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SC/ST ACT, 1989



RPSC APO 2026



SECTION 3

OFFENCES BY NON-MEMBERS AGAINST MEMBERS OF SCHEDULED CASTES & SCHEDULED TRIBES



PROTECTS DIGNITY

Ensures respect and human dignity for SC/ST individuals.



SECURES RIGHTS

Protects rights over land, property, and economic resources.



PROMOTES EQUALITY

Ensures equal participation in society and democratic processes.



PREVENTS ABUSE

Penalizes exploitation, humiliation, and social exclusion.



BUILDS JUST SOCIETY

Fosters dignity, inclusion, and social justice for all.



STRONG LEGAL PROTECTION

Stringent penalties to deter discrimination & oppression.



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ARCHITECTURE OF SECTION 3

SC/ST ACT, 1989



Section 3 creates a comprehensive shield of protection for the dignity, rights, and equality of **members of Scheduled Castes and Scheduled Tribes**.

SECTION 3 Offences by Non-Members against SCs & STs

1



**DIGNITY
OFFENCES**

Clauses

(a), (b), (c),
(d), (e)

Humiliation and acts that degrade human dignity.

2



**LAND &
PROPERTY
OFFENCES**

Clauses

(f), (g)

Wrongful occupation, dispossession and interference with land rights.

3



**FORCED LABOUR
& EXPLOITATION**

Clauses

(h), (i), (j), (k)

Forced labour, exploitation and dehumanizing practices.

4



**POLITICAL
RIGHTS
OFFENCES**

Clauses

(l), (m), (n), (o)

Interference with voting rights and political participation.

5



**JUDICIAL PROCESS
ABUSE**

Clauses

(p), (q)

Misuse of legal process and false information to harass.

6



**PUBLIC HUMILIATION
& HATE SPEECH**

Clauses

(r), (s), (t),
(u), (v)

Insults, hate speech and acts that hurt sentiments and identity.

7



**SEXUAL
OFFENCES**

Clause

(w)

Sexual harassment and acts without consent.

8



**SOCIAL EXCLUSION
OFFENCES**

Clauses

(x), (y), (z),
(za), (zb), (zc)

Acts that exclude, boycott or deny social and religious rights.



ESSENCE These offences protect the dignity, rights, equality, and social inclusion of SC/ST individuals and ensure justice and respect.



OBJECTIVE To prevent atrocities, ensure equal status and build an inclusive society.



DIGNITY OFFENCES

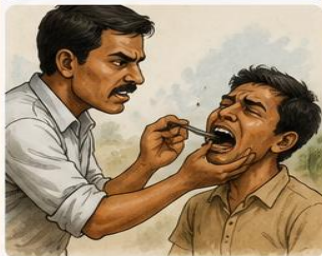
Clauses (a), (b), (c), (d), (e)



Offences that humiliate, degrade or dishonour the dignity of
members of Scheduled Castes & Scheduled Tribes.

a

Forcing inedible or obnoxious substance to eat or drink



Forces any inedible or obnoxious substance into the mouth of a SC/ST member or makes him eat or drink it.

b

Dumping excreta, sewage or obnoxious substance in premises



Dumps excreta, sewage, carcasses or any other obnoxious substance in premises, or at the entrance of premises, of a SC/ST member.

c

Dumping obnoxious substance in neighbourhood



With intent to cause injury, insult or annoyance, dumps excreta, waste matter, carcasses or any other obnoxious substance in his neighbourhood.

d

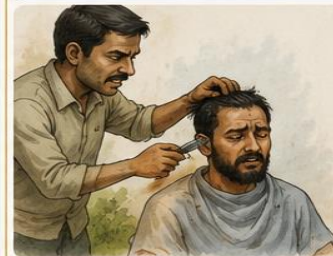
Garlanding with footwear or parading naked or semi-naked



Garlands with footwear or parades naked or semi-naked a SC/ST member.

e

Forcible acts derogatory to human dignity



Forcibly commits acts such as removing clothes, forcible tonsuring of head, removing moustaches, painting face/body or any similar act derogatory to human dignity.



KEY IDEA: These offences attack the self-respect and dignity of SC/ST individuals and create a sense of humiliation and inferior status.

REMEMBER:

Feed – Filth – Footwear – Parade – Humiliate

LAND & PROPERTY OFFENCES

Clauses (f), (g)

Offences that unlawfully take away, occupy or interfere with the land and property rights of **members of Scheduled Castes & Scheduled Tribes**.

(f)

Wrongful occupation, cultivation or transfer of SC/ST land or land allotted/notified for them

Whoever **wrongfully** occupies or cultivates any land owned by, in the possession of, allotted to, or notified to be allotted to, a SC/ST member, or gets such land transferred, commits an offence.



