

32

13

THE PROTECTION OF CIVIL RIGHTS ACT, 1955

(Act No. 22 of 1955)

[8th May, 1955]

*An Act to prescribe punishment for the ¹[preaching and practice of "untouchability"]
for the enforcement of any disability arising therefrom and for matters
connected therewith*

Be it enacted by Parliament in the Sixth Year of the Republic of India as follows:

Statement of Objects and Reasons of Act 22 of 1955.—Under Art. 17 of the Constitution, untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law. As no Central law exists on the subject, a law has to be enacted by Parliament as required by sub-clause (ii) of Cl. (a) of Art. 35 of the Constitution and the Bill has been prepared in pursuance of this requirement.

It is not possible to define untouchability and, therefore, the scheme of the draft Bill is to make express provisions with respect to the more common forms of untouchability which are practised in India. The special features of the Bill as compared with the existing State laws on the subject are that—

- (a) the Bill is not confined to Hindus;
- (b) an untouchable shall not cease to be an untouchable if he resides in any locality other than the locality mentioned in relation to him under the Constitution (Scheduled Castes) Order, 1950;
- (c) whoever takes any part in the excommunication of, or imposition of any social disability on, any person who refuses to practise untouchability or does any act in furtherance of the objects of the new law will also be guilty of an offence;
- (d) in addition to the normal penalty for an offence, the Court may also cancel or suspend any licence in respect of profession, trade, calling or employment when an offence is committed under this law during the course of any such profession, trade, calling or employment.

1. Subs. by Act 106 of 1976, Sec. 2 for "practice of untouchability" (w.e.f. 19th November, 1976).