

CRIMINAL JUSTICE AND CASTE: STRUCTURAL BIASES IN DALIT ATROCITY CASES

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ABSTRACT

This study examines the legal and structural barriers that continue to restrict access to justice for Scheduled Castes (SCs) and Scheduled Tribes (STs) in India. Despite constitutional guarantees of equality and dignity, caste-based discrimination and social exclusion remain deeply embedded within society and continue to influence the functioning of the criminal justice system. The introduction of the Bharatiya Nyaya Sanhita (BNS), 2023 has renewed debate on whether recent criminal law reforms can meaningfully strengthen the protection of marginalized communities and improve access to justice. Using a doctrinal research methodology, the study analyses constitutional provisions, statutory frameworks, judicial decisions, government reports, and relevant scholarly literature relating to caste-based atrocities. The findings indicate that although India possesses a comprehensive legal framework, significant gaps remain between legal protections and their implementation in practice. Delays in investigation and trial, procedural shortcomings, weak enforcement, and inadequate victim support continue to undermine the effective delivery of justice. These challenges reflect not only administrative inefficiencies but also deeper structural barriers within the criminal justice system. The study highlights the need for stronger institutional accountability, improved implementation of existing safeguards, and a more victim-centred approach to justice. It concludes that while recent legal reforms offer opportunities for improvement, their effectiveness will ultimately depend on consistent enforcement and sensitivity to the lived realities of historically marginalized communities. Achieving meaningful justice requires not only legal reform but also sustained institutional and social transformation.

KEYWORDS: Access to justice; Caste-based atrocities; Criminal justice system; Dalit rights; Bharatiya Nyaya Sanhita; Structural bias.

1. INTRODUCTION

Caste-based discrimination and violence against Scheduled Castes (SCs) and Scheduled Tribes (STs) remain serious concerns in India despite constitutional guarantees of equality and dignity. Articles 15, 16, 17, and 46 of the Constitution¹ prohibit caste-based discrimination, abolish untouchability, and require the State to protect the interests of disadvantaged communities. Yet, the continued occurrence of caste-based atrocities shows that legal protections alone have not been enough to dismantle deeply rooted social hierarchies.

To address the limitations of general criminal law, Parliament enacted the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989². The Act was intended to provide stronger protection to vulnerable communities,

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¹ INDIA CONST. arts. 15, 16, 17 & 46.

² The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, No. 33 of 1989, Acts of Parliament, 1989 (India).

punish caste-based offences more effectively, and ensure timely justice. Amendments in 2015³ and 2018⁴ further expanded the scope of offences, strengthened victim rights, and enhanced accountability within the justice system.

Despite these safeguards, caste-based violence continues in various forms, including physical assaults, social exclusion, sexual violence, economic exploitation, and denial of basic rights. The 2025 Muzaffarpur case⁵ involving a young Dalit girl, who was allegedly raped and later died after being denied timely medical treatment, highlighted not only the vulnerability of marginalised communities but also the institutional failures that often obstruct justice.

The challenge extends beyond the commission of offences. Structural caste biases frequently affect the functioning of the criminal justice system itself. Victims may face difficulties in registering FIRs, investigations are often delayed or inadequately conducted, and witnesses can be subjected to intimidation. Weak prosecution, procedural lapses, and prolonged trials further reduce the likelihood of conviction. Consequently, the justice system can sometimes become a source of secondary victimisation rather than protection.

The introduction of the Bharatiya Nyaya Sanhita, 2023⁶ has also raised important questions regarding its impact on the protection of SCs and STs. While the reform seeks to modernise criminal law, its practical effect on atrocity cases and access to justice is still evolving.

Against this backdrop, the present study examines how structural biases within law enforcement agencies, prosecutorial institutions, and courts influence the handling of caste atrocity cases. It also evaluates the effectiveness of existing legal safeguards and identifies reforms needed to strengthen accountability, victim protection, and equal access to justice.

1.1 Objectives of the Study

1. To examine the constitutional and legal framework governing caste-based atrocities, with particular focus on the SC/ST (Prevention of Atrocities) Act, 1989 and its evolution.
2. To analyse the challenges faced by Dalit and Adivasi victims during FIR registration, police investigation, evidence collection, and reporting of offences.

³ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, No. 1 of 2016, Acts of Parliament, 2016 (India).

⁴ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, No. 27 of 2018, Acts of Parliament, 2018 (India).

⁵ News reports and publicly available information concerning the Muzaffarpur Dalit minor rape case (2025).

⁶ The Bharatiya Nyaya Sanhita, No. 45 of 2023, Acts of Parliament, 2023 (India).

3. To evaluate the effectiveness of prosecution and state institutions in atrocity cases, particularly regarding investigation quality, procedural delays, conviction rates, and victim protection.
4. To assess how judicial attitudes, evidentiary standards, and institutional practices influence the outcomes of caste atrocity cases.
5. To examine the intersectional challenges faced by Dalit women and other vulnerable groups experiencing multiple forms of discrimination.
6. To analyse the implications of recent criminal law reforms, especially the Bharatiya Nyaya Sanhita, 2023, on the protection of SCs and STs.
7. To identify structural weaknesses in the criminal justice system and suggest reforms to improve accountability, victim support, legal awareness, and access to justice.

2. RESEARCH METHODOLOGY

This study adopts a combined doctrinal and socio-legal research methodology to examine the effectiveness of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and the structural barriers faced by Dalit and Adivasi communities within the criminal justice system. This approach enables an assessment of both the legal framework and its practical implementation.

The doctrinal component analyses primary and secondary legal sources, including the Constitution of India, the SC/ST (Prevention of Atrocities) Act, 1989, its amendments, the Bharatiya Nyaya Sanhita, 2023, relevant rules, and significant judicial decisions. This analysis helps trace the development of legal protections for SCs and STs and examine how courts have interpreted and applied these safeguards over time.

The socio-legal component focuses on the functioning of these laws in practice. Statistical data from the National Crime Records Bureau (NCRB), National Commission for Scheduled Castes (NCSC), National Human Rights Commission (NHRC), and other government reports are examined to evaluate trends in caste-based crimes, investigations, conviction rates, and case pendency. This data provides insight into the effectiveness of legal enforcement and institutional responses.

The study also reviews scholarly literature, policy documents, commission reports, and documented case studies on caste-based violence and criminal justice administration. In addition, selected judicial decisions are analysed to identify recurring issues such as delays in FIR registration, defective investigations, witness intimidation, prosecutorial lapses, and low conviction rates.

By combining legal analysis with empirical data and institutional reports, the study evaluates both the strengths and limitations of the existing framework. This integrated methodology provides a comprehensive understanding of the challenges in securing justice for marginalised communities and helps identify areas requiring legal and institutional reform.

3. DATA ANALYSIS

This chapter examines the legal and institutional framework governing caste-based atrocities in India. It analyses the constitutional and statutory protections available to Scheduled Castes (SCs) and Scheduled Tribes (STs), the role of judicial interpretation, findings from government and international reports, and scholarly perspectives on the functioning of the criminal justice system. The analysis focuses on the gap between legal safeguards and their implementation in practice.

3.1 LEGISLATIVE FRAMEWORK

India's response to caste-based discrimination is grounded in the Constitution's commitment to equality, dignity, and social justice. Articles 14, 15, and 16 guarantee equality before law and prohibit caste-based discrimination, while Article 17 abolishes untouchability and Article 46 directs the State to protect the interests of SCs and STs.⁷

The Protection of Civil Rights Act, 1955⁸ was the first major legislative effort to address untouchability. However, its limited effectiveness led to the enactment of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989⁹. The Act remains the primary legal instrument for preventing and punishing caste-based atrocities. It criminalizes a wide range of offences, including physical violence, social and economic boycotts, sexual offences, forced displacement, and caste-based humiliation.

The Act also provides institutional safeguards such as Special Courts, Special Public Prosecutors, mandatory FIR registration, victim compensation, rehabilitation measures, and witness protection. The 2015¹⁰ and 2018¹¹ amendments further strengthened the law by expanding the list of offences, enhancing victim rights, and reaffirming protections that had been diluted through judicial interpretation.

⁷ INDIA CONST. arts. 14, 15, 16, 17 & 46.

⁸ The Protection of Civil Rights Act, No. 22 of 1955, Acts of Parliament, 1955 (India).

