims or raising false scenarios.²⁰ The court further stated a lack of procedural safeguards from abuse of false accusations from frivolous cases and arbitrary detentions, while the bench intervened as necessary address the supposed void in the Act.

Required Procedural Safeguards

To counteract the alleged misuse of the Act, the Supreme Court, in *Mahajan*, created extra-statutory directives to reconstitute the procedural landscape of the Act. These directives,

¹⁷*The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989*, SOCIAL WELFARE DEPT., GOVT. OF UK, <https://socialwelfare.uk.gov.in/organization/sc-and-st-prevention-of-atrocities-act-1989>.

¹⁸*Dr. Subhash Kashinath Mahajan v. The State of Maharashtra*, (2018) 6 S.C.C. 454.

¹⁹*Indian Judiciary on SC/ST Act*, DECCAN HERALD (Jul. 23, 2025), <https://www.deccanherald.com/india/victims-status-solely-cant-be-ground-for-prosecution-under-scst-act-sc-3644925>.

²⁰*Sushil Kumar Sharma vs. Union of India*, (2005) 5 S.C. 137, <https://supremetoday.ai/doc/judgement/00100026964>

approved by the Supreme Court, were not part of the original Act, these included:

- **Required Preliminary Inquiry:** The Court mandated that a preliminary inquiry be made by the Deputy Superintendent of Police (“DSP”) and/or their representative to assess if the allegations in a complaint were actually prima facie grounds under the Act and not “frivolous or motivated” before an FIR can be registered or alleged criminal conduct catalogued.²¹
- **Approval for Arrest:** The Court mandated that prior to the arrest of a public servant, aspirational approval from their appointing authority be sought. For the non-public servant, the appealing approval is required from the Senior Superintendent of Police (SSP).²²
- **Conditional Anticipatory Bail:** The Court stated there is no “absolute bar” against allowing anticipatory bail pursuant to Section 438 of the CrPC not available and/or not subject to initial review, if prima facie conduct is not shown or if the complaint is considered mala fide after review.²³

These were significant judicial interventions, which intended to create further conditionally as a prerequisite enforcement of the Act. Thus could be perceived as an extension, as there existed a perception that the Act was being abused to a large degree, which was drawn by way crime statistics compiled and/or anecdotal provable false complaints for superficial convenience.²⁴ As a judicial development, this was seen as an attempted reform of the Act by placing new obstacles on the victims, which critics saw as a means of judicial reform when Court engaged laws and procedural culpability.²⁵

IV. The Legislative and Judicial Response: A Reaffirmation of Intent Public Outcry and the 2018 Amendment

The Mahajan judgment incited a public outcry, resulting in protests and violence throughout the nation. Dalit and Adivasi groups, civil society actors, and political leaders decried the judgment as “diluting” and “rendering toothless” an essential piece of legislation providing protection for the most marginalized groups.²⁶ The main objection of the protestors was that the new procedural protections - preliminary inquiries and prior approval for arrest – would allow dominant caste individuals to further intimidate victims and destroy evidence causing

²¹*Important Judgment of the Supreme Court of India*, NAT’L HUM. RTS. COMM’N (Sept. 19, 2018), <https://nhrc.nic.in/press-release/important-judgment-supreme-court-india>.

²²*Ibid.*

²³*Ibid.*

²⁴*Supreme Court of India's decision on SC/ST Act, The Hindu*, (Mar. 20, 2018).

²⁵*Misconstruing misuse of the SCST (Prevention of Atrocities) Act, 1989*, SUPREME CT. OBSERVER (Apr. 16, 2018), <https://www.scoobserver.in/journal/misconstruing-misuse-of-the-scst-prevention-of-atrocities-act-1989>.

²⁶*Parliament passes bill to restore original SC/ST atrocity law*, THE ECON. TIMES (Aug. 9, 2018), <https://m.economictimes.com/news/politics-and-nation/parliament-passes-bill-to-restore-original-sc/st-atrocity-law/articleshow/65341084.cms>.

victims to be unable to secure justice.

As a result of immense public and political pressure, the Central Government rapidly sought to amend the Act. Parliament passed the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018²⁷, which received presidential assent on August 17, 2018. The Amendment added a new Section, 18A, that had the purpose of negating the protections required by the Supreme Court in the Mahajan judgment.²⁸ Section 18A states that a preliminary inquiry is not required to register an FIR and an investigating officer does not require prior approval to arrest. It restated the prior absolute bar on anticipatory bail stating that Section 438 of the CrPC “shall not apply to a case under this Act, as per any judgment, order or direction of any Court.”