Wrongful occupation



Wrongful cultivation



Getting the land transferred



Land notified for allotment to SC/ST



“**Wrongfully**” includes – against will, without consent, by threat, or by fabricating records.

(g)

Wrongful dispossession or interference with enjoyment of rights over land, water, crops, etc.

Whoever **wrongfully** dispossesses a SC/ST member from his land or premises or interferes with his enjoyment of rights over land, premises, water, irrigation facilities, or destroys crops or takes away produce, commits an offence.



Wrongful dispossession



Interfering with water or irrigation facilities



Destroying crops



Taking away produce



Protects rights including forest rights and ensures peaceful enjoyment of land and resources.



KEY IDEA:

The Act safeguards the land and resources of SC/ST members from occupation, dispossession and interference, ensuring their economic security and dignity.



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FORCED LABOUR & EXPLOITATION

Clauses (h), (i), (j), (k)

Offences that compel SC/ST members to perform degrading, hazardous or exploitative work against **their will and dignity**.

h

Makes a member of SC/ST to do 'begar' or other forms of forced or bonded labour



Forces a SC/ST member to do unpaid or bonded labour (begar) or any other form of compulsory labour.

i

Compels a member of SC/ST to dispose or carry human or animal carcasses, or to dig graves



Forces a SC/ST member to carry or dispose of dead bodies of humans or animals or to dig graves.

j

Makes a member of SC/ST to do manual scavenging or employs/permitted for such purpose



Forces, employs or permits a SC/ST member to do manual scavenging.

k

Performs, promotes dedicating SC/ST woman as Devadasi or any other similar practice



Promotes or performs the practice of dedicating SC/ST women as Devadasi or any other similar exploitative practice.



ESSENCE: These offences exploit the vulnerability of SC/ST members and treat them as a means of labour, not as equal human beings.



KEY TAKEAWAY: No one can be forced into degrading or exploitative work. Dignity includes the right to choose one's labour.



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POLITICAL RIGHTS OFFENCES

Clauses (l), (m), (n), (o)

Offences that interfere with the political participation, electoral rights and democratic functioning of **SC/ST members**.

l

Forces, intimidates or prevents SC/ST member from exercising electoral rights



Presents a SC/ST member from voting, filing nomination, withdrawing nomination or proposing/seconding nomination of SC/ST candidate.



Not to vote



Not to file or withdraw nomination



Not to propose or second

m

Obstructs SC/ST member holding office (Panchayat/Municipality) from performing duties



Forces, intimidates or obstructs a SC/ST member (elected representative) from performing normal duties and functions.



Member / Chairperson



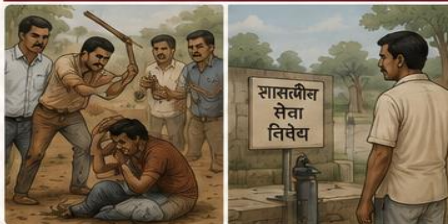
Panchayat (Part IX)



Municipality (Part IXA)

n

Causes harm or imposes social/economic boycott or denies public services after poll



Causes hurt/assault or imposes threats, social or economic boycott or prevents from availing any public service which is due to him.



Hurt / Assault



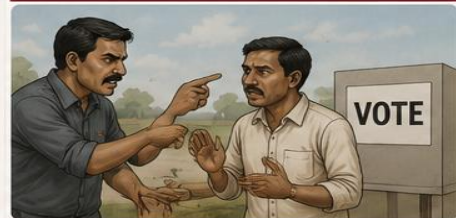
Social / Economic Boycott



Denial of Public Service

o

Commits offence under this Act for having voted / not voted



Commits any offence against a SC/ST member for having voted, not having voted or having voted in a manner provided by law.



Voted / Not Voted



Offence under this Act



KEY TAKEAWAY: These offences protect the democratic rights of SC/ST members and ensure their free, fair and fear-free participation in elections and governance.



REMEMBER:

Vote – Office – Boycott – Punish
(l – m – n – o)

JUDICIAL PROCESS ABUSE

Clauses (p), (q)

Offences that misuse legal process or lawful authority
to harass or cause injury to **SC/ST members**.

p

Institutes false, malicious or vexatious suit
or criminal or other legal proceedings



Filing false, malicious or vexatious cases (civil suits, criminal cases or other legal proceedings) against a SC/ST member to harass, annoy or cause injury to them.



False Case
Filed



Malicious
Intent



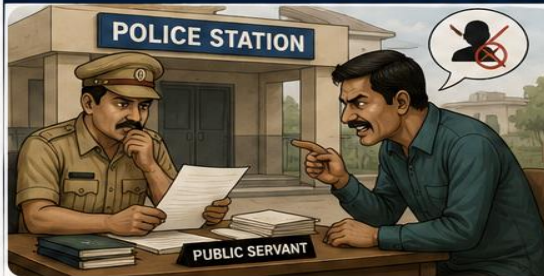
Vexatious
Proceedings



Harassment
& Injury

q

Gives any false or frivolous information to any
public servant and thereby causes such public servant
to use his lawful power to the injury or annoyance
of a SC/ST member



Giving false, frivolous or false information to a public servant, leading the servant to misuse his lawful powers to the injury, threat or annoyance of a SC/ST member.