⁹ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, No. 33 of 1989, Acts of Parliament, 1989 (India).

¹⁰ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, No. 1 of 2016, Acts of Parliament, 2016 (India).

¹¹ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, No. 27 of 2018, Acts of Parliament, 2018 (India).

Alongside the SC/ST Act, general criminal laws have supplemented protections against caste-based violence. With the introduction of the Bharatiya Nyaya Sanhita (BNS), 2023, India's criminal law framework has undergone significant restructuring. While the long-term impact of the BNS remains uncertain, its effectiveness will depend on whether it strengthens the implementation of existing protections available under the SC/ST Act.

3.2 JUDICIAL, INSTITUTIONAL AND SCHOLARLY ANALYSIS

Judicial decisions have significantly influenced the development and enforcement of protections for SCs and STs. Courts have often reaffirmed constitutional values of equality and dignity. In *State of Karnataka v. Appa Balu Ingale*¹² (1995), the Supreme Court condemned caste-based exclusion and reinforced the constitutional prohibition against untouchability.⁷ Similarly, *Madanlal Verma v. Union of India*¹³ (2018) emphasized that the SC/ST Act must be interpreted in a manner that advances its protective purpose.

However, judicial approaches have not always been consistent. The decision in *Subhash Kashinath Mahajan v. State of Maharashtra*¹⁴ (2018) introduced procedural safeguards intended to prevent misuse of the Act, including preliminary inquiries before registration of FIRs. The ruling faced widespread criticism for creating additional barriers for victims and was subsequently nullified through the SC/ST (Amendment) Act, 2018.

Institutional reports reveal persistent weaknesses in implementation. NCRB data¹⁵ continues to show a high number of offences against SCs and STs, accompanied by low conviction rates, high acquittals, and significant case pendency. Reports of the National Commission for Scheduled Castes¹⁶ (NCSC) repeatedly highlight delays in FIR registration, inadequate investigations, poor implementation of victim compensation schemes, and insufficient monitoring by authorities.

International human rights bodies have expressed similar concerns. As a party to the International Convention on the Elimination of All Forms of Racial Discrimination¹⁷ (ICERD), India is obligated to ensure equal protection of the law. United Nations bodies have repeatedly raised concerns regarding caste-

¹² *State of Karnataka v. Appa Balu Ingale*, (1995) 2 SCC 273.

¹³ *Madanlal Verma v. Union of India*, (2018) 19 SCC 494.

¹⁴ *Subhash Kashinath Mahajan v. State of Maharashtra*, (2018) 6 SCC 454.

¹⁵ National Crime Records Bureau, *Crime in India 2023 Statistics* (Ministry of Home Affairs, Government of India, 2024).

¹⁶ National Commission for Scheduled Castes, *Annual Report 2022–23* (Government of India, 2023).

¹⁷ International Convention on the Elimination of All Forms of Racial Discrimination, Dec. 21, 1965, 660 U.N.T.S. 195.

based violence, underreporting, institutional discrimination, and inadequate accountability mechanisms.¹⁸

These findings are supported by scholarly research. Studies by Nandini Sundar¹⁹, Anupama Roy²⁰, and other socio-legal scholars demonstrate that the primary challenge lies not in the absence of legal protections but in weak implementation. Research highlights recurring issues such as police reluctance to register FIRs, defective investigations, procedural lapses, witness intimidation, and prosecutorial shortcomings.

Scholars also point to the influence of caste bias within the justice system. Courts sometimes require an excessively high standard of proof to establish caste motivation, making convictions difficult even where evidence of violence exists. Further, studies on Dalit women reveal how caste and gender discrimination intersect, exposing them to heightened vulnerability while often obscuring the caste dimension of violence in legal proceedings.²¹

Overall, the available judicial, institutional, and academic evidence indicates that India possesses a strong legal framework for addressing caste-based atrocities. However, structural barriers within policing, prosecution, and adjudication continue to limit its effectiveness. The persistence of these challenges highlights the need for stronger implementation, institutional accountability, and greater sensitivity to the social realities of caste-based discrimination.