The Prathvi Raj Chauhan Judgement: The Court’s U-Turn

The constitutional validity of the 2018 amendment has been challenged in the Supreme Court where the petitioners stated in the writ petitions that the amendment and its consequences also violated the fundamental rights to equality as well as the rights under Article 21 - liberty, dignity, etc. Here, the Supreme Court, contrary to its earlier judgement, in Prathvi Raj Chauhan vs. Union of India (2020)²⁹, upheld the constitutional validity of the 2018 amendment.

The judgement, in substance, overturned the Mahajan judgement and was predicated on considerable re-thinking of self, the court’s legal role and the role of law.³⁰ The three judge bench which included Justice Arun Mishra who had also heard the Mahajan review petition held that the earlier commands had created an “undue burden” on victims. The conclusion was decidedly informed by what the court understood to be the ground realities which - the court recognized - were related to SCs/STs and have caused a “humiliation” to the dignity of people professing untouchability.

Untouchability has not gone away in last 70 years it remains the plight of the SC/ST community is still harrowing, particularly out in villages. The framers of the Constitution recognized that it was a basic human dignity to insult the SC/ST communities by labeling them as all liars. and that law was necessary to accommodate the social realities of today. The Chauhan judgement was both significant reminder and warning to the court as to when it decided as a legislative

²⁷*The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018*, No. 27 of 2018, INDIA CODE (2018), https://socialjustice.gov.in/writereaddata/UploadFile/PoA_Act_2018636706385256863314.pdf.

²⁸*SC Upholds 2018 Amendment to SC/ST Act*, HINDUSTAN TIMES (Feb. 10, 2020), <https://www.hindustantimes.com/india-news/amendments-to-the-sc-st-act-constitutionally-valid-top-court/story-shSFEZLVKxvsEM9QxwzloN.html>.

²⁹*Prathvi Raj Chauhan v. Union of India*, (2020) 4 S.C.C. 727.

³⁰*SC upholds constitutional validity of SC & ST Amendment Act, 2018*, INDIAN EXPRESS (Feb. 10, 2020), <https://indianexpress.com/article/india/sc-verdict-sc-st-atrocities-act-6259976>.

branch, which is contrary to the separation of power afforded by the Constitution, not by the Mahajan judgement.

V. Deconstructing the "Misuse" Narrative: A Socio-Legal Perspective

The notion of “misuse” is typically predicated on these two assumptions: that many acquittals and final report closures are signs of baseless complaints. Following is an examination of official crime data, which includes an examination of the systemic character of the criminal justice system.

The Data Says Otherwise: A Statistical Review

National Crime Records Bureau (NCRB) data demonstrates a patterned increase in cases registered under the PoA Act between 2018 and 2022.³¹³² This increase is framed as part of a growing awareness of the law and increased access to policing.

Table 1: NCRB Data on Atrocities against SC/ST Communities (2018-2022)

Year	Total Cases Registered (SC)	Total Cases Registered (ST)	Final Reports (SC)	Final Reports (ST)	Conviction Rate (Overall)
2018	42,747	6,524	-	-	-
2019	45,876	7,565	-	-	-
2020	50,202	8,268	-	-	39.2%
2021	50,744	8,790	-	-	-
2022	57,428	10,055	14.78%	14.71%	32.4%
*Source: NCRB data as referenced through various sources ³³³⁴³⁵³⁶					

³¹ Lok Sabha, Unstarred Question No. 1363 (Feb. 11, 2025), <https://www.mha.gov.in/MHA1/Par2017/pdfs/par2025-pdfs/LS11022025/1363.pdf>.

³² Lok Sabha, Unstarred Question No. 1223 (Feb. 11, 2025), https://sansad.in/getFile/loksabhaquestions/annex/184/AU1223_7JCY74.pdf?source=pqals.

³³ Rajya Sabha, Unstarred Question No. 2626 (Dec. 18, 2024), <https://www.mha.gov.in/MHA1/Par2017/pdfs/par2024-pdfs/RS18122024/2626.pdf>;

³⁴Supra note 29

³⁵Up, Rajasthan, Mp Top in Cases of Atrocities on Dalits: Report, THE HINDU (Jun. 14, 2025), <https://www.thehindu.com/news/national/up-rajasthan-mp-top-in-cases-of-atrocities-on-dalits-report/article68670887.ece>

³⁶Crime in India 2022 Report, DRISHTI IAS, <https://www.drishtias.com/daily-updates/daily-news-analysis/report-on-atrocities-against-scs-and-sts>.

