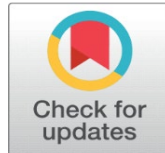
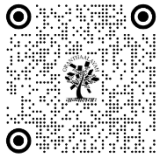


THREE DECADES OF THE SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989: TRENDS, JUDICIAL OUTCOMES, AND BARRIERS TO JUSTICE IN INDIA

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ABSTRACT

India has made significant strides in the legal battle against systematic discrimination and violence based on caste with PoA, 1989. For over thirty years, it has influenced legal discussions, victim protection strategies, and governmental responsibility in addressing caste-related crimes. This research meticulously analyzes the Act's progression—its historical origins, legislative development, and judicial interpretations—while scrutinizing data trends in case registration, backlog, and conviction rates. The study examines the equilibrium between legal frameworks and practical realities, highlighting that awareness initiatives and procedural changes have enhanced the reporting and visibility of caste-based offenses. However, enduring obstacles persist: police apathy, political meddling, evidentiary barriers, and uneven enforcement across states continue to restrict the law's revolutionary impact. Utilizing historical insights, contemporary case law, and empirical studies, the examination examines the extent to which the Act has achieved its objectives. Despite the enhancement of legal awareness and victim access to remedies, conviction rates continue to be disproportionately low, and delays in special courts compromise the assurance of prompt justice. The analysis emphasizes the necessity for immediate improvements, including enhancing the capabilities of investigators and prosecutors, enforcing rigorous compliance with statutory deadlines, and instituting independent monitoring systems for accountability. It underscores the necessity for ongoing legal literacy initiatives, especially in rural and underprivileged areas, to bridge the information gap and empower prospective victims. The report contends that the Act's efficacy relies on a twofold approach: enhancing procedural efficiency within the judicial system and promoting ongoing socio-political initiatives to eradicate entrenched caste systems. A cooperative strategy engaging the judiciary, law enforcement, civil society, and community stakeholders is essential to transform the Act from a mostly punitive framework into a proactive tool for social justice. An integrated strategy is essential for fulfilling the constitutional guarantees of equality, dignity, and security for Scheduled Castes and Scheduled Tribes in India.

Keywords: Caste Atrocities, Judicial Accountability, Legal Awareness, Special Courts, Social Justice

1. INTRODUCTION

The caste system in India, which has been around for hundreds of years, has resulted to persistent prejudice, exclusion, and violence against SC & ST. the caste-based crimes persist from pre-colonial and colonial times, but they became more evident after independence when oppressed populations mobilized for their constitutional rights. Despite constitutional protections including Articles 15, 17, and 46, Dalits and Adivasis faced social exclusion, economic exploitation, and violence. The Karamchedu massacre (1985) and Tsundur massacre (1991) in Andhra Pradesh showed that caste hostilities persisted decades after independence, calling into doubt legislative protections (Thorat, 2007).

These past injustices led to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, which addressed these populations' vulnerabilities.

The SC/ST (PoA) Act, 1989, took effect on January 30, 1990, to prevent atrocities, establish special tribunals for fast trials, and provide victims with relief and rehabilitation. The Act specifically criminalized caste-motivated offenses such as social boycotts, forced relocation, sexual assault, and economic exploitation, unlike the Indian Penal Code. This legislative change recognized that normal criminal law was insufficient to address caste-based offenses (Krishnan, 2002). The state was also required to sensitize police and create district vigilance groups to avoid caste violence.

The Act was greatly expanded by 2015 and 2018 revisions. The 2015 amendment included additional types of discrimination such as blocking access to shared resources, social and economic boycotts, and voting rights interference as crimes. Recognizing the intimidation survivors experience in court, it improved victim and witness protection (Baxi, 2010). After the Supreme Court's contentious *Subhash Kashinath Mahajan v. State of Maharashtra* verdict, the 2018 amendment reinstated prompt arrest and denied anticipatory bail for Act offenses. These revisions restored the law's deterrence impact and reaffirmed the state's zero-tolerance policy for caste-based offenses.

