

The Role of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in Social Transformation: A Study with Special Reference to Varanasi District

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ABSTRACT

The structure of Indian society has been based on the varna system and caste hierarchy for centuries, which has pushed the Scheduled Castes and Scheduled Tribes to the margins socially, economically, and politically. To prevent atrocities against these communities and deliver justice to them, the Government of India enacted the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. This Act was passed by Parliament on 11 September 1989 and came into force across the country on 30 January 1990. The primary objective of this law is to prevent heinous crimes against Dalits and Adivasis such as murder, rape, humiliation, land grabbing, social boycott, and restrictions on access to religious places. The Act made these offences cognizable and non-bailable, empowering the police to take immediate action. Earlier, such cases were handled under the general Indian Penal Code, where delays and bias were common. This law sparked a new consciousness in society and provided legal weapons to the weaker sections. It proved to be a revolutionary step towards social change because, despite constitutional provisions, there was a lack of real protection earlier.

To understand the background of the Act, we need to go back to the pre-independence period and the early years after independence. Dr. Bhimrao Ambedkar had advocated for the rights of Dalits and backward classes in the Constituent Assembly, but social reality changed slowly. From the 1950s to the 1980s, numerous incidents of atrocities against Dalits came to light, such as those in Ramanathapuram, Meenakshipuram, and others. These events compelled the government to create a special law. The 1989 Act contains 23 sections that provide detailed provisions. Section 3 defines various types of atrocities. The law placed responsibility on state governments to provide relief and rehabilitation to victims. This strengthened the concept of social justice.

This Act has played a significant role in social change by instilling self-respect and a spirit of resistance among Dalit and Adivasi communities. Earlier, these communities accepted atrocities as their fate, but now they have started fighting legal battles. In rural India, where upper castes held dominance, this law created an atmosphere of fear, leading to a decline in reported incidents of atrocities. According to various studies, after 1990, there was an increase in reported cases, which reflects the growing awareness among victims. The law also improved the condition of women because sexual atrocities against Dalit women were treated with special seriousness. This accelerated the process of women's empowerment, and many women's organizations became active using this law. At the social level, this Act challenges caste-based discrimination and promotes a culture of equality.

Key Words: SC/ST Atrocities Act 1989, Prevention of Atrocities, Social Change in India, Dalit Empowerment, Caste Discrimination, Social Justice.

INTRODUCTION AND THEORETICAL FRAMEWORK

Historical Context and Caste Stratification

Social stratification in the Indian subcontinent is deeply rooted and complex. The Chaturvarna system (Brahmin, Kshatriya, Vaishya, Shudra), which originated from the Purusha Sukta of the Rigveda, transformed over time from a merit-based system into a rigid, birth-based hierarchy. During the post-Vedic and medieval periods, this

system splintered into thousands of castes and sub-castes, marginalizing a large segment of society as "untouchable" or outcasts.

These groups were excluded not only socially and religiously but were also systematically deprived of economic assets (land ownership) and knowledge (education). Dr. B.R. Ambedkar termed this "Graded Inequality," where every caste took pride in its superiority over the one below it while suffering at the hands of the one above.

Post-Independence Legal Endeavors

Following independence on August 15, 1947, the Constitution of India sought to dismantle this historic injustice. Article 17 of the Constitution (enacted January 26, 1950) abolished "untouchability" and forbade its practice in any form. Legislative measures included:

The Untouchability (Offences) Act, 1955: The first post-independence effort, which proved largely ineffective due to lenient penalties and police apathy.

The Protection of Civil Rights Act, 1955: Amended in 1976 based on the Ilayaperumal Committee report, it provided stricter penalties but failed to address physical violence and brutality.

Despite these laws, atrocities—including land eviction, social boycott, sexual violence, and homicide—continued to rise as dominant castes resisted the upward mobility and rights-based demands of marginalized communities.

The Emergence of the 1989 Act

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act was enacted on September 11, 1989, and came into force on January 30, 1990. Its objective was not merely to prevent crime but to provide a protective shield allowing the marginalized to live with dignity. The act was necessitated by:

- 1. Failure of Land Reforms:** Violence used by dominant groups to evict Dalits from allocated land.
- 2. Wage Disputes:** Systematic violence against those demanding minimum wages.
- 3. Political Consciousness:** The rise of the Bahujan movement, which disrupted traditional rural power balances.

