

2026



एक क्लास



SC & ST ACT 1989

**SUPER FAST
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Mgking



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Session by

Tansukh Paliwal



a. Atrocities
bb. Dependent

bc. Eco. Boycott

eb. Social Boycott

ec. Victim

ed. witness

"Overriding" - s. 20

SC ST (PoA) Act, 1989

Imp.
Definition

C. I

C. II

s. 19: N.A = Probation (Age > 18)

s. 18: N.A = s. 28

s. 8: Presumption

s. 6: IPC/BNS Apply, (Genl. Prov.)

Abetment
Common Int/obj.
Identity

Preventive (Pre-Offence)

[s. 10: Removal Order]

s. 12: Photo/Measures

Non-Compliance / Penalty

s. 11

s. 13

C. IV: s. 14-15

Spl. Court (+) SPP

C. IV.A s. 15A

Rights (victim/witness)

Ch (1) → (12)

Punitive (Post Offence)

Main Offence

Related Offence

s. 3

s. 4(i)

[P/S ≠ Duty]

6M → 1Y

s. 3(1)
[(a) → (c)]

6M → 5Y
(+) Fine

s. 3(2)
[(i) → (vii)]

Distinct Punish.

Effect of Conviction

s. 5: Enhanced Punishment (Min. 1 Yr)

s. 7: Forfeiture of Property/Attach (Fine)

31-21-212 Atrocities

1985

Pre

Post

(Prevent)

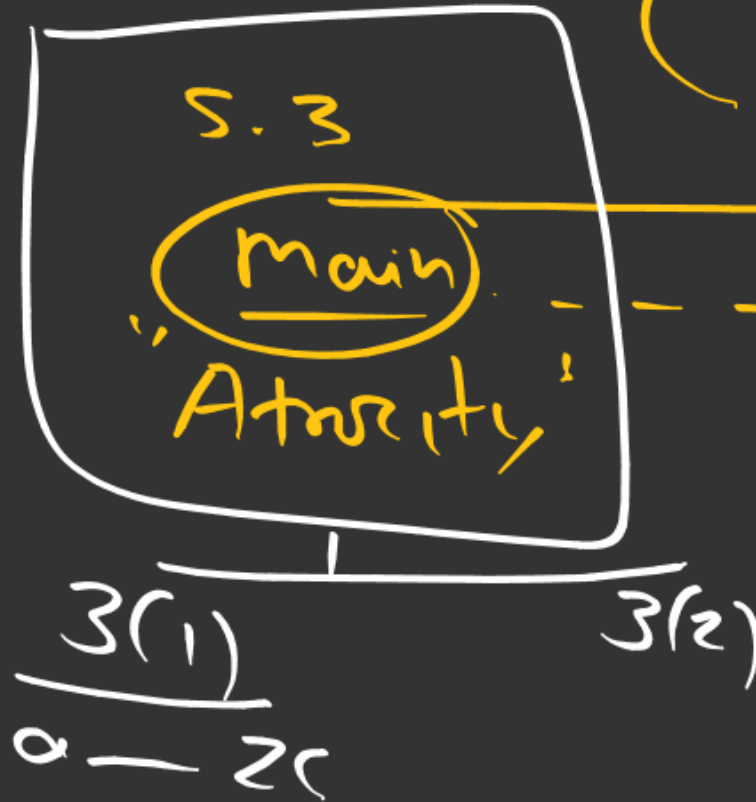
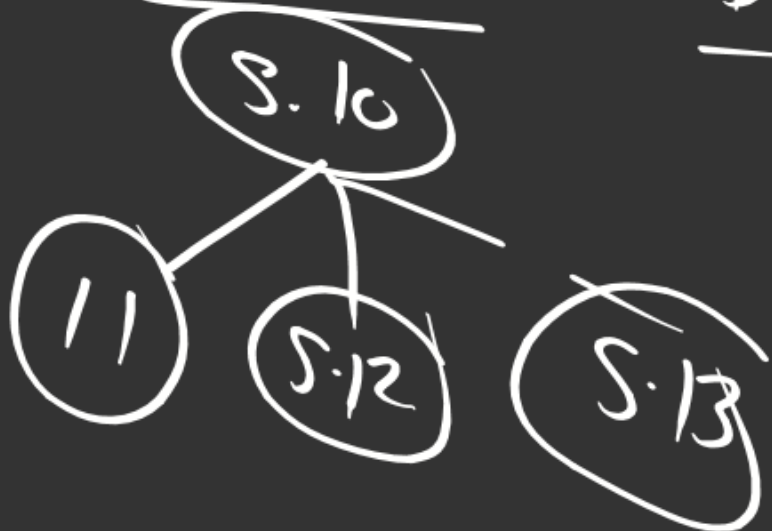
(Punitive)