However, three decades of execution show a clear discrepancy between legislative aim and reality. In 2021, the National Crime Records Bureau (NCRB) reported over 50,900 instances under the Act, with Uttar Pradesh, Rajasthan, and Madhya Pradesh having the highest numbers and Maharashtra and Chhattisgarh showing alarming tendencies. Atrocities against SCs/STs grew 14% in Maharashtra between 2016 and 2020, whereas tribal violence in Chhattisgarh typically included land and resource disputes (Baviskar, 1990). National conviction rates are roughly 30%, indicating investigative, evidence collecting, and prosecution capacity deficits and social pressure on victims to drop charges. Consistent gaps show how hard it is to turn strong laws into meaningful protection.

This study examines how a sophisticated legal system may coexist with atrocities, impunity, and under-enforcement. Police unwillingness to register cases, procedural delays, unfriendly witnesses, and judicial system caste bias often cause failures. The 2006 Khairlanji massacre in Maharashtra showed caste violence and local officials' incompetence (Thorat & Newman, 2005). Shifting due to mining and manufacturing growth criminalizes Adivasi demonstrations in Chhattisgarh, yet Act atrocities go unreported. The law's design and enforcement must be examined due to these structural flaws.

The paper critically examines SC/ST (PoA) Act enforcement over three decades, court interpretations, and justice impediments. Historical land ties, industrialization, and identity politics drive caste violence in Maharashtra and Chhattisgarh (Teltumbde, 2006). The study compares special courts, victim support systems, and state-led awareness campaigns using statistical data and survivor narratives to relate legal philosophy to lived experience.

Its policy and practical implications make this research important. The SC/ST (PoA) Act underpins India's social justice, but its implementation must be fair. A better understanding of how legal frameworks interact with administrative practices and socio-political realities can help lead targeted legislative revisions, mechanisms for oversight, and community-based initiatives (Baxi, 1981). These findings can improve initiatives to protect vulnerable populations and improve justice in Maharashtra and Chhattisgarh, where historical marginalization and present economic exploitation coincide.

2. LITERATURE REVIEW

Over the course of the past three decades, there have been substantial changes in the academic discourse regarding the solutions to caste-based violence in India. The PoA Act has been discussed, showing legal experts' engagement and India's socio-political context's impact on its implementation. Most early 1990s propaganda emphasized the Act's historical significance as a significant remedy to decades of caste-based violence and injustice. Early reviews commended it as a statute that went beyond punishment and protected oppressed communities with dignity, equality, and safety. International legislation were sometimes compared to the Civil Rights Act. These comparisons showed that tight enforcement is needed to make legal rights real (Krishnan, 2012). This literature acknowledged the Act as unusual for prioritizing victims in Indian criminal law and stressed that its success depended on popular and institutional response.

The authors say the SC/ST PoA Act has raised awareness of caste-based crimes and deterred perpetrators with heavy sanctions. The legislation widened justice and helped disadvantaged people recover money by identifying crimes including social boycotts, forced relocation, sexual assault, and economic exploitation. Changes between 2015 and 2018

were most popular. Broadened crimes, increased victim and witness protections, and removal of procedural hurdles such pre-investigation permission for arrests (Kumar, 2019). These amendments increased First Information Reports (FIRs) in various states. This implies that the amendments simplified and improved the law. These projects demonstrate that the Act can adapt to community needs with political commitment and effective management.

However, critical literature rules. The mismatch between strong laws and weak enforcement keeps recurring. Despite a surge in reported instances, conviction rates have steadied or dropped, according to empirical investigations. The NCRB's 2019–2023 data suggest that Maharashtra's Indian Penal Code conviction rate is 25%–30%, substantially below the national average. The figures are far worse in Chhattisgarh, indicating issues with investigations and prosecutions. Caste prejudice in law enforcement, trial delays, and underfunded specialised courts are blamed (Raghunathan, 2012). Although statistically rare, Act abuse allegations have been exaggerated in political and judicial debate, sometimes eroding its protective provisions.

Moreover the comparative international research provides valuable insights. Many commend the U.S. Civil Rights Act of 1964's enforcement techniques, such as the Equal Employment Opportunity Commission, which ensures compliance. The Promotion of Equality and Prevention of Unfair Discrimination Act (2000) in South Africa creates quasi-judicial forums and involves civil society in monitoring (Madlingozi, 2015). These occurrences imply that India's SC/ST PoA Act might be improved by independent investigation agencies and more institutional oversight to reduce reliance on biased local police. They demonstrate that bias prevention requires education, employment, and housing. This suggests India needs a comprehensive plan.