The 2022 data shows that cases against SCs ended with a “final report” in 14.78% of situations, while cases against STs ended with a “final report” in 14.71% of contexts for issues like false claims and for cases, lack of evidence. The smaller percentages of those closures raise for some, the question of misuses, while the larger and far more concerning statistic is what happened to conviction rates over time, as exemplified in the examples from overall case load. The conviction rate declined from 39.2% in 2020 to a troubling 32.4% in 2022. The low conviction rate is frequently falsely represented as conclusive evidence of the law's misuse, and a high number of falsely registered cases. But that representation is a serious exaggeration of the data. The same is true about NCRB itself, legal scholars and judges, all of whom have pointed out that low conviction rates are more a symptom of latent systemic failure than an assessment of the legitimacy of the complaints.

So, Where Are the Numbers? The Truth About Systemic Failure

The high acquittal and low conviction rates of the PoA Act are not due to high levels of false cases but due to the institutional and procedural breakdown.

- **Persistent Bias and Poor Investigation by police:** Law enforcement is typically the first contact point for victims, but also the weakest point of the justice chain. Most of the evidence indicates that police, who are often from the same caste fold as the accused, are the least likely to file/record a complaint. Even the Supreme Court noted that acquittals are often attributed to “shoddy investigations” and “lollygagging” by the prosecutor, which results in inadequate evidence being put out in court.

- **Behavior of the Victim and Witnesses:** The lengthy timeframes of the judicial process is one of the principal causes of the weak conviction rate. The Case agenda, replete with thousands of pending cases – some for years – leaves victims and witnesses at risk of powerful caste groups attempting to intimidate, attack them, or socially and economically boycott the victims. Constant pressure, oppression, and deprivation can cause victims to either turn hostile or withdraw their complaints weakening the prosecution case and leading to acquittals.

- **A Larger Societal Problem:** It is not only the PoA Act initiatives that are attacked as “abuse” - the law misuse attacks point to jurisprudential precedence. In *PL Reddy v. State of AP*, the Supreme Court held, “the possible abuse of the provisions of law does not ipso facto destroy the legislation”.³⁷ Any legal system has false complaints, and the solution is to criminalize the false complaint not dispose the framework meant for the benefit of marginalized

³⁷*Sushil Kumar Sharma v. Union of India*, A.I.R. 2005 S.C. 3100.

communities.³⁸The real issue is not the law, it is the institutional capacity and social volition for effective implementation of the law.

VI. New Jurisprudence – The Way Forward

After 2018 Judicial Clarifications

Since the monumental decisions of Mahajan and Chauhan, the judiciary has dealt with the difficult legal challenges in the area of the PoA Act. The subsequent decisions have attempted to clarify the law's application - integral to the spirit of the original legislative intent.

Table 2: Landmark Judgments on SC/ST Act (2018-Present)

Case Name	Year	Key Holding	Significance
Dr. Subhash Kashinath Mahajan v. State of Maharashtra	2018	Mandated preliminary inquiry and prior arrest approval; permitted anticipatory bail if no <i>prima facie</i> case is made out.	Introduced extra-statutory safeguards, which were later overturned, leading to a major legislative amendment.
Prathvi Raj Chauhan v. Union of India	2020	Upheld the constitutional validity of the 2018 amendment; overruled the Mahajan judgment.	Reaffirmed the original legislative intent of the Act and cautioned the judiciary against overstepping its bounds.
Kiran vs Rajkumar Jivaraj Jain	2025	Re-emphasized the strict application of the <i>prima facie</i> test for anticipatory bail under Section 18 of the Act.	Reiterated that courts cannot conduct a "mini-trial" at the bail stage and must respect the legislative bar on anticipatory bail when a <i>prima facie</i> case exists.
Masumsha Hasanasha Musalman vs. State of Maharashtra	2000	Held that the misuse of the statute to settle personal scores or harass individuals cannot be permitted if it is apparent.	Established an early precedent for judicial scrutiny of the intent behind complaints under the Act.

Judgments have clarified that the offense under the Act must be procured from victim's caste identity and the simple fact of the complainant being from any SC/ST community, is not

³⁸*Supra* note 27

enough to constitute the Act violations³⁹. The courts have suggested that they consider the context and purpose of the alleged act in determining the alleged act and whether it is caste-based discrimination. This is complicated and important because if the Act is used to criminalize speech or acts that are discriminatory, but are not caste-based discrimination then the false complaint prosecution will violate any caste discrimination victims' civil rights.

