



SC 'n ST (Prevention Of Atrocities) Act, Or A Political Ploy of the Cynical Minds

By BS Murthy

Though for a long while, the dalits and the janjatis, aka SC 'n STs, were wont to get the rough end of the social discriminatory stick, yet it was only forty years after independence that Raji Gandhi Sarkar came up with the SC and ST (Prevention of Atrocities) Act 1989, but not for any holistic reasons. It was but a cynical idea to stem the growing political mobilization of the Dalits outside the Congress umbrella that ensued the weakening of their traditional support to it from the early eighties. That was precisely because, by then, their social awakening, political empowerment and educational advancement, coupled with

the country's growing urbanization, made them assertive as a class and even aggressive in varied ways.

If anything, the ill-motivated SC and ST (Prevention Of Atrocities) Act that ironically came into force a year later on January 30, Gandhi's death anniversary, in a way, gave the unscrupulous among the SC-STs the license to kill, not literally that is, just not in self-defense. It's thus, the cynical law has squarely put the boot is the other leg, so to say, with statistical backing.

The official data pertaining to the complaints under the lopsided law and the convictions thereunder reads as under:

In 2022, while 57,569 cases were preferred by SCs, the ST count was 10,064 (put together 67,633); and the convictions during the year (including the ongoing trials from previous years) was 34.1% and 28.1% respectively that is 31.1% in all. So, some 70% of the SC-ST complaints remained unsubstantiated!

Likewise, in 2023, whereas 57,766 cases pertained to SCs, the ST proportion stood at 12,959 (70,725 combined) and so also the convictions during the year (reckoning the pending cases of previous years) came to 32.4% and 24.6% respectively, put together at 28.5%. So, again, 71.5% of the SC-ST accusations were unproven!

Similarly, the data for 2024 reveals 55,685 complaints by SCs and 9,961 by STs, adding up to 65,646 cases in all, a drop of 5,079 cases. However, the conviction rates during the year (accounting for the previous years' cases) stood at 33.9% for SCs and 33.2% for STs, averaging 33.6% for both the categories. Thus, about 66.4% of the SC-ST cases did not result in conviction, although this represented an improvement in the conviction rate over the previous year.

Hence, as the average conviction rate in the three recent years came to 31%, it can be said without any contradiction that nearly 7 out of 10 SC-ST allegations failed to find traction in the country's courts. What's worse, while many of the innocent seven rotted in gaols for varied periods, for no fault of theirs, their accusers smiled all the way to their banks to collect the Sarkari ransom for their atrocities against the innocents!

All that is in the public domain but as they say, the devil is in the small print, and this is no exception.

As per the last census (2011), the SCs formed 20.14 crore and the STs, 10.42 crore of the country's total population of 121 crores, which means, they respectively made up 16.6%, and 8.6%, and together a quarter of it. And by extrapolation, for the lack of an intervening census, in the 2022-24 period, they

together would have been some 60 crores of the 140-crore envisaged population.

However, the social dynamics are different in that out of 60 crore SC-STs, on an average, only 68,001 of them complained in each of the said three years that is a miniscule 0.113% of their ilk! So, given that only 31% of the SC-ST complaints led to convictions, the alleged atrocities against them would have been no more than 0.003% of their folks!! If it's not making a political mountain out of a social molehill, what else is this SC 'n ST Prevention of Atrocities Act? But therein lies the catch-22 of the Indian electoral politics.

Be that as it may, It is seldom appreciated that the atrocious media coverage of these odd complaints to the saturation levels has the inimical effect of othering these communities besides infusing a sense of victimhood in them. Willy-nilly, it is as if to set up the conversion stage on the SC-ST ground for the proselytizers to poach the disgruntled into the alien faiths to nurture them in India's Hindu bosom.

And making it a double jeopardy for the Sanatana society, as most of these complaints turn out to be false and fabricated, it's but natural that the affected sections get further alienated from SC-STs as communities. If anything, these politically pampered sections are being allowed to make money by dubious means completes the social schism, and that is not in the national interest. But, sadly for our country, the moral cynicism has become the electoral compulsion of our political parties – they collectively alienate them from the rest even as they severally court them for political favours, for they form a quarter of the franchise.

If anything, the recent SC fiasco in IIT-Bombay has brought the dubious Act's devious character to the fore like never before. Now, it is in the public domain that the morally corrupt as well as the legally savvy among SC-STs have been milking the State exchequer with profitable FIRs. Well, the notoriety the SC-ST 'business model' gained may ensure a plethora of new startups to the chagrin of the rest of the society. As for the political parties, it's a case of 'he who rides a tiger is afraid to dismount'. Maybe, VS Naipaul would have as well summed it up thus - India: A Million Miseries Now. So, it is imperative that India should apply its collective mind to nurse its 'affected quarter', to normal health, in the short term and in its long course.

The need of the hour is a multi-member high-power committee of eminences from the representative sections with the nationalist mindset and a pragmatic outlook, majority of them belonging to SC-ST communities, to come up with an equitable SC - ST Progression Act that is after taking the altered ground realities in the rural and the urban India into account. This is the short run, but to cover

the long course, this author's essay in the internet, *Dali as Deva, à la Black is Beautiful* can come in handy. Here under is an excerpt from it.

"Though the dalit tag affords political clout to its desperate classes as a whole, it had failed to buttress the self-worth of its disparate caste groups for in the Indian cultural calculus, caste is intrinsic to the social-worth of its members. Thus, it is imperative to cast a sense of caste-worth in the dalit fold in the 'Black is Beautiful' mould for the collective moral upliftment of its member castes. But self-belief being the by-product of the zeal to strive and not a corollary of plucking low-hanging fruits, the system of reservations has effectually given a go-by to the zeal to excel, a vital ingredient of personality development. It is thus, the doles of the state inadvertently, but effectually, came to harm the dalit cause in the long run, and what's worse, even the genuine dalit achievements entail a diminished stature for they come under the shadows set by low performance bars, thereby precluding their due social recognition at large. The way out, while yet retaining their quotas is for the dalits to volunteer to get their reservation bar raised to touch the prevailing positions.

"What's in a name? That which we call a rose
By any other name would smell as sweet,"
said Shakespeare but what he left unsaid was
'And alike it makes any other name as rosy.'

Likewise, had the lexicologists named the Lord in the skies as Sod and an annoying guy on planet earth as God, the former name would've acquired divine connotations and the latter, a taboo word. Thus, it may be appreciated that a name is 'worth neutral' in its essence but becomes exalted or gets diminished depending on the object it's associated with, which, in turn, is the subject of our subjective attributions. And the same applies to the caste names that came to represent the ascending steps of the Hindu social ladder for the demeaned Mala indeed sounds better than the exulted Brahmin, the denigrated Madiga is easy on the ear than the extolled Maratha, the dismissed Chamar is more sonorous than the domineering Choudhary et al. Hence, for an Indian variant of Black is Beautiful movement, it is essential for the members of the depressed castes to begin taking pride in their respective castes and suffix their caste name to their social name with the same sense of pride as Yadavs, Reddys etc resort to. Indeed, as Manda Krishna Madiga of Madiga Reservation Porata Samithi, so to say, has given the lead in this direction, the other castes in the dalit fold should follow suit wearing their caste worth on their sleeves."