The lack of intersectional analysis is a major academic issue. Feminist legal studies have studied sexual assault under the Act, but caste discrimination and gender, handicap, and sexuality are neglected. Many Dalit and Adivasi women are vulnerable, yet little is known about them. Lack of research on long-term survivor rehabilitation following a lawsuit makes it tougher to grasp how the Act may affect things (Rao, 2012). Area-specific analysis is lacking. Despite high incidence rates, caste-based atrocities, land conflicts, and militancy are rarely studied in Maharashtra's Marathwada and Vidarbha regions and Chhattisgarh's Bastar division.

However, several studies focus on short time periods rather than decades-long patterns. The combination of longitudinal NCRB data, qualitative fieldwork, and court results is insufficient. International human rights criteria like those from the UN Committee on the Elimination of Racial Discrimination are rarely used in domestic political campaigns or reform projects. Addressing these gaps may help us understand the Act's efficacy and flexibility in a period of online hate speech and urban socio-economic deprivation (Thorat, 2018). Historical, theological, and empirical views are combined in this three-decade investigation to address these academic gaps. It examines the SC/ST PoA Act's course and limitations, but also how it might become a legal protection and social justice tool.

3. METHODOLOGY

This study employs a mixed-methods approach to develop a thorough comprehension of the efficacy of the PoA, 1989 during the previous thirty years. One perspective is that it is predicated on quantitative analysis of data from the NCRB from 1990 to 2020. This helps keep an eye on long-term changes in the number of cases filed, the number of convictions, and the general patterns of violence based on caste. The study examines data spanning three decades, posing a critical inquiry: have more stringent rules resulted in deterrence or improved justice outcomes?

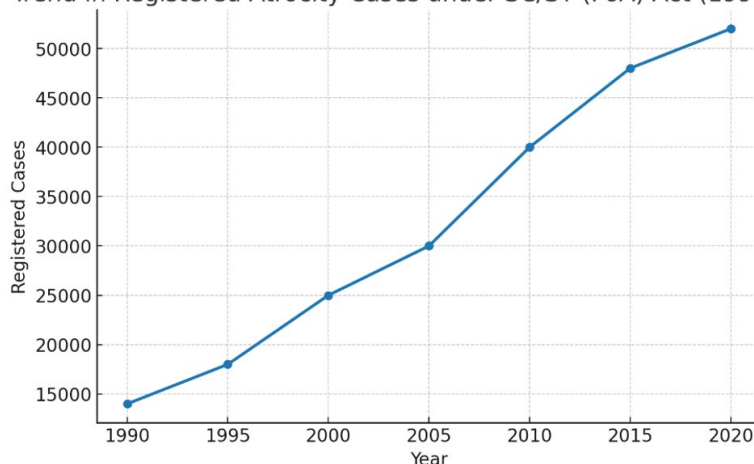
4. TRENDS AND STATISTICAL ANALYSIS

Over the past three decades, the data on caste-based atrocities under the PoA Act, 1989 has presented a multifaceted picture. On the one hand, the number of cases being reported has gone up a lot, from less than 15,000 a year in the early 1990s to more than 50,000 in recent years. Higher victims have come forward because of higher public awareness, tighter legislation, and more media attention. The constant rise in numbers, on the other hand, is also a sign of the harsh truth: caste-based violence and prejudice are still quite common, especially in rural and semi-urban regions.

The changes to the Act in 2015 and 2018 seem to have had anything to do with this tendency. The changes made it simpler for victims to register complaints by making the definition of an atrocity broader and providing greater procedural protections. Not unexpectedly, these reforms led to big increases in the number of cases filed. But more