e.g.-

Remove

DER

S. 17
Sent.



S. 4(1)

Related

P/S ≠ Duty

✓ Enhanced
✓ Forfeiture

Offence Fire

OVERRIDING EFFECT – SECTION 20

SC/ST (PREVENTION OF ATROCITIES) ACT, 1989

IMPORTANT DEFINITIONS – SECTION 2

- (b) Descendant
- (bc) Economic Boycott
- (cb) Social Boycott
- (ec) Victim
- (ed) Witness

IMPORTANT PROVISIONS

- S.19**  Probation not applicable (Age > 18)
- S.18**  Section 528 BNS not applicable (Anticipatory Bail)
- S.8**  Presumption
 - Abetment
 - Common Intention
 - Identity
- S.6**  IPC / BNS applies (General Provisions)

CHAPTER III

PREVENTIVE (PRE-OFFENCE)

 **S.10** Removal Order

S.12
Preventive Measures

NON-COMPLIANCE / PENALTY

S.11

Non-Compliance

S.13

Penalty

CHAPTER IV (S.14-15)

Special Court +
Special Public Prosecutor (SPP)

CHAPTER IV-A (S.15A)

Rights of Victim / Witness
Clauses (1) to (12)

CHAPTER II

PUNITIVE (POST-OFFENCE)

MAIN OFFENCE
S.3

S.3(1)
Classes (a) to (cg)

Punishment:
6 Months to 5 Years
+ Fine

S.3(2)
Classes (d) to (vi)

Distinct
Punishment

RELATED OFFENCE
S.4(1)

 Public Servant's
Neglect of Duty

Punishment:
6 Months to 1 Year

S.4(2)

EFFECT OF CONVICTION



S.5

Enhanced Punishment
(Minimum 1 Year)



S.7

Forfeiture of Property /
Attachment (Fine)



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SC/ST (POA) Act, 1989 Boycott Comparative Table

Parameters	Economic Boycott	Social Boycott
Bare Act Section	Section <u>2(1)(bc)</u>	Section 2(1)(eb)
Legal Definition	Means refusal to deal with, <u>hire</u> , or do <u>business</u> ; denying <u>contractual/service opportunities</u> ; refusing standard commercial	Means refusal to permit rendering/receiving <u>customary services</u> ; abstaining from ordinary <u>social relations</u> ; or isolating a person from others.



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	terms; or abstaining from professional/business relations.	
Key Triggers & Actions	• Denying jobs, work, or wages • Refusing to sell groceries or farm input • Terminating business/rental contracts	• Cutting off water, passage, or essential services • Denying barber, priest, or customary services • Ostracization from village/events • Forced social isolation



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	• Commercial segregation	
Punishable Offence Section	Section 3(1)(zc)	Section 3(1)(zc)
Quantum of Punishment	Min: 6 Months Imprisonment Max: 5 Years Imprisonment + Fine	Min: 6 Months Imprisonment Max: 5 Years Imprisonment + Fine



2/10/21

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Tabular Breakdown of Section 3(1) Offences (धारा 3(1) का तालिका निरूपण)

Clause	Category / Theme	Offence Description
3(1)(a)	Bodily Insult (शारीरिक अपमान)	Forcing to eat/drink inedible or obnoxious substances.
3(1)(b)	Environmental Insult (परिसर में गंदगी)	Dumping excreta, sewage, or carcasses in premises.
3(1)(c)	Public Nuisance (पड़ोस में उपद्रव)	Dumping waste in neighborhood to cause injury/annoyance.



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3(1)(d)	Outraging Dignity (गरिमा भंग करना)	Garlanding with footwear or parading naked/semi-naked.
3(1)(e)	Derogatory Acts (अपमानजनक कृत्य)	Forcible tonsuring, removing clothes, painting face/body.
3(1)(f)	Land Rights (भूमि अधिकार)	Wrongful occupation, cultivation, or transfer of land.
3(1)(g)	Dispossession (बेदखली व उपज हानि)	Wrongful dispossession, interfering with water/forest rights, destroying crops.
3(1)(h)	Labour Exploitation (श्रम शोषण)	Forcing <i>begar</i> or bonded/forced labour.
3(1)(i)	Offensive Tasks (अपमानजनक कार्य)	Compelling to dispose of human/animal carcasses or dig graves.