Recommendations for Successful Implementation

The problem does not lie within the law itself, but in the implementation. Multi-faceted reforms will be needed to address reduction in the 'misuse' discourse that is the by-product of systemic failures.

- **Building Institutional Capacity:** The data shows that many districts still do not have the Special courts mandated to expedite the trials since many cases are still pending. The evidence is clear that more Special courts need to be set up and with trained prosecutors and judges that can handle cases with efficiency and sensitivity.
- **Training and Sensitization:** One key recommendation was to provide regular and thorough training to law enforcement and the judiciary to receive caste atrocities and convey this with an understanding of the provisions of the Act and the socio-economic circumstances.⁴⁰ A re-educated approach will help in addressing reluctance of the police to register complaints, enhance the quality of investigations and help reduce acquittals.
- **Procedural Accountability:** The Mahajan ruling's blanket preliminary inquiry was flawed approach, but it did highlight the necessity of accountability, so police could address false complaints. The provisions within the Act what punishes anyone who gives "false or frivolous information to any public servant" (Section 3(1)(ix)) and Section 182 of the IPC can be utilized as accountability and deterrence measures. But, they are insufficient to undermine the law for qualified victims.
- **Improving Victim Support Systems:** The government needs to improve the support structure for victims, including legal aid, protection from harassment, and timely delivery of compensation and rehabilitation as promised. The establishment of a National Helpline Against Atrocities is a step forward in the right direction, however, it will need to be met with solid on-the-ground support.

³⁹ Ashish Tripathi, *SC/ST Act Misuse: Caste Alone Not Enough for Prosecution, Says Supreme Court*, DECCAN HERALD (Jul. 23, 2025), <https://www.deccanherald.com/india/victims-status-solely-cant-be-ground-for-prosecution-under-scst-act-sc-3644925>.

⁴⁰ Aakriti Singh, *SC/ST ACT: A Legal Shield or a Shortcut for Misuse?*, JUS CORPUS L.J. (Oct. 26, 2023), <https://www.juscorpus.com/sc-st-act-a-legal-shield-or-a-shortcut-for-misuse>.

VII. Conclusion

The Interplay of Legislation, Judiciary, and Reality

The judicial journey of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, is a powerful case study in the complex interplay between legislation, judicial interpretation, and societal realities.⁴¹ The Mahajan judgment, while attempting to address a perceived problem of "misuse," adopted a legal-formalist approach that overlooked the systemic biases and power dynamics that are the very reason for the law's existence. This judicial intervention was a stark reminder of the potential for the courts to inadvertently undermine social justice legislation.

The subsequent legislative re-amendment and the Supreme Court's re-evaluation in Chauhan demonstrated a return to a more contextual and sensitive jurisprudence. This shift acknowledged that the judiciary's role is not to legislate new procedural hurdles but to interpret and uphold the law's fundamental purpose, especially when that law is designed to protect historically marginalized communities.

Final Thoughts: A Shield That Endures

The debate over the "misuse" of the PoA Act must be viewed within its full socio-legal context. The evidence indicates that the real problem is not a high volume of false complaints but a failure of the criminal justice system to effectively investigate and prosecute caste-based crimes. The low conviction rate, often cited as proof of misuse, is a symptom of shoddy investigations, bureaucratic apathy, and the vulnerability of victims to coercion and intimidation.⁴²

The existence of the PoA Act is, in itself, a testament to the fact that caste-based discrimination is not a relic of the past but a living, enduring reality. While the potential for misuse exists in any legal framework, the solution is not to weaken a crucial legal instrument. The judicial analysis of the Act reveals a necessary evolution towards a jurisprudence that is not only fair and impartial but also consciously aware of the social realities it is meant to address. The PoA Act, in its current form, remains a vital and necessary shield for achieving substantive equality and human dignity for India's marginalized communities.

⁴¹ *Offence of Humiliating a Member of SC & ST*, LAWWATCH: LEGAL RESOURCES FOR LEARNERS, <https://lawwatch.in/offence-of-humiliating-a-member-of-sc-st/>.

⁴² Sthabir Khora, *Misconstruing misuse of the SCST (Prevention of Atrocities) Act, 1989*, SUPREME CT. OBSERVER (Apr. 16, 2018), <https://www.scobserver.in/journal/misconstruing-misuse-of-the-scst-prevention-of-atrocities-act-1989/>.