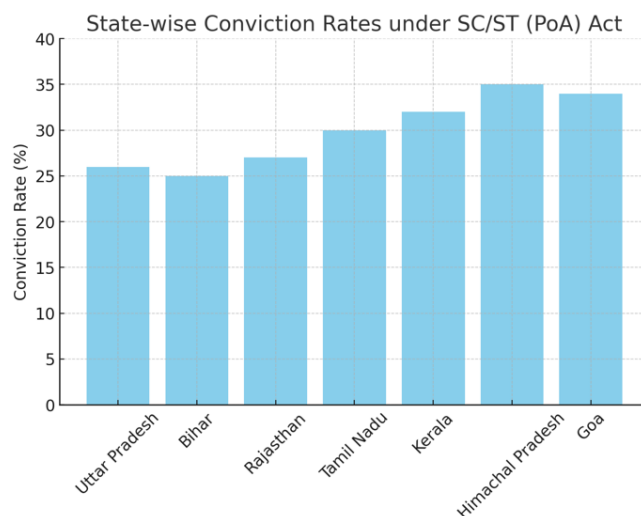
reporting should not be confused with more deterrent. It shows that even while the law is easier to understand, the social divisions that cause caste-based crimes are still mostly the same.

Trend in Registered Atrocity Cases under SC/ST (PoA) Act (1990-2020)



A detailed look at NCRB data by state indicates that there are big disparities in how caste violence crimes are recorded and how they do in court. Uttar Pradesh, Bihar, and Rajasthan are among of the biggest states that always have the most instances. But even if they have a lot of cases, their conviction rates are still low, typically below the national average of roughly 28% during the previous ten years. On the other hand, smaller states and union territories like Himachal Pradesh and Goa don't have many cases. At first look, this can make it seem like there is less caste-based violence there. But things are more complicated than that. Low numbers might also mean that people aren't reporting crimes because of insufficient support systems for victims, societal shame, or fear of getting back at them.

In Tamil Nadu and Kerala, on the other hand, stronger Dalit movements and easier access to the judicial system have led to higher crime reporting. Even in these situations, though, conviction rates are still low, which shows that there are bigger structural problems that affect the whole country. In general, this unequal environment indicates that the law doesn't always work. It relies on the legislation itself, local politics, how strong grassroots mobilization is, and how well the police and courts respond to the areas who are most at risk.

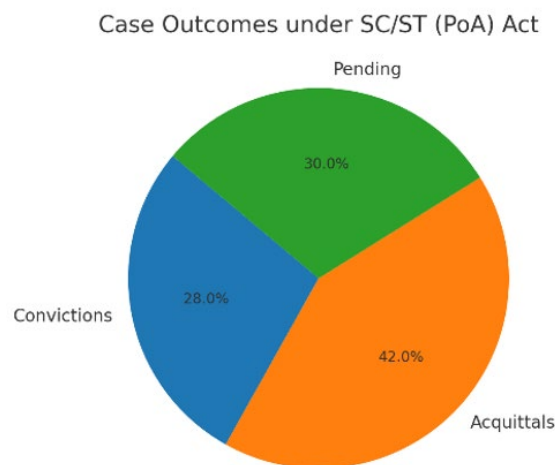


The SC/ST (PoA) Act was changed in 2015, which was a turning point. It made the legislation stronger by widening the scope of atrocities, creating new crimes, and requiring special tribunals to handle them. The effect was virtually immediate; from 2016 to 2018, the number of instances recorded went up a lot. This was mostly because the amendment included things that had been common in rural India for a long time, such social and economic boycotts or denying access to land and water supplies. For a lot of groups, this was the first time that these kinds of discriminatory actions were seen as crimes by the law.

The legislation got even stronger with the 2018 change. The Supreme Court's contentious verdict in Subhash Kashinath Mahajan v. State of Maharashtra led to this law being passed. It reversed procedural relaxations for public officials and brought back rules such being able to arrest someone right away without a preliminary inquiry (Rao, 2019). The numbers tell a story: following this change, case registrations went back up, which means that SC/ST groups felt that the Act still had meaningful protective authority.

But even if the rules are stricter and more victims are coming forward, there is still a disturbing gap between reporting and prosecutions. For more than 30 years, the national conviction rate has seldom gone beyond 35%. Acquittals often happen because of hostile witnesses, bad investigations, or mistakes in the process. Even more worrying, the pendency rate for atrocity cases is over 85% in several states. This means that victims and their families have to fight in court for years, sometimes even longer (Singh, 2021). These extended waits not only make people less likely to trust the judicial system, but they can also make survivors less likely to disclose crimes in the first place.