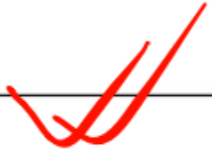
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3(1)(j)	Manual Scavenging (मैला ढोना)	Employing or compelling for manual scavenging.
3(1)(k)	Exploitative Traditions (कुप्रथाएं)	Dedicating women as <i>Devadasi</i> or similar practices.
3(1)(l)	Electoral Coercion (चुनाव में दबाव)	Intimidating or preventing voting/filing nominations.
3(1)(m)	Panchayati Raj (पंचायत प्रतिनिधि बाधा)	Obstructing elected SC/ST representatives from performing duties.
3(1)(n)	Post-Poll Boycott (चुनाव पश्चात् सामाजिक बहिष्कार)	Post-poll assault, social/economic boycott, denying public services.



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3(1)(o)	Voting Motive Crime (मतदान आधारित अपराध)	Committing an offence for voting/not voting for a candidate.
3(1)(p)	Legal Harassment (झूठे कानूनी मुकदमे)	Instituting false, malicious, or vexatious legal proceedings.
3(1)(q)	False Information (लोक सेवक को गलत सूचना)	Giving false information to a public servant causing injury/annoyance.
3(1)(r)	Public Insult (सार्वजनिक अपमान)	Intentionally insulting or intimidating within public view.
3(1)(s)	Caste Abuse (जातिसूचक शब्द)	Abusing by caste name in any place within public view.





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3(1)(t)	Sacred Objects (पवित्र वस्तुओं का अनादर)	Destroying or defiling objects/portraits revered by SC/ST.
3(1)(u)	Promoting Enmity (शत्रुता बढ़ाना)	Promoting ill-will or enmity against SC/ST by words/signs.
3(1)(v)	Disrespecting Deceased (दिवंगत का अनादर)	Disrespecting late leaders held in high esteem.
3(1)(w)	Sexual Assault / Harassment (लैंगिक उत्पीड़न)	Sexual touching without consent; sexual gestures/words.



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3(1)(x)	Water Resources (जल स्रोतों को दूषित करना)	Corrupting or fouling water of springs, reservoirs, or taps.
3(1)(y)	Access Restriction (सार्वजनिक स्थानों पर रोक)	Denying access to public places, roads, transport, or sources.
3(1)(z)	Forced Eviction (जबरन निष्कासन)	Forcing to leave house, village, or place of residence.
3(1)(za)	Common Amenities (सामूहिक सुविधाओं में बाधा)	Obstructing access to burial grounds, procession paths, marriage rides.
3(1)(zb)	Witchcraft Allegations (डायन/टोना आरोप)	Implying witchcraft allegations or causing physical harm thereby.



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Tabular Breakdown of Section 3(2) Offences & Punishments (धारा 3(2) का तालिका निरूपण)

Clause	Category / Focus Area	Offence Description (अपराध का विवरण)
3(2)(i)	Capital Offences (मृत्युदंड योग्य झूठी गवाही)	Giving or fabricating false evidence intending/knowing it will cause an SC/ST member to be convicted of an offence punishable with death.
3(2)(ii)	Serious IPC Offences (7+ Year Crimes) (गंभीर अपराध - 7+ वर्ष)	Giving or fabricating false evidence intending/knowing it will cause an SC/ST member to be convicted of an offence



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		punishable with imprisonment for 7 years or more.
3(2)(iii)	Arson / Mischief by Fire (आगजनी / संपत्ति विनाश)	Committing mischief by fire or explosive substance intending or knowing it will cause damage to property of an SC/ST member.
3(2)(iv)	Destruction of Buildings/Places (भवन/पूजा स्थल विनाश)	Committing mischief by fire or explosive substance to any building used as a place of worship, human dwelling, or custody of property by SC/ST members.
3(2)(v)	IPC Crimes Punishable with 10+ Years (10 वर्ष से अधिक सजा वाले अपराध)	Committing any IPC/BNS offence punishable with 10 years or more against a person or property on the ground that such person is SC/ST.