Sociological Theories of Social Change

This research employs three primary sociological frameworks:

Karl Marx's Conflict Theory: Highlights the struggle between the "exploiter" (landowning castes) and the "exploited." The Act acts as a legal weapon for the latter.

M.N. Srinivas's Theory of 'Dominant Caste' and 'Sanskritization': Explores how the Act challenges the traditional hegemony of landowning castes in rural Varanasi.

Max Weber's Theory of Power and Prestige: Examines the struggle for social status, where the Act protects the dignity of individuals against traditional social slurs and dominance.

Profile of District Varanasi

Geographical and Administrative Structure

Varanasi district is divided into 8 development blocks: Cholapur, Pindra, Chiraigaon, Harhua, Kashi Vidyapeeth, Araj Line, Sewapuri, and Baragaon.

Historical and Cultural Context

As a religious capital, Varanasi has been deeply influenced by traditional socio-religious norms. Historically, this reinforced rigid residential segregation, where SC/ST settlements (often called Chamroti or Musahari) were placed on the outskirts of villages to maintain social distance.

Demographic Analysis

Scheduled Castes constitute approximately 13.5%–15% of the district's population, while Scheduled Tribes account for less than 1%. Major sub-castes include Jatav/Chamar, Pasi, Dhobi, Khatik, Valmiki, and the highly marginalized Musahar community.

RESEARCH METHODOLOGY

Hypotheses:

1. The Act has reduced violent behavior and increased self-esteem among the marginalized.
2. Legal illiteracy limits the Act's efficacy for the most marginalized (e.g., the Musahar community).
3. Police apathy and social pressure lead to low conviction rates.

Sampling: 200 respondents, including 120 victims/citizens, 40 members of dominant/backward castes, 15 police officers, 15 legal experts, and 10 NGO representatives.

Legal Provisions

Section 3: Defines various offenses categorized under social/humiliating acts, economic exploitation (land grabbing, forced labor), and physical/sexual abuse.

Section 14: Establishment of Special Courts for expedited trials.

Section 18 & 18A: The prohibition of Anticipatory Bail, a core, albeit debated, provision maintained by the 2018 amendment.

Empirical Analysis of Varanasi

Data from the District Crime Records Bureau (DCRB) and field surveys reveal:

Crime Distribution: 55% of cases relate to Section 3(1)(r) & (s) (caste-based insults), 25% to land disputes, and 15% to atrocities against women.

Awareness: While 35% of respondents (mostly youth/educated) are fully aware of the Act, 15% (mostly from the Musahar community) are entirely unaware.

Impacts on Social Fabric

Power Structure: The rise of reserved seats in Panchayati Raj has empowered Dalit Gram Pradhans, despite initial resistance from traditional power holders.

Economic Relations: The Act has empowered laborers to bargain for wages and resist Begar (forced labor).

Social Interaction: Public discrimination at water sources and interference in cultural processions have significantly declined.

Qualitative Analysis & Case Studies

Case 1: Successful legal intervention in Pindra block regarding land rights, which served as a deterrent.

Case 2: Failure of the Act in Cholapur due to extreme poverty, illiteracy, and mediation by local power brokers.

Case 3: Misuse of the Act in Harhua block, where a personal dispute was converted into a legal case, negatively impacting inter-community relations.

Challenges and Limitations

Low Conviction Rate: Only 8%–12% conviction rate due to hostile witnesses, judicial delays, and out-of-court settlements.

Police Attitude: Prevalent caste biases within the lower rungs of the police force.

Misuse: The Act is occasionally used for political vendettas or property-related blackmail, which undermines the legitimacy of genuine victims.

CONCLUSION AND RECOMMENDATIONS

Conclusion

The 1989 Act has functioned as a powerful catalyst for social transformation in Varanasi, dismantling centuries of feudal confidence. However, it remains a tool rather than a final solution. Its success is contingent upon administrative impartiality and the social enlightenment of both the marginalized and the dominant communities.