4. ARGUMENT AND DISCUSSION

This chapter examines the effectiveness of India's legal response to caste-based atrocities by analysing legislation, judicial decisions, official reports, and scholarly writings. The findings reveal that while India has a strong legal framework, its effectiveness is often weakened by institutional failures, procedural barriers, and persistent caste biases within the criminal justice system.

¹⁸ Committee on the Elimination of Racial Discrimination, *Concluding Observations on India*, U.N. Doc. CERD/C/IND/CO/20-21 (2024).

¹⁹ Nandini Sundar, *Subalterns and Sovereigns: An Anthropological History of Bastar, 1854–2006* (Oxford University Press, 2nd ed. 2007).

²⁰ Anupama Roy, *Gendered Citizenship: Historical and Conceptual Explorations* (Orient BlackSwan, 2010).

²¹ Shailaja Paik, *Dalit Women's Education in Modern India: Double Discrimination* (Routledge, 2014).

4.1 EFFECTIVENESS OF THE LEGAL FRAMEWORK

The SC/ST (Prevention of Atrocities) Act, 1989²² is one of India's most significant laws for addressing caste-based violence. Through its amendments, the Act has expanded victim protections, strengthened punishments, and introduced mechanisms such as Special Courts, compensation, and rehabilitation measures.²³ Similarly, the Bharatiya Nyaya Sanhita, 2023 seeks to improve the efficiency of criminal justice administration.

Despite these safeguards, implementation remains a major concern. Delays in FIR registration, weak investigations, and improper application of the SC/ST Act continue to undermine justice. Many cases remain pending for years, reducing the deterrent effect of the law and discouraging victims from pursuing legal remedies.

Judicial interpretation has also influenced the effectiveness of the Act. Courts have sometimes required strict proof that an offence was committed specifically because of the victim's caste, making convictions difficult in cases where caste discrimination operates through broader social and economic power structures. The controversy surrounding *Subhash Kashinath Mahajan v. State of Maharashtra*²⁴ (2018) illustrates the tension between preventing misuse and ensuring victim protection. Although Parliament later restored the original safeguards through the 2018 Amendment, the episode highlighted continuing debates surrounding the implementation of the Act.

4.2 STRUCTURAL BIASES IN THE CRIMINAL JUSTICE SYSTEM

The study finds that structural caste bias remains a major obstacle to justice. Such bias often operates through institutional practices rather than overt discrimination.

At the policing stage, victims frequently face delays in FIR registration, inadequate investigations, and reluctance to invoke provisions of the SC/ST Act.²⁵ Local social pressures and caste hierarchies can influence official decision-making, affecting the quality of evidence collected and the overall investigation.

²² The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, No. 33 of 1989, Acts of Parliament, 1989 (India).

²³ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, No. 1 of 2016, Acts of Parliament, 2016 (India).

²⁴ *Subhash Kashinath Mahajan v. State of Maharashtra*, (2018) 6 SCC 454.

²⁵ National Commission for Scheduled Castes, *Annual Report 2022–23* (Government of India, 2023).

The justice process is further complicated by what scholars²⁶ describe as a disconnect between legal standards and social realities. While courts rely on formal evidence, caste discrimination often manifests through social exclusion, power imbalances, and indirect forms of intimidation. As a result, victims may face greater difficulty proving caste-based offences.

Many acquittals also result from procedural lapses such as defective investigations, delayed charge sheets, and non-compliance with statutory requirements.²⁷ These shortcomings indicate deeper institutional weaknesses rather than an absence of evidence.

4.3 VICTIM-CENTRED JUSTICE

An effective justice system must focus not only on punishment but also on victim protection and rehabilitation. Although the SC/ST Act provides for compensation, legal assistance, and witness protection, implementation remains inconsistent.

Witness intimidation remains a serious concern. Victims and witnesses often face threats, social boycott, and economic pressure, leading many to withdraw from proceedings or turn hostile during trial. Compensation and rehabilitation schemes also suffer from delays and administrative inefficiencies.

Concerns regarding misuse of the SC/ST Act are frequently raised in public discourse. However, available evidence suggests that such instances are relatively limited. Excessive focus on misuse risks shifting attention away from more pressing issues such as under-enforcement, institutional bias, and barriers faced by genuine victims. Recent judicial developments recognising victims' rights to participate in proceedings reflect a positive shift towards a more victim-centred approach.