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3(2)(va)	Scheduled Offences against Person/Property (निर्दिष्ट अपराधों को अंजाम देना)	Committing offences specified in the Schedule (covering specific sections of IPC/BNS like assault, hurt, intimidation) against an SC/ST person or property.
3(2)(vi)	Destruction of Evidence (साक्ष्य मिटाना)	Intentionally causing evidence of an offence under this Chapter to disappear, or giving false information to screen the offender.
3(2)(vii)	Public Servant Neglect/Offence (लोक सेवक द्वारा अपराध)	Being a public servant, committing any offence under Section 3(2).



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Tabular Breakdown of Section 4(2) Duties (धारा 4(2) का तालिका निरूपण)

Clause	Category / Focus Area	Offence Description
<u>4(2)(a)</u>	Information Recording (शिकायत दर्ज व सुनाना)	Neglecting to read out and <u>record</u> the oral information given by the informant under Section <u>154</u> of the Code before taking signatures. 123
<u>4(2)(b)</u>	FIR Registration (प्राथमिकी दर्ज करना)	Neglecting to register a First Information Report (FIR) under this Act under the appropriate sections.



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4(2)(c)	Victim Complaint Filing (पीड़ित शिकायत दर्ज करना)	Neglecting to register complaints of victims or informants regarding offences under this Act.
4(2)(d)	FIR Copy Provision (FIR प्रति प्रदान करना)	Neglecting to provide a copy of the recorded information (FIR) to the victim or informant immediately.
4(2)(e)	Statement Recording (बयान दर्ज करना) ✓	Neglecting to record the statements of the victims or witnesses during the investigation.
4(2)(f)	Investigation & Charge-sheet (जांच व आरोप पत्र)	Neglecting to conduct investigation and file the charge-sheet in the Special Court or



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		Exclusive Special Court within the stipulated time frame.
4(2)(g)	Document Framing (दस्तावेजीकरण में शुद्धता)	Neglecting to correctly prepare, frame, and formulate <u>legal documents/records</u> required under the Act.
4(2)(h)	Statutory Duties (अन्य कानूनी कर्तव्य)	Neglecting to perform any other duty specified under this Act or the Rules made thereunder.



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Tabular Presentation of Section 15A — Rights of Victims and Witnesses

Clause	Category / Focus Area	Statutory Rights & Provisions
15A(1)	General Duty of State (राज्य का सामान्य कर्तव्य)	Duty of the State to make necessary arrangements for the protection of victims, their dependents, and witnesses against any intimidation or coercion.
15A(2)	Fair Treatment & Dignity (निष्पक्ष व्यवहार व गरिमा)	Right of victims and witnesses to be treated with fairness, respect, and dignity, with due regard to their safety and privacy.



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15A(3)	Right to Information (सूचना का अधिकार)	Right of the victim or dependent to be informed of all proceedings, including dates of hearing, arrest, bail applications, and trial schedules.
15A(4)	Right to Copies & Documents (दस्तावेज पाने का अधिकार)	Right of the victim or dependent to receive free copies of FIR, charge-sheet, statements, and relevant legal documents produced during proceedings.
15A(5)	Right to Participate in Proceedings (कार्रवाई में उपस्थिति का अधिकार)	Right of the victim or dependent to be heard at any proceeding regarding bail, discharge, release, parole, sentence, or conviction of the accused.



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15A(6)	Provision of Legal Aid (विधिक सहायता का अधिकार)	Right to obtain reasonable, accurate, and timely information about relief and entitlement to free legal assistance and legal advocate of choice.
15A(7)	NGO & Assistance Rights (एनजीओ व सहायक सहायता)	Right of the victim to be accompanied by a representative of a registered Non-Governmental Organization (NGO) or legal assistance during proceedings.
15A(8)(a)	Witness Protection Schemes (गवाह सुरक्षा योजनाएं)	Duty of State to implement witness protection schemes, including relocation, physical protection, and concealing identity during trial.



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15A(8)(b)	Travel & Maintenance Allowance (यात्रा व भरण-पोषण भत्ता)	Right of victims, dependents, and witnesses to receive <u>financial assistance for travel, food, and daily maintenance during investigation and trial.</u>
15A(8)(c)	<u>Immediate Relief & Compensation</u> (तत्काल राहत व मुआवजा)	Duty of State to provide immediate monetary relief, medical assistance, food, shelter, and statutory compensation as per SC/ST Rules.
15A(8)(d)	<u>Socio-Economic Rehabilitation</u> (सामाजिक-आर्थिक पुनर्वास)	Provision for employment, land allotment, housing, educational support, and basic amenities for victim's family in severe cases.



