

GOVERNMENT OF ODISHA
ST & SC DEVELOPMENT DEPARTMENT

No.PCR-26/2013 3543 /SSD Dated Bhubaneswar the 11 February,2015

RESOLUTION

Payment of Monetary Relief to the victims of atrocities on members of the Scheduled Castes & Scheduled Tribes and their family members has so far been regulated as per the Resolution No.PCR-93/2003-402/SSD Dt.07.01.2004 & No.PCR-4/2012/SSD Dt.28.06.2012 in terms of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules,1995 and the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules,2011 respectively.

(i) Consequent upon enactment of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules, 2014 vide Gazette Notification Dt. 23.06.2014, published in Gazette of India vide G.S.R. No.416 (E) dtd.23.06.2014, the enhanced scale of relief has been prescribed.

(ii) Now , Government after careful consideration have been pleased to adopt the said enhanced scale of relief for the victims of atrocities belonging to Scheduled Castes & Scheduled Tribes as per norms and scale prescribed in the schedule annexed to the said amendment Rules.

(iii) This will effect from 23.06.2014 i.e. Gazette Notification No. 331 Dt. 23 06.2014, published in Gazette of India

(iv) The details norms for relief amount are furnished hereunder:-

NORMS FOR RELIEF AMOUNT

Sl No.	Name of the Offence	Revised norms of amount of relief to the victims of atrocities after SCs& STs (POA) (Amendment) Rules,2014
(1)	(2)	(3)
1.	Drink or eat inedible or obnoxious substance{Section 3(1)(i)}	Ninety thousand rupees or more depending upon the nature and gravity of the offence to each victim and also commensurate with indignity, insult, injury and defamation suffered by the victim. Payment to be made as follows:- i) 25% when the charge sheet is sent to the court ii)75% when accused are convicted by the lower court.
2	Causing injury, insult or annoyance Section 3(1)(ii)}	
3	Derogatory act {Section 3(1)(iii)}	
4	Wrongful occupation or cultivation of land etc. [Section 3(1)(iv)}	At least Ninety thousand rupees or more depending upon the nature and gravity of the offence. The land/premises/water supply shall be restored where necessary at Government cost, full payment to be made when charge sheet is sent to the court.
5	Relating to land, premises and water{Section 3(1)(v)}	
6	Beggar or forced or bonded labor {Section 3(1)(vi)}	Up to Seventy thousand rupees to each victim depending upon the nature and gravity of the offence
7	Relating to right to franchise {Section 3(1)(vii)}	
8	False, malicious or vexatious legal proceedings {Section 3(1)(viii)}	Ninety thousand rupees or reimbursement of actual legal expenses and damages or whichever is less after conclusion of the trial of the accused.
9	False and frivolous information {Section 3(1)(ix)}	

10	Insult, intimidation and humiliation {Section 3(1)(x)}	Up to Ninety thousand rupees to each victim depending upon the nature of the offence. Payment of 25% when charge sheet is sent to the court and rest on conviction.
11	Outraging the modesty of a woman {Section 3(1)(xi)}	One lakh eighty thousand rupees to each victim of the offence. 50% of the amount may be paid after medical examination and remaining 50% at the conclusion of the trial.
12	Sexual exploitation of woman {Section 3(1)(xii)}	
13	Fouling of water {Section 3(1)(xiii)}	Up to Three lakhs seventy thousand rupees or full cost of restoration of normal facility, including cleaning when the water is fouled. Payment may be made at the stage as deemed fit by the District Administration.
14	Denial of customary rights of passage {Section 3(1)(xiv)}	Up to tree lakh seventy five thousand rupees or full cost of restoration of right of passage and full compensation of the loss suffered, if any. Payment of 50% when charge sheet is sent to the court and 50% on conviction in lower court.
15	Making one desert place of residence {Section 3(1)(xv)}	Restoration of the site/right to stay and compensation of Ninety thousand rupees to each victim and reconstruction of the house at Government cost, if destroyed. To be paid in full when charge sheet is sent to the lower court.
16	Giving false evidence {Section 3(2)(i) and(ii)}	At least Three lakh seventy five thousand rupees or full compensation of the loss or harm sustained. 50% to be paid when charge sheet is sent to court and 50% on conviction by the lower court.
17	Committing offences under the Indian Penal Code punishable with imprisonment for a term of 10 years or more {Section 3(2)}	At least One lakh eighty thousand rupees depending upon the nature and gravity of the offence to each victim and or his dependents. The amount would vary if specifically otherwise provided in the schedule.
18	Victimization at the hands of a public servant {Section 3(2)(vii)}	Same as the compensation payable , if the accused was not a public servant
19	Disability. The definition of disabilities shall be as given in Section-2 of the persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act,1995 and guidelines for their assessment shall be as contained in the Ministry of Social Justice & Empowerment, GOI Notification No.154 dated 01.06.2001, as amended from time to time.. A copy of the Notification is at Annexure-II to the Schedule (a) 100% incapacitation :- i)Non-earning member of a family ii)Earning member of a family (b) Where incapacitation is less than 100%	At least Three lakh seventy five thousand rupees to each victim of offence. 50% on FIR and 25% at charge sheet and 25% on conviction by the lower court. At least Seven lakh fifty thousand rupees to each victim of offence, 50% to be paid on FIR/medical examination stage, 25% when charge sheet sent to the court and 25% at conviction in lower court. Provided that an amount of not less than sixty thousand rupees from the amount payable to non-earning member of a family and an amount of not less than one lakh twenty thousand rupees from the amount payable to an earning member of a family may be reduced.
20	Murder/Death a)Non-earning member of a family	At least Three lakh seventy five thousand rupees to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.