4.4 INTERSECTIONALITY AND MULTIPLE VULNERABILITIES

The impact of caste discrimination is often intensified by other forms of disadvantage, including gender, disability, and poverty.

Dalit women face a particularly vulnerable position due to the combined effects of caste and gender discrimination.²⁸ Sexual violence against Dalit women often carries a broader social message of domination and control, yet legal processes do not always adequately recognise this dimension.

²⁶ Nandini Sundar, *Subalterns and Sovereigns: An Anthropological History of Bastar, 1854–2006* (Oxford University Press, 2nd ed. 2007).

²⁷ National Crime Records Bureau, *Crime in India 2023 Statistics* (Ministry of Home Affairs, Government of India, 2024).

²⁸ Shailaja Paik, *Dalit Women's Education in Modern India: Double Discrimination* (Routledge, 2014).

Similarly, persons with disabilities from SC/ST communities encounter additional barriers such as inaccessible infrastructure, limited support services, and low legal awareness.²⁹ Economic hardship and lack of education further restrict access to justice, highlighting the importance of legal aid, community outreach, and awareness programmes.

An intersectional approach therefore remains essential for designing effective legal and policy responses.

4.5 BARRIERS BEYOND THE LAW

The persistence of caste-based atrocities demonstrates that legal reform alone cannot eliminate deeply rooted social inequalities. Victims often face threats, social exclusion, and economic retaliation that discourage reporting and participation in legal proceedings.

Political and administrative interference can also affect investigations and prosecutions, particularly where influential individuals are involved. Moreover, recent judicial observations regarding caste-based discrimination within prisons indicate that caste hierarchies continue to influence state institutions beyond courts and police agencies.

These realities suggest that caste violence must be understood as a systemic issue rooted in broader social and institutional structures rather than as isolated criminal acts.

4.6 REPRESENTATION AND INSTITUTIONAL DIVERSITY

Limited representation of SC/ST communities within legal institutions remains a concern. Although affirmative action has improved participation in some sectors, higher levels of the judiciary, prosecution services, and legal academia continue to lack adequate diversity.

Greater representation can enhance institutional sensitivity, improve understanding of social realities, and contribute to more inclusive decision-making. While representation alone cannot eliminate bias, it remains an important step towards building more responsive and accountable institutions.

4.7 RECOMMENDATIONS FOR STRENGTHENING JUSTICE DELIVERY

The findings suggest several measures to improve justice delivery in caste atrocity cases. Stronger accountability mechanisms are needed to monitor investigations, prosecutions, and trial proceedings.⁵⁶ Witness protection

²⁹ National Human Rights Commission, *Report on Human Rights Issues Relating to Scheduled Castes and Scheduled Tribes* (latest available report).

programmes should be expanded to provide security, legal assistance, and financial support to victims and their families.

Regular training on caste discrimination, gender sensitivity, constitutional values, and human rights should be provided to police officers, prosecutors, judges, and prison officials. Legal awareness campaigns and community-based legal aid services should also be strengthened in areas with significant SC/ST populations.

Governments must improve the collection and publication of data relating to caste-based crimes, investigations, prosecutions, and convictions. Finally, efforts to increase diversity within justice institutions should be continued to ensure more inclusive and equitable governance.

Overall, the study demonstrates that legal protections alone cannot eliminate caste-based injustice. Meaningful change requires effective implementation, institutional accountability, victim empowerment, and broader social transformation. Only then can the constitutional promise of equality, dignity, and justice become a lived reality for marginalized communities.

5. RESULTS AND FINDINGS

This chapter presents the key findings of the study based on legislation, judicial decisions, government reports, and scholarly literature on caste-based atrocities in India. The findings show that although India has a strong legal framework to protect Scheduled Castes (SCs) and Scheduled Tribes (STs), significant barriers continue to limit access to justice. The study also considers the emerging impact of the Bharatiya Nyaya Sanhita (BNS), 2023.

