



No. MTA/03/PoA Act 1989/2018/RU-II
Government of India
(National Commission for Scheduled Tribes)

6th floor, Lok Nayak Bhawan,
Khan Market, New Delhi
Dated:- 27th.09.2018.


OFFICE MEMORANDUM

Subject:-Amendment to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989-reg.

The undersigned is directed to refer to subject cited above and to say that Ministry of Social Justice and Empowerment, Department of Social Justice & Empowerment vide letter No.11012/02/2018-PCR(Desk) dated 10.09.2018 sent a copy of Scheduled Castes and the Scheduled Tribe (Prevention of Atrocities) Amendment Act, 2018 (in bilingual) published in the Gazette of India dated 17.08.2018 for information and appropriate action.

Yours faithfully,

Encl: As above


(S.P. Meena)
Assistant Director
Tel:24645826

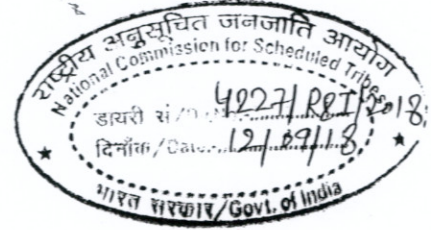
Copy for information:-

- i) PS to Hon'ble Chairman, NCST, New Delhi.
- ii) PS to Hon'ble Vice-Chairman, NCST, New Delhi
- ii) PS/PA to Members, NCST, New Delhi
- iv) Sr. PPS to Secretary, NCST, New Delhi.
- v) PA to Joint Secretary, NCST, New Delhi
- vii) PA to Deputy Secretary, NCST
- viii) PA to Under Secretary(Estt.), NCST
- ix) PA to Assistant Director (Admn. & RU-III)
- x) Asstt. Director (Coord. & RU-II)
- xi) Asstt. Director (OL & RU-I)
- xii) Research Officer (RU-IV)
- xiii) All Regional Offices of NCST.
- xiv) SSA (NIC), NCST, New Delhi for uploading the matter.

No.11012/02/2018-PCR(Desk)
Government of India
Ministry of Social Justice and Empowerment
Department of Social Justice and Empowerment

Shastri Bhawan, New Delhi,
Dated: 10.09.2018.

1. The National Commission for Scheduled Castes,
5th Floor, Lok Nayak Bhawan, Khan Market,
New Delhi-110003
2. The National Commission for Scheduled Tribes,
5th Floor, Lok Nayak Bhawan, Khan Market,
New Delhi-110003



Subject: Amendment to the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989-reg.

Sir,

I am directed to say that An Act of Parliament namely the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989, was enacted for preventing atrocities against the members of Scheduled Castes and Scheduled Tribes, to provide for Special Courts for the trial of such offences as well as relief and rehabilitation of the victims of atrocities.

2. This Act was amended in the year 2016 to cover broadly 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.

3. With a view to nullify conduct of a preliminary enquiry before registration of an FIR, or to seek approval of any authority prior to arrest of an accused, and to restore the provisions of Section 18 of the Act, the PoA Act has been further amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018 (No.27 of 2018) (copy enclosed) and enforced on 20.08.2018 (copy enclosed). By the said Amendment Act, Section 18(A) has been inserted, which read as under:

"18a. (1) For the purpose of this Act, -

(a) Preliminary enquiry shall not be required for registration of a First Information Report against any person; or

(b) The investigating officer shall not require approval for the arrest, if necessary, of any persons,

Contd....2/-

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भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 39] नई दिल्ली, शुक्रवार, अगस्त 17, 2018/श्रवण 26, 1940 (शक)
No. 39] NEW DELHI, FRIDAY, AUGUST 17, 2018/SHRAVANA 26, 1940 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 17th August, 2018/Shravana 26, 1940 (Saka)

The following Act of Parliament received the assent of the President on the 17th August, 2018, and is hereby published for general information:—

THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) AMENDMENT ACT, 2018

No. 27 of 2018

[17th August, 2018.]

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

BE it enacted by Parliament in the Sixty-ninth 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, 2018.

Short title and commencement.

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



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 3223]

नई दिल्ली, सोमवार, अगस्त 20, 2018/श्रावण 29, 1940

No. 3223]

NEW DELHI, MONDAY, AUGUST 20, 2018/SHRAVANA 29, 1940

सामाजिक न्याय और अधिकारिता मंत्रालय
(सामाजिक न्याय और अधिकारिता विभाग)

अधिसूचना

नई दिल्ली, 20 अगस्त, 2018

का.आ. 4027(अ).— केन्द्रीय सरकार, अनुसूचित जाति और अनुसूचित जनजाति (अत्याचार निवारण) संशोधन अधिनियम, 2018 (2018 का 27) की धारा 1 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए 20 अगस्त, 2018 को ऐसी तारीख के रूप में नियत करती है जिसको उक्त अधिनियम के उपबंध प्रवृत्त होंगे।

[सं.11012/2/2018-पीसीआर (डेस्क)]

रश्मि चौधरी, संयुक्त सचिव

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
(Department of Social Justice and Empowerment)

NOTIFICATION

New Delhi, the 20th August, 2018

S.O. 4027(E).—In exercise of the powers conferred by sub-section (2) section 1 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018 (27 of 2018), the Central Government hereby appoints the 20th day of August, 2018, as the date on which the provision of the said Act shall come into force.

[No. 11012/2/2018-PCR(Desk)]
RASHMI CHOWDHARY, Jt. Secy.

4832 GI/2018

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