False / Frivolous
Information



Public Servant
Misled



Lawful Power
Misused



Injury /
Annoyance



KEY TAKEAWAY: The law protects SC/ST members from false legal actions and misuse of official authority that cause harassment or injury.



REMEMBER:

False Case – False Info = Fear & Harassment
(p – qi)



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PUBLIC HUMILIATION & HATE SPEECH OFFENCES

Clauses (r), (s), (t), (u), (v)

Offences that hurt the dignity, self-respect and social standing of SC/ST members through insult, abuse, defilement, hatred or disrespect.

(r) Intentionally insults or intimidates with intent to humiliate in any place within public view



- Insult with intent to humiliate
- Intimidation to lower dignity
- Must be in public view



Insult



Intimidation



Public View

(s) Abuses any SC/ST member by caste name in any place within public view



- Use of caste name as abuse
- In any public place
- Hurts self-respect



Caste Name Abuse

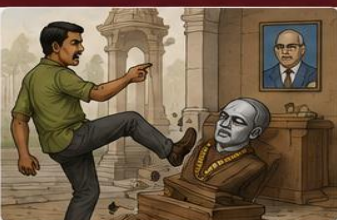


Public Place



Hurts Dignity

(t) Destroys, damages or defiles any object held sacred or in high esteem



- Damage or defile sacred object
- Object held in high esteem by SC/STs
- Includes statue, photograph, portrait (as per Explanation)



Destroy / Damage / Defile

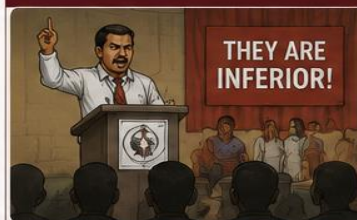


Sacred / Revered Object



Includes Statue, Photo, Portrait

(u) Promotes or attempts to promote feelings of enmity, hatred or ill-will against SC/ST members



- Words, signs, visible representation or any other means
- Promotes hatred, enmity, ill-will
- Against SC/ST members



Promotes (Enmity/Hatred)



Enmity / Hatred / Ill-will



Against SC/STs

(v) Disrespects any late person held in high esteem by SC/ST members



- By words (spoken/written) or any other means
- Disrespects revered leader or personality



Words / Any Other Means



Revered Person of SC/ST



Disrespect



KEY TAKEAWAY: These offences attack the dignity, identity and collective sentiments of SC/ST communities and create an atmosphere of hatred and humiliation.

MEMORY AID:

H

Humiliate (r)

A

Abuse (s)

D

Defile (t)

H

Hatred (u)

D

Disrespect (v)





SEXUAL OFFENCES

Clause (w)

Protects the **bodily autonomy, dignity** and **sexual integrity** of women belonging to SC/ST communities.

WHAT IS PUNISHED?

- 1 Intentionally touches a woman belonging to a Scheduled Caste or Scheduled Tribe, knowing that she belongs to SC/ST, when such touch is of a **sexual nature** and **without her consent**.



- 2 Uses words, acts or gestures of a **sexual nature** towards a woman belonging to SC/ST, knowing that she belongs to SC/ST.



CONSENT (EXPLANATION)

“Consent” means an **unequivocal voluntary agreement** communicated by words, gestures or any form of non-verbal communication showing willingness to participate in the specific act.



Silence or **lack of physical resistance** shall not be considered as consent.

KEY POINTS



Applies only when the accused **knows** the woman belongs to SC/ST.



Focus is on **sexual nature** and **lack of consent**.



Ensures **enhanced protection** and deters caste-based sexual violence.



ESSENCE:

Recognizes the intersection of **caste and gender** vulnerability and criminalizes **sexual harassment, assault and unwanted sexual conduct**.



MEMORY AID:

“**TWO STEPS – Touch Without Consent OR Talk/Act of Sexual Nature**”
(w)



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SECTION 3 – THEME 8

SOCIAL EXCLUSION OFFENCES

Clauses (x)–(zc) in Correct Order

Offences that impose social, economic or cultural exclusion to deny equality, dignity and participation of SC/ST members. **Punishment: Imprisonment 6 months to 5 years +Fine**

1 **Poisoning / Foul Water Sources**
Sec. 3(1)(x)

Corrupts or fouls water of any spring, reservoir or other source ordinarily used by SC/ST members.

2 **Denial of Right of Passage**
Sec. 3(1)(y)

Denies customary right of passage to a place of public resort or obstructs such member.

