GS-II: SC/ST judgment, in review

News

- The Supreme Court has recalled its directions in a March 20, 2018 verdict that had effectively diluted provisions of arrest under the SC & ST (Prevention of Atrocities) Act, 1989.
- This was following a plea by the Centre seeking a review of that judgment.
- The court accepted that Dalits have suffered for long and negated the basis of last year’s judgment in which the court had commented on false cases under the Act.

Review of a judgment

- ‘Review’ of a Supreme Court judgment is done by the same Bench.
- ‘Overruling’ means that the law laid down in one case is overruled in another case.
- When a higher court on appeal alters the judgment of a lower court, it is called ‘reversal.’
- Generally, a review is heard in the judge’s chamber, but may be heard in open court in important cases as in the Sabarimala and Rafale cases, in which no order has been pronounced yet.

Why was the SC/ST Act enacted?

- Since crimes against SCs and STs are fundamentally hate crimes, the Rajiv Gandhi enacted the Act in 1989.
- It gave furtherance to the provisions for abolition of untouchability (Article 17) and equality (Articles 14, 15).

Why reviewed now?

- The review stated that despite various measures to improve the socio-economic conditions of the SCs and STs, they remain vulnerable.
- They are denied number of civil rights. They are subjected to various offences, indignities, humiliations and harassment.
- They have, in several brutal incidents, been deprived of their life and property.