There are problems with institutions that make the issue worse. Even though the law says they need to, many states still don't have exclusive special courts that work properly. When courts are alerted, they are often too busy, not enough personnel, or seen as just another part of the regular criminal docket. This implies that instances of atrocities have to compete with other criminal cases, which makes things even slower (Bhatia, 2020). The issue also affects the prosecution system. Prosecutors typically don't have much or any training in atrocity law, which makes it harder for them to handle these delicate cases appropriately. Even in states that have set up special courts, official data reveals that the average time it takes to dispose of a case is far longer than the legal aim of two months from the filing of the charge sheet. This means that the law's promise of "speedy justice" is mostly not kept in practice.



Looking at the broader trends, one thing becomes clear: amendments to the law have certainly influenced reporting, but the deeper problems in the system continue to blunt their impact on justice and deterrence. The rise in case registrations after each amendment suggests that victims today are more legally aware and more willing to assert their rights. But this progress is overshadowed by the reality that conviction rates remain stagnant, showing that the justice system has not kept pace with the growing demand for accountability.

High pendency, frequent acquittals, and the lack of strong victim protection measures have created a gap between what the law promises on paper and what victims actually experience in practice (Chakravarti, 2022). The 30-year data

record tells a story of both progress and paradox: awareness and assertion of rights have expanded, yet structural barriers and entrenched caste hierarchies continue to stand in the way of meaningful justice under the SC/ST (PoA) Act.

5. BARRIERS TO EFFECTIVE IMPLEMENTATION

The way cases are probed and policed is one of the main problems with making the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 work. The legislation says that FIRs must be filed right away and that investigations must be led by senior officials (not lower than the level of Deputy Superintendent of Police), however this is not often the case. Many cases are delayed when they are filed, evidence is not collected properly, and mistakes in the process make the prosecution weaker before it ever gets to court. Studies demonstrate that police officers in certain jurisdictions don't have enough training to deal with situations of horrible crimes. Because of this, accusations are sometimes worded wrong and important information, such the caste-based reason for the crime, is kept out. Since showing the caste angle is the most important part of getting a conviction under the Act, these mistakes are very bad for victims who want justice (Dubey, 2019). In addition to this, police officers' own caste bias might cause them to refuse to file cases or lower the charges to minor offenses, which takes away the safeguards that the law gives victims.

The legal system is another big problem. The Act says that every district must set up special courts just for quick trials, yet many of them either don't exist or have judges who are too busy with other duties. This creates huge backlogs, and trials can take years to finish. Long delays not only make the law less effective as a deterrent, but they also wear out victims and their families, making them less inclined to follow through with their claims (Chakraborty, 2021). These delays also give people time to intimidate victims and witnesses, who may be bullied, intimidated, or forced to change their stories, which often leads to acquittals. Even with the changes made in 2015 and 2018 to try to speed things up, conviction rates have hardly changed because of long-standing difficulties with how the courts are run.

The victims also have to deal with a lot of social shame and intimidation at the communal level, which makes things more worse. In a lot of rural regions, caste systems are still very strong. Just filing a lawsuit under the Act can lead to strong response, such as boycotts, threats, or violence against the family of the person who filed the complaint. Witnesses, sometimes hailing from the same underprivileged areas, are similarly susceptible to coercion or incentives, leading to antagonistic testimony or retractions in court. State witness protection programs do exist, but they are not often used in situations of atrocities. This means that survivors and their families are left vulnerable for the years it takes to finish a trial (Mishra, 2020). The fear of reprisal, together with the prospect of losing one's job or perhaps one's home, makes people less likely to disclose crimes in locations where powerful caste groups control local government and law enforcement.

However, the Act's effects are lessened by a lack of resources and insufficient monitoring mechanisms. The legislation says that there should be victim relief, rehabilitation, and vigilance committees at the state and district levels. However, these committees don't always convene and don't hold officials accountable. The money set aside for victim compensation, legal aid, and awareness initiatives is either not used enough or is delayed, which means that survivors don't get the help they need right away or in the long term. Also, there isn't much cooperation between the police, prosecutors, and welfare authorities, which makes responses fragmented and inefficient (Sen, 2022). Without more institutional accountability, even the most progressive parts of the Act are just paper promises. This makes it hard for victims to get help since the system is sluggish, broken, and frequently unfriendly.