3 **Expelling from House, Village or Residence**
Sec. 3(1)(z)

Forces or causes a member of SC/ST to leave his house, village or other place of residence.
(Except action in discharge of public duty)

4 **Denial of Common Resources, Passage, Water, Cremation Grounds, etc.**
Sec. 3(1)(za)(A)

Obstructs / prevents using common property resources, roads, wells, tanks, rivers, cremation/burial grounds, or any other watering place equally with others.

5 **Preventing Wedding Procession, Horse, Footwear, New Clothes, etc.**
Sec. 3(1)(za)(B)

Obstructs / prevents riding horse, taking out wedding procession, wearing footwear or new clothes or other similar rights in public.

6 **Denial of Temple Entry & Religious / Cultural Processions**
Sec. 3(1)(za)(C)

Obstructs / prevents entering any place of worship open to the public or taking part in religious, social or cultural processions (jathas, etc.).

7 **Denial of Access to Public Institutions, Places & Public Utensils**
Sec. 3(1)(za)(D)

Obstructs / prevents entering schools, hospitals, dispensaries, shops, places of public entertainment or any other public place; or using public utensils or articles meant for public use.

8 **Denial of Right to Practice Profession, Trade, Business or Employment**
Sec. 3(1)(za)(E)

Obstructs / prevents from practicing any profession, carrying on trade, business or employment which other members of the public have a right to.

9 **Witch-branding / Allegation of Witchcraft**
Sec. 3(1)(zb)

Causes physical harm or mental agony of a member of SC/ST on the allegation of practicing witchcraft or being a witch.

10 **Social or Economic Boycott**
Sec. 3(1)(zc)

Imposes or threatens social or economic boycott of any person, family or group belonging to SC/ST.



PUNISHMENT (FOR ALL ABOVE OFFENCES)



Imprisonment for a term which shall not be less than 6 months but which may extend to 5 years.



Fine



KEY TAKEAWAY

These offences attack the right to live with dignity, equality and inclusion in society. They break the social fabric and perpetuate caste-based discrimination.

MEMORY AID – ZA IN 5 PARTS

za(A)

Resources & Passage

za(B)

Marriage Procession & Dress

za(C)

Church/Temple & Processions

za(D)

Public Places, Services & Utensils

za(E)

Employment, Trade & Business

“ Exclusion is not tradition. It is injustice. Equality is non-negotiable. ”



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RESPECT DIGNITY



PROTECT RIGHTS



ENSURE JUSTICE



EMPOWER SOCIETY

PUNISHMENTS FOR OFFENCES UNDER SECTION 3(2) OF THE SC/ST ACT



Offences committed by a person not being a member of SC/ST against a member of SC/ST

1 (i) Giving or Fabricating False Evidence in Capital Offence



- Intending to cause, or knowing likely to cause, SC/ST member to be convicted of a capital offence.
- If such person is executed as a result.



Punishment: Death
(in case of execution: Death)

2 (ii) Giving or Fabricating False Evidence in Non-Capital Offence (≥ 7 years)



- Intending to cause, or knowing likely to cause, SC/ST member to be convicted of an offence punishable with imprisonment of 7 years or more but not capital.



Punishment: 6 months to 7 years or more + Fine

3 (iii) Mischief by Fire or Explosive – Damage to Property



- Commits mischief by fire or any explosive substance knowing it is likely to cause damage to property belonging to an SC/ST member.



Punishment: 6 months to 7 years + Fine

4 (iv) Mischief by Fire or Explosive – Destruction of Building



- Commits mischief by fire or explosive knowing it is likely to cause destruction of a building used as place of worship, human dwelling or for custody of property by an SC/ST member.



Punishment: Imprisonment for Life + Fine

5 (v) Offence under IPC Punishable with ≥ 10 Years



- Commits any IPC offence punishable with 10 years or more against a person or property knowing that such person is SC/ST member or property belongs to such member.



Punishment: Imprisonment for Life + Fine

6 (vi) Causing Evidence to Disappear or Giving False Information



- Knowing or having reason to believe an offence under this Chapter is committed: causes evidence to disappear OR gives false information to screen the offender.



Punishment: Same as that provided for the original offence

7 (vii) Public Servant Committing Offence under this Section



- If the offender is a public servant and commits any offence under this Section.



Punishment: Minimum 1 year imprisonment up to the punishment provided for that offence



WHO CAN COMMIT?

Only a person who is NOT a member of SC or ST.



KEY TAKEAWAY

These provisions protect SC/ST members from false prosecution, destruction of property, intimidation, and abuse of power by ensuring strict punishments.



ADDITIONAL PROVISION

(va) If an offence specified in the Schedule is committed against an SC/ST member or his property knowingly – the punishment shall be as per IPC for that offence + Fine.



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