	b)Earning member of a family.	At least Seven lakh fifty thousand rupees to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.
21	Victim of murder, death, massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity.	In addition to relief amounts paid under above items, relief may be arranged within three months of date of atrocity as follows:- i) Pension to each widow and /or other dependents of deceased SC and ST @ Four thousand five hundred per month, or employment to one member of the family of the deceased, or provision of agricultural land, a house, if necessary by outright purchase. ii) Full cost of the education and maintenance of the children of the victims. Children may be admitted to Ashram school/residential schools. iii) Provision of utensils, rice, wheat, dals, pulses etc. for a period of three months.
22	Complete destruction /burnt houses.	Brick/stone masonry house to be constructed or provided at Government cost where it has been burnt or destroyed.

ORDER; Ordered that the Resolution be published in the next issue of the Odisha Gazette for general information and copies communicated to all Departments of Government/Heads of Department/ All Collectors.

By Order of Governor

Memo No. 3544 /SSD Dt. 11-02-2015.
Commissioner-cum-Secretary to Govt.

Copy forwarded to the Secretary to Governor/ Private Secretary to Chief Minister/ Private Secretary to Minister, ST & SC Development and Minorities & Backward Classes Welfare / Private Secretary to Minister (State), ST Development / Private Secretary to Minister (State), SC Development /Private Secretary to Chief Secretary/ Private secretary to Development Commissioner for information of His Excellency Governor/ Hon'ble Chief Minister/Hon'ble Minister, ST & SC Development and Minorities & Backward Classes Welfare/Hon,ble Minister (State), Scheduled Tribes Development/ Hon,ble Minister (State), Scheduled Castes Development/ Chief Secretary and Development Commissioner.

Memo No. 3545 /SSD Dt. 11-02-2015.
Director, Scheduled Castes Welfare

Copy forwarded to the Director, Printing, Stationery and Publication, Odisha, Government Press, Madhupatna, Cuttack with a request to publish the Resolution in the next issue of Odisha Gazette and supply 100 printing copies of the said Resolution to this Department early. A soft copy of this Gazette is being emailed to dpsp@ori.nic.in and dgpress@ori.nic.in in pursuance of Office Order No. 4112 (200) Dt. 23.11.2004 of Director, Printing Stationery and Publication, Odisha, Cuttack for uploading in the Odisha Government Website.

Director, Scheduled Castes Welfare

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Memo No. 3546 /SSD Dt. 11-02-2015.

Copy forwarded to All Departments of Government/All Heads of Department/Registrar (General Administration), Odisha High Court, Cuttack/Member Secretary, Odisha State Legal Services Authority, S.O-11-B/1 & B/2, Cantonment Road, Cuttack-753001/D.G. & I.G. of Police, Odisha, Cuttack/ Addl. D.G. of Police, HRPC, Odisha, Cuttack/I.G. of Police, SC & ST Protection Cell, Odisha, Cuttack/All RDCs/All Collectors/All Addl. District Magistrates/All District & Sessions Judges/All Ss.P/All District Welfare Officers/ All Sub-Collectors/ All Tahasildars /All Block development Officers with a request to circulate among all sub-ordinate offices under their control for information and necessary action.

Director, ~~Scheduled~~ Castes Welfare

Memo No. 3547 /SSD Dt. 11-02-2015.

Copy forwarded to Shri Sanjeev Kumar, Joint Secretary to Govt. of India, Ministry of Social Justice & Empowerment, Shastri Bhawan, New Delhi-110001/Shri G.K. Dwivedi, Director, Ministry of Social Justice & Empowerment, Govt. of India, Shastri Bhawan, New Delhi-110001/ Director, Ministry of Tribal Affairs, Govt. of India, New Delhi-110001 /Director, National Commission for SCs, Govt. of India, 5th Floor Loknayk Bhawan, Khan Market, New Delhi-110003/Director, National Commission for STs, Govt. of India, 6th Floor, Loknayk Bhawan, Khan Market, New Delhi-110003/Deputy Director, National Commission for SCs, State Office, Kolkata, Mayukh Bhawan, Ground Floor, Kolkotta-700091/Deputy Director, National Commission for STs, Nayapalli, Bhubaneswar/Director, Public Prosecution, Toshali Plaza, Bhubaneswar for information and necessary action.

Director, ~~Scheduled~~ Castes Welfare

Memo No. 3548 /SSD Dt. 11-02-2015.

Copy forwarded to Sri S.K. Mukherjee, Statistical Officer, ST & SC Dev. Deptt. for information and necessary action. He is instructed to upload the said Resolution in the Department website for information of general public.

Director, ~~Scheduled~~ Castes Welfare

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S.K. Mukherjee,
Stat. Officer