

Bill No. 164 of 2024

THE SCHEDULED CASTES AND THE SCHEDULED TRIBES
(PREVENTION OF ATROCITIES) AMENDMENT BILL, 2024

By

SHRI VISHNU DAYAL RAM, M.P.

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BILL

*further to amend the Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Act, 1989.*

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1.(1) This Act may be called the Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Amendment Act, 2024.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may, by
notification in the Official Gazette, appoint.

33 of 1989 2. In section 2 of the Scheduled Castes and the Scheduled Tribes (Prevention
of Atrocities) Act, 1989 (hereinafter referred to as the principal Act), in
sub-section (1):—

Amendment
of section 2.

10 (a) after clause (bc), the following clause shall be inserted, namely:—

(bca) “electronic communication or any digital platform” means the use of any electronic communication device or any digital platform including but not limited to the internet, social media, emails, messaging applications or any other digital form of communication to convey information or messages”; and

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(b) after clause (bf), the following clause shall be inserted, namely:—

(bfa) “otherwise harm” means causing damage or injury to a member of a Scheduled Caste or a Scheduled Tribe through actions or behaviours that impact his physical health, emotional well-being or personal reputation.”.

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Amendment
of section 3.

3. In section 3 of the principal Act, in sub-section (1), after clause (zc), the following clause shall be inserted, namely:—

“(zd) uses electronic communication or any digital platform to threaten, harass, intimidate, defame or otherwise harm a member of a Scheduled Caste or a Scheduled Tribe, by acts of cyber bullying, online stalking, or dissemination of derogatory or offensive content,”.

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STATEMENT OF OBJECTS AND REASONS

In recent years, there has been a significant rise in crimes against the Scheduled Castes (SCs) and the Scheduled Tribes (STs). In the year 2022, a total of 57,582 cases were reported for crimes against SCs, marking a 14.3 per cent increase from 50,900 cases in the year 2021. Similarly, crimes against STs saw a 14.3 per cent. rise, with 10,064 cases reported in the year 2022 compared to 8,802 in the year 2021. Additionally, cybercrimes has surged, with 65,893 cases registered in the year 2022 – an increase of 24.4 per cent from 52,974 cases in the year 2021. The crime rate per lakh population under this category rose from 3.9 in the year 2021 to 4.8 in the year 2022.

While the Information Technology Act, 2000 addresses various aspects of cybercrime, it does not specifically cater to the unique vulnerabilities of SCs and STs. Given that these communities are often at a disadvantage, it is crucial to introduce provisions within the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 to address digital and electronic forms of abuse. The current provisions under the Act do not fully cover the spectrum of modern digital abuse.

The proposed Bill aims to amend the Act to include protections against digital harassment, which is increasingly targeting marginalized communities. By explicitly addressing digital forms of discrimination, we can offer more robust protections and ensure that perpetrators of such crimes are held accountable.

This amendment supports the broader goals of social justice and equality by addressing all forms of discrimination, including those facilitated through digital platforms. It will also enhance public awareness about the rights of SCs and STs and clarify the types of unacceptable and punishable behaviours under the law.

By incorporating provisions for digital communication and electronic platforms, it will significantly strengthen the parent Act and provide a more comprehensive shield against modern forms of harassment.

Hence this Bill.

NEW DELHI;
July 30, 2024

VISHNU DAYAL RAM

ANNEXURE

[EXTRACT FROM THE SCHEDULED CASTES AND THE SCHEDULED TRIBES
(PREVENTION OF ATROCITIES) ACT, 1989]

(33 of 1989)

		*	*	*	*	*	*
Definitions.	2. (1)	*	*	*	*	*	*
	(bc) “economic boycott” means,—						
	(i) a refusal to deal with, work for hire or do business with other person; or						
	(ii) to deny opportunities including access to services or contractual opportunities for rendering service for consideration; or						
	(iii) to refuse to do anything on the terms on which things would be commonly done in the ordinary course of business; or						
	(iv) to abstain from the professional or business relations that one would maintain with other person;						
	(bd) exclusive special court means the exclusive special court established under sub-section (1) of section 14 exclusively to try the offences under this Act;						
		*	*	*	*	*	*
	(bf) manual scavenger shall have the meaning assigned to it in clause (g) of sub-section (1) of section 2 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (25 of 2013);						
		*	*	*	*	*	*
Punishments for offences atrocities.	3.(1)	Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,—					
		*	*	*	*	*	*
	(zc) imposes or threatens a social or economic boycott of any person or a family or a group belonging to a Scheduled Castes or a Scheduled Tribes.						
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(Shri Vishnu Dayal Ram, M.P.)