5.1 EFFECTIVENESS AND CHALLENGES OF THE LEGAL FRAMEWORK

The SC/ST (Prevention of Atrocities) Act, 1989³⁰ remains the principal law addressing caste-based violence. Through enhanced punishments, Special Courts, victim compensation, rehabilitation measures, and procedural safeguards, it seeks to protect historically marginalized communities.³¹

However, its effectiveness is weakened by poor implementation. Delays in FIR registration, inadequate investigations, weak evidence collection, and procedural lapses continue to affect many cases. Such deficiencies often create technical loopholes that contribute to acquittals.

³⁰ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, No. 33 of 1989, Acts of Parliament, 1989 (India).

³¹ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, No. 27 of 2018, Acts of Parliament, 2018 (India).

NCRB data reflects both increasing reporting and persistent enforcement challenges. In 2022, crimes against SCs and STs increased compared to the previous year, yet conviction rates remained relatively low and a large number of cases remained pending. These trends indicate that while legal awareness may be improving, justice delivery continues to face serious institutional weaknesses.

The BNS, 2023 introduces reforms aimed at improving efficiency and victim protection. However, its long-term impact on caste atrocity cases will depend largely on effective implementation.

5.2 JUDICIAL RESPONSES AND INSTITUTIONAL COORDINATION

Judicial decisions have played an important role in strengthening protections against caste discrimination and reinforcing the objectives of the SC/ST Act. Courts have increasingly recognized caste-based violence as a manifestation of broader social inequality rather than merely an individual criminal act.³²

Despite these developments, delays and inconsistent application of legal provisions remain common. Strict evidentiary standards and narrow interpretations sometimes make successful prosecution difficult.

The study also identifies weaknesses in institutional coordination. Delays in compensation, rehabilitation, and legal support often result from poor cooperation among police authorities, prosecutors, courts, and welfare agencies. Witness protection mechanisms remain inadequate, leaving victims vulnerable to intimidation and pressure.³³

5.3 STRUCTURAL BIASES WITHIN THE CRIMINAL JUSTICE SYSTEM

A major finding of this study is the continued presence of structural caste bias across the criminal justice system.

Victims frequently face difficulties in registering FIRs, delayed investigations, and improper application of the SC/ST Act. In some cases, investigators fail to collect crucial evidence or comply with statutory requirements, weakening prosecutions from the outset.

The study further finds that institutional prejudices may influence the assessment of evidence and victim testimony. Greater scrutiny of victims'

³² State of Karnataka v. Appa Balu Ingale, (1995) 2 SCC 273; Madanlal Verma v. Union of India, (2018) 19 SCC 494.

³³ National Commission for Scheduled Castes, *Annual Report 2022–23* (Government of India, 2023).

statements, combined with acceptance of counter-allegations by accused persons, often contributes to low conviction rates and high acquittals.

Structural discrimination extends beyond police investigations and courtrooms. Reports and judicial observations reveal that caste-based inequalities have also existed within prisons and correctional institutions, demonstrating the broader reach of caste hierarchies within state institutions.

5.4 SOCIAL REALITIES AND INTERSECTING VULNERABILITIES

The findings show that legal protections alone cannot ensure justice because caste-based violence is closely linked to broader social realities. Victims often face social stigma, economic dependence, community pressure, and fear of retaliation, all of which discourage reporting and participation in legal proceedings.

Dalit women remain particularly vulnerable due to the combined impact of caste and gender discrimination.³⁴ Sexual violence against them often reflects broader structures of social domination, while victim-blaming and inadequate institutional support continue to limit access to justice.

Individuals with limited education, economic resources, or social support face additional barriers in navigating legal processes. These findings highlight the importance of adopting an intersectional approach to caste-based violence.

5.5 MISUSE ALLEGATIONS AND THEIR CONSEQUENCES

The study finds that allegations regarding misuse of the SC/ST Act continue to influence public and legal discourse. However, available evidence suggests that such cases constitute only a small proportion of overall complaints.³⁵

Despite limited evidence of widespread misuse, these concerns have shaped policy debates and judicial interpretations. Excessive focus on misuse risks diverting attention from more pressing issues such as under-reporting, weak investigations, delayed trials, and institutional bias.³⁶

5.6 KEY FINDINGS AND WAY FORWARD

The study concludes that India's legal framework is comprehensive in design but uneven in implementation. The central challenge lies not in the absence of

³⁴ Shailaja Paik, *Dalit Women's Education in Modern India: Double Discrimination* (Routledge, 2014).