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15A(9)	Duty of Special Court (विशेष अदालत का दायित्व)	Duty of the Special Court/Exclusive Special Court to take active measures to ensure safety of victims and witnesses and prevent any harassment.
15A(10)	Action on Complaints of Coercion (दबाव की शिकायत पर कार्रवाई)	Mandatory duty of police/court to register and inquire into any complaint of intimidation, threat, or coercion made by a victim or witness.
15A(11)	Periodic Review of Rights (अधिकारों की आवधिक समीक्षा)	Mandatory duty of the District Magistrate and Superintendent of Police to conduct periodic reviews of safety measures provided to victims and witnesses.

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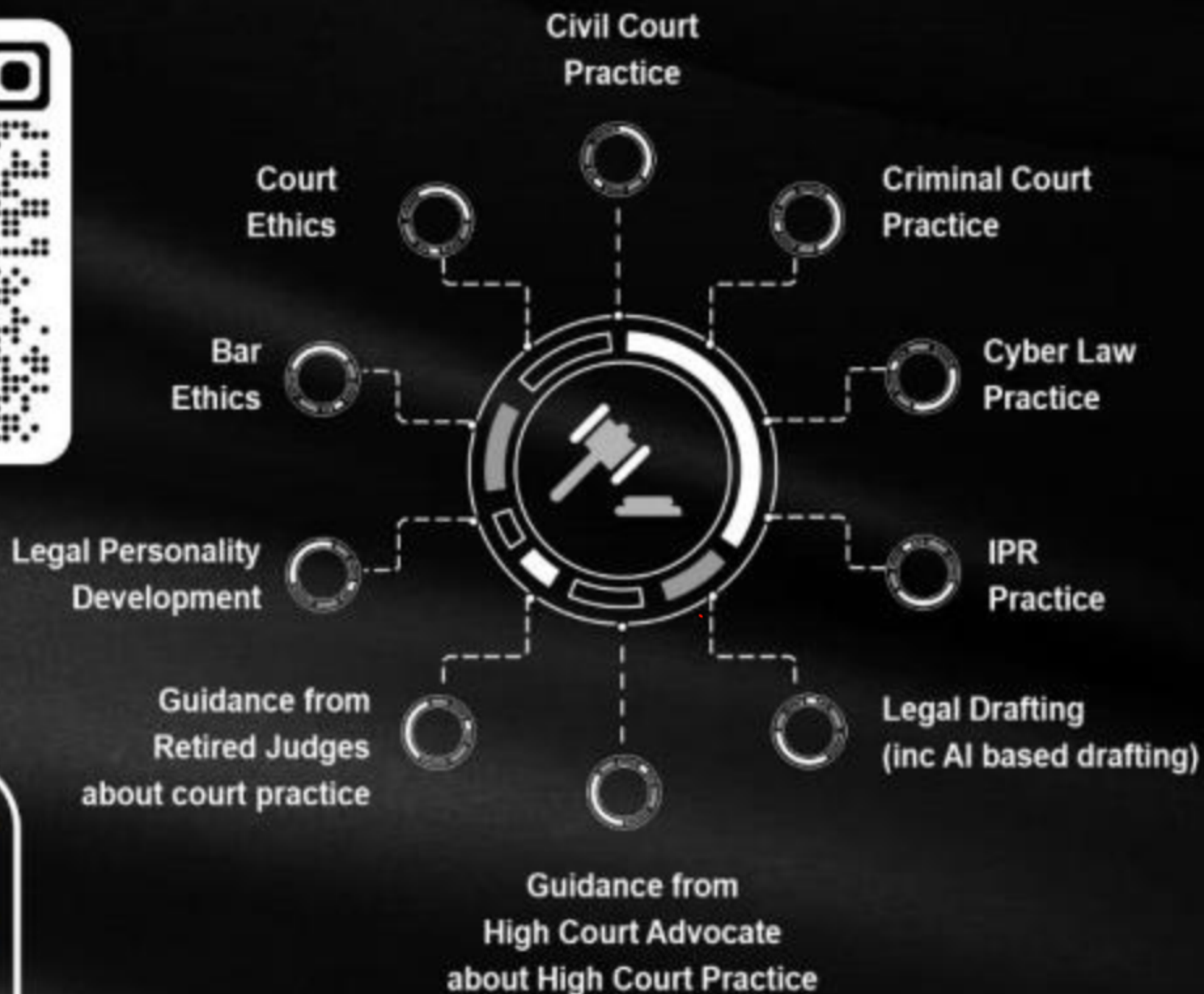
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