The role of the Act in the economic sphere is equally important. Members of Scheduled Castes and Scheduled Tribes were often deprived of their land and resources. The Act declared land grabbing and forcible occupation as offences, thereby increasing the economic security of these communities. This enabled them to participate better in agriculture and other occupations. In many states, cases of land restoration were registered under this law, which helped in poverty alleviation. Along with economic empowerment, opportunities for education and employment also increased because victim families could now send their children to school without fear. It proved to be a law promoting social mobility. Politically too, it helped bring these sections into the mainstream. Along with reservation policy, this Act aided in increasing political awareness.

Special mechanisms have been created for the implementation of the Act. Provisions exist for the appointment of special courts and special public prosecutors in every district. This ensures speedy disposal of cases. Police officers are given sensitivity training so that they remain empathetic towards victims. Central and state governments provide relief funds, offering medical care, rehabilitation, and financial assistance to victims. Many non-governmental organizations run awareness campaigns under this law. These efforts have increased legal literacy in society. Although there are some shortcomings in implementation, such as police reluctance to register FIRs or delays, overall this system has become a strong foundation for social change.

Real-life examples clearly demonstrate the success of this Act. In states like Uttar Pradesh, Bihar, Rajasthan, and Madhya Pradesh, many important cases have emerged where culprits were punished under this law. For instance, in some high-profile cases of collective attacks on Dalits, special courts delivered justice. These cases sparked nationwide discussion and inspired other victims. In tribal areas, where disputes over forest resources occur, this law has served as a protective shield. This enabled tribal communities to protect their traditions and rights. From the perspective of social change, this law has been successful in breaking old feudal thinking.

The Act has also accelerated cultural change. Practices like untouchability and caste-based customs in Indian society were challenged. Dalit literature, art, and culture received a boost because artists could now express themselves without fear. Many Dalit writers and thinkers incorporated this law in their works. This increased social dialogue and fostered understanding between different castes. Its inclusion in school and college curricula

makes the younger generation more sensitive. Culturally, this Act is laying the foundation for an inclusive society.

Talking about challenges, there have been allegations of misuse of this Act. Some people claim it is used as a weapon in personal disputes, leading to harassment of innocent persons. In 2018, the Supreme Court provided for anticipatory bail in one judgment, but Parliament later amended the law to nullify it. This amendment strengthened the intent of the law. Additionally, heavy workload in police stations and courts causes delays. Lack of awareness in rural areas is also a problem. Despite these challenges, the necessity of the Act remains essential.

The amendments of 2015 and 2018 made the Act more effective. The 2015 amendment included new offences and increased relief amounts. The 2018 amendment made the establishment of special courts mandatory and added provisions for time-bound investigations. These changes enhanced the effectiveness of the law. State governments also make rules at their level to ensure implementation. This has accelerated the pace of social change.

To assess the role of this Act in social change, we must look at its long-term impact. It complemented the reservation policy and increased Dalit-Adivasi representation. Political parties began to see these sections as vote banks, leading to their demands being heard. Economically, many families entered the mainstream. Although inequality still persists, this law is a medium of continuous progress.

Awareness campaigns have impacted both rural and urban areas. NGOs, media, and government schemes are taking this law to the grassroots. Its inclusion in curricula is changing the mindset of the youth. This is bringing about generational change. Special attention is being given to women and children.

Comparatively, other countries also have laws for the protection of minorities, but India's this Act has its own uniqueness because it specifically targets caste-based discrimination. Through this, India is setting an example in the field of social justice.

In conclusion, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is a powerful instrument of social change. It has not only prevented atrocities but also laid the foundation for equality, justice, and dignity. In the future, with better implementation, continuous amendments, and social awareness, it will become even more effective. Its role in building an inclusive India is invaluable.

Actionable Recommendations

1. Establish more Fast-Track Special Courts to ensure disposal within 6 months.
2. Conduct mandatory sensitization workshops on human rights for police officials.
3. Conduct targeted legal literacy campaigns in remote settlements via the District Legal Services Authority (DLSA).
4. Ensure mandatory preliminary inquiries by the Circle Officer (CO) to verify the authenticity of complaints before registration.

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