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Q10

What are the two major legal initiatives by the State since Independence addressing discrimination against Scheduled Tribes(STs)? (250 words).

UPSC Civil Services Mains 2017 · GS I · 10 marks · Post-independence Consolidation

Post-independence consolidation and reorganization within the country.

Core demand of the question

- What are the two major legal initiatives by the State since Independence addressing discrimination against Scheduled Tribes(STs)? (250 words)
- Name the laws, state what discrimination they target, and how they work
- Keep the explanation within a 10-mark length

Revision summary

Constitutional equality was not enough against tribal atrocity and forest eviction.

The 1989 PoA Act creates special offences and forums against violence and humiliation of STs.

The 2006 FRA recognises individual and community forest rights through the gram sabha.

One law targets interpersonal caste-patterned crime; the other targets State and forest exclusion.

Fifth Schedule and PESA support self-rule but the two headline initiatives remain PoA and FRA.

Flow diagram

ST discrimination -> Atrocity humiliation

ST discrimination -> Forest land denial

Atrocity humiliation -> PoA Act 1989

Forest land denial -> FRA 2006

PoA Act 1989 -> Legal protection

FRA 2006 -> Legal protection

Conclusion

- Name the two Acts clearly, then add **Fifth Schedule**, PCR Act 1955, and PESA only as supporting architecture.
- Stress land, forest, and bodily dignity as the three sites of tribal discrimination these laws try to reach.

Since Independence the State's two major legal answers to ST discrimination are the 1989 Atrocities Act against violence and humiliation, and the 2006 **Forest Rights Act** against

eviction from forest land and livelihood. Rights on paper still need courts and gram sabhas if discrimination is not to continue in fact.

Facts & figures

PoA Act, 1989

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against caste and tribe targeted crimes.

FRA, 2006

Law recognising forest rights of Scheduled Tribes and other traditional forest dwellers.

Fifth Schedule

Constitutional scheme for administration of Scheduled Areas and tribal welfare in several States.

PESA, 1996

Panchayats (Extension to Scheduled Areas) Act on gram sabha powers in **Fifth Schedule** areas.

PCR Act, 1955

Protection of Civil Rights Act that followed the ban on untouchability; wider than STs alone.

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