6. IMPACT ASSESSMENT

There is little doubt that the SC/ST (Prevention of Atrocities) Act, 1989 has revolutionized how people in India understand and fight against caste violence during the past 30 years. The law has made people more aware of their rights and, in many locations, given survivors the strength to disclose crimes that they were too afraid or embarrassed to do before. Civil society groups, paralegal volunteers, and even local language media have all been very important in making the Act's technical terminology easier to understand and part of people's everyday speech. The long-term growth in FIRs and the rising need that complaints clearly state caste as the reason for violence show this change. But this improvement is not the same for everyone. Reporting rates are greater in areas where Dalit and Adivasi movements have a long history. In other areas, survivors are still hesitant to register charges since the police don't care and they can't get legal help (Galanter, 1981). The lesson is obvious: knowing the law is important, but it only leads to justice

when institutions, like police stations and special courts, provide a clear message that complaints will be taken seriously, acted on right away, and safeguarded from retaliation.

But these advancements are happening at the same time as a lot of structural disparities that still make it hard to get justice. The cost of pursuing a case is too expensive for many victims. It is dangerous to even acknowledge an atrocity because of land reliance, caste-based divisions of labor, and threats of social boycott. In rural communities, where the dominant castes control land, credit, and local government, victims are always afraid of losing their jobs, houses, or basic assistance if they go against the hierarchy. In cities, the situation is different: people work in unstable jobs, live in informal settlements, and groups are broken up. This makes it harder for people to stick together, but the repercussions might still be the same: medical reports take longer to get in, evidence is poor, and cases fall apart before charges are ever made (Jodhka, 2022). These everyday circumstances make the Act's promise of quick and sure punishment less likely to happen, turning it into a lengthy, uncertain fight instead. High rates of pending cases and frequent acquittals just make the inequities that the law was meant to do rid of worse.

So, did the Act do what it was supposed to do? The solution is complicated. It has definitely broadened the scope of rights: it officially recognizes caste-based crimes, sets up special tribunals, offers help and rehabilitation, and, via revisions, has made processes more focused on victims. On the other hand, deterrence is still not always effective. More people know about the law, but investigations, independent policing, and witness protection have not become better. The Act is a real instrument for empowerment when institutions have enough resources and are watched closely. When they are weak, survivors pay a hefty price in terms of time, risk, and stigma, which lowers conviction rates and trust in the law (Jaffrelot, 2000).

The path ahead is not to roll back the legislation but to make it stronger and more stable. This means creating dedicated investigation teams, setting tough deadlines for trials, making sure victims and witnesses are well protected, and holding state and district monitoring committees to severe audits. The Act's promise of change can only be fully fulfilled when ordinary bureaucratic practice matches its constitutional goal.

7. CONCLUSION AND RECOMMENDATIONS

The legislative framework for addressing caste-based violence and discrimination has been unquestionably strengthened over the past three decades by the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Its usefulness, however, is yet unclear. The Act has made a formal legal deterrent and made caste crimes more visible in public debate, but there is still a gap between what it wants to do and what is actually happening on the ground. The number of convictions is still low compared to the number of cases that have been filed, and the fact that special courts are still waiting for cases to be heard goes against the idea of swift justice. Also, differences across states in how they execute the law show that implementation is not always fair. Because of these systemic problems, the Act's full promise as an instrument for change has not been realized.

To create a better foundation for putting things into action, strengthening the skills of investigators and prosecutors must be a top priority. Dedicated training modules that focus on becoming aware of caste realities, acquiring evidence in difficult circumstances, and protecting victims and witnesses will help fix some of the long-standing problems with investigations and procedures. Accountability measures, such as regular performance audits of special courts and oversight by independent statutory authorities, might help speed things along and make sure that deadlines are met. Also, legal awareness campaigns aimed at rural and marginalized groups are very important to provide potential victims the information they need about their rights and the legal options accessible to them under the Act.

To close the gap in the delivery of justice, it is important to strictly implement the law that requires rapid trials in special courts and to improve the financial and physical conditions of these courts. The Act's goal is to not only punish criminals but also get rid of the structural inequalities that lead to caste-based violence. A coordinated effort between law enforcement, the courts, civil society groups, and the community can help make this happen. By combining measures for social reform with procedural efficiency, the law can change from being a tool that only reacts to problems to one that actively promotes social justice.

CONFLICT OF INTERESTS

None.

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None.

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