³⁵ National Crime Records Bureau, *Crime in India 2022 Statistics* (Ministry of Home Affairs, Government of India, 2023).

³⁶ National Commission for Scheduled Castes, *Annual Report 2022–23* (Government of India, 2023).

laws but in the persistence of structural barriers that undermine their effectiveness.

Strengthening accountability within law enforcement agencies, improving investigation standards, enhancing witness protection, and ensuring better institutional coordination are essential. Regular training on caste sensitivity, constitutional values, and human rights should be provided to police officers, prosecutors, judges, and prison officials.

The study also highlights the need for better data collection, transparency, and continued institutional reforms. Ultimately, meaningful justice requires effective enforcement, institutional accountability, social awareness, and a sustained commitment to equality and dignity.

6. CONCLUSION AND SUGGESTIONS

This study examined India's legal response to caste-based atrocities with particular reference to the SC/ST (Prevention of Atrocities) Act, 1989 and recent reforms under the Bharatiya Nyaya Sanhita, 2023. The findings reveal that while India possesses a strong legal framework, significant obstacles continue to prevent many victims from accessing timely and effective justice.

The SC/ST Act remains a vital instrument for protecting marginalized communities. However, its effectiveness is often undermined by delays in FIR registration, defective investigations, prolonged trials, weak witness protection, and institutional indifference. These shortcomings contribute to low conviction rates and weaken public confidence in the justice system.

The study further shows that caste-based violence cannot be viewed solely as a legal issue. Social hierarchies, economic dependence, community pressure, and fear of retaliation frequently discourage victims from reporting offences or pursuing legal remedies. Dalit women face additional challenges due to the intersection of caste and gender discrimination.

Although the BNS, 2023 seeks to modernize criminal justice administration, its impact on caste atrocity cases will depend on effective implementation and institutional capacity. Legislative reform alone cannot eliminate structural inequalities.

The research also finds that concerns regarding misuse of protective legislation often receive disproportionate attention. Available evidence suggests that under-enforcement and institutional bias remain far more significant challenges than misuse.

Overall, the study concludes that the gap between legal protections and their implementation remains the greatest obstacle to justice. Meaningful reform

requires not only strong laws but also accountable institutions, fair procedures, effective victim support, and a sustained commitment to constitutional values.

SUGGESTIONS AND RECOMMENDATIONS

1. **Strengthen Accountability:** Strict action should be taken against officials who fail to perform their duties under the SC/ST Act, particularly in cases involving delayed FIR registration or negligent investigations.
2. **Improve Investigation Standards:** Better training, procedural compliance, and greater use of forensic evidence can reduce investigative deficiencies and improve conviction rates.
3. **Expand Special Courts:** Adequate Special Courts and Exclusive Special Public Prosecutors should be appointed to ensure speedy and effective disposal of atrocity cases.
4. **Enhance Witness and Victim Protection:** Victims and witnesses should receive timely security, legal assistance, counselling, rehabilitation support, and compensation.
5. **Promote Caste Sensitization:** Continuous training on caste discrimination, constitutional morality, gender sensitivity, and human rights should be mandatory for police officers, prosecutors, judges, and prison officials.
6. **Improve Data Collection:** Governments should publish detailed and disaggregated data on caste-based crimes, investigations, prosecutions, convictions, and rehabilitation outcomes.
7. **Strengthen Legal Awareness:** Legal aid clinics, community outreach programmes, and awareness campaigns should be expanded to improve access to justice among vulnerable communities.
8. **Address Intersectional Vulnerabilities:** Targeted measures should be developed for Dalit women, persons with disabilities, and economically disadvantaged individuals facing multiple forms of discrimination.
9. **Continue Institutional Reforms:** Efforts to eliminate caste-based discrimination within prisons and other state institutions should be strengthened through regular monitoring and reform.

In conclusion, addressing caste-based atrocities requires more than legislation. It demands a justice system that is responsive, inclusive, and free from structural bias. Only through effective implementation, institutional reform, and social transformation can the constitutional promise of equality, dignity, and justice be fully realized.

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