

F.No.16/5/2016-CP&R
Government of India
Ministry of Tribal Affairs

Shastri Bhawan, New Delhi
Dated: 18.2.2016

1. The Chief Secretaries of all State Governments (except Jammu & Kashmir)
2. The Administrator of all Union Territories.

Subject: - The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (1 of 2016) – regarding.

Sir/Madam,

As you are aware that the Article 17 of the Constitution of India abolished 'untouchability', forbade its practice in any form and made enforcement of any disability arising out of untouchability as an offence punishable in accordance with the law. An Act of Parliament namely the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989, to give effect to the provisions of Article 17 of the Constitution was enacted for preventing atrocities against members of Scheduled Tribes, to provide for Special Courts for the trial of such offences as well as relief and rehabilitation of the victims of atrocities. The PoA Act extends to the whole of India except Jammu and Kashmir, and responsibility for its implementation rests with State Governments.

2. The complaints / allegation of atrocities despite, provisions of the enabling Act against the members of Scheduled Tribes (STs) is matter of concern. The Act has accordingly been strengthened to make the relevant provisions of the Act more effective. Based on the consultation process with all the stakeholders, amendments in the PoA Act were proposed to broadly cover five areas namely (i) Amendments to Chapter II (Offences of Atrocities) to include new definitions, new offences, to re-phrase existing sections and expand the scope of presumptions, (ii) Institutional Strengthening, (iii) Appeals (a new section), (iv) Establishing Rights of Victims and Witnesses (a new chapter) and (v) strengthening preventive measures. The objective of these amendments in the PoA Act is to deliver members of STs, a greater justice as well as be an enhanced deterrent to the offenders. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No.1 of 2016) has been notified in the Gazette of India Extraordinary on 01.01.2016. In view of its sub-section (2) of

section (1), the Central Government has appointed 26.01.2016 as the date of enforcement of the Amendment Act, notified in the Gazette of India, Extraordinary, on 18.01.2016. The copies of the gazette notifications issued in this regard are appended.

3. You are requested to apprise your concerned offices/agencies for information and action accordingly.


(Manoj Kumar Pingua)

Joint Secretary to the Government of India

Copy to:-

- (i) Tribal Welfare Departments of all the States and Union Territories for necessary action.
- (ii) Secretary, National Commission for Schedule Tribes. New Delhi.
- (iii) Managing Director, TRIFED, New Delhi.
- (iv) CMD, NSTFDC, New Delhi.
- (v) NIC for uploading in website of MoTA.


सत्यमेव जयते

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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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नई दिल्ली, सोमवार, जनवरी 18, 2016/पौष 28, 1937

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सामाजिक न्याय और अधिकारिता मंत्रालय

(सामाजिक न्याय और अधिकारिता विभाग)

अधिसूचना

नई दिल्ली, 18 जनवरी, 2016

का.आ. 152(अ).—केंद्रीय सरकार, अनुसूचित जाति और अनुसूचित जनजाति (अत्याचार निवारण) संशोधन अधिनियम, 2015 (2016 का सं. 1) की धारा 1 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 26 जनवरी 2016 को ऐसी तारीख के रूप में नियत करती है जिसको उक्त अधिनियम के उपबंध प्रवृत्त होंगे।

[सं. 11012/1/2002-पीसीआर (डेस्क)]

आईन्ट्री अनुराग, संयुक्त सचिव

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

(Department of Social Justice and Empowerment)

NOTIFICATION

New Delhi, the 18th January, 2016

S.O. 152(E).—In exercise of the powers conferred by sub-section (2) of section 1 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (1 of 2016), the Central Government hereby appoints the 26th day of January, 2016 as the date on which the provisions of the said Act shall come into force.

[No. 11012/1/2002-PCR (Desk)]

AINDRI ANURAG, Jt. Secy.