

**GOVERNMENT OF ODISHA  
ST & SC DEVELOPMENT DEPARTMENT**

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**RESOLUTION  
No PCR-4/2012/SSD 21179**

**Dated Bhubaneswar the 28<sup>th</sup> June, 2012**

Payment of monetary relief to the victims of atrocities on members of the Scheduled Castes and Scheduled Tribes and their family has so far been regulated as per the Resolution No.PCR-93/2003-402/SSD Dt.07.01.2004.

Consequent upon enhancement of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules, 2011 Vide Gazette Notification dtd. 23.12.2011 published in the Gazette of India vide GSR. No.896 (E), dtd 23.12.201, the enhanced scale of relief has been prescribed.

(ii). Now therefore, Govt. after careful consideration have been pleased to adopt the said enhanced scale of relief to the victims of atrocities belonging to SCs & STs as per norms and scale prescribed in the schedule annexed to the said amendment Rules and furnished here under:-

**NORMS FOR RELIEF AMOUNT**

Sl No.	Name of the Offence	Revised norms of amount of relief to the victims of atrocities after amendment
(1)	(2)	(3)
1.	Drink or eat inedible or obnoxious substance {Section 3(1)(i)}	Rs.60,000/- 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 Rs.60,000/- 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 labour {Section 3(1)(vi)}	At least Rs.60,000/- to each victim. Payment of 25% at FIR stage and 75% on conviction in the lower court.
7	Relating to right to franchise {Section 3(1)(vii)}	Up to Rs.50,000/- to each victim depending upon the nature and gravity of the offence
8	False, malicious or vexatious legal proceedings {Section 3(1)(viii)}	Rs.60,000/- or reimbursement of actual legal expenses and damages or which ever 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 Rs.60,000/- to each victim depending upon the nature of the offence. Payment of 25% when chargesheet is sent to the court and rest on conviction.
11	Outraging the modesty of a woman {Section 3(1)(xi)}	Rs.1,20,000/- 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 Rs.2,50,000/- 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 Rs.2,50,000/- 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 Rs.60,000/- 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 Rs.2,50,000/- 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 Rs.1,20,000/- 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)}	Full compensation on account of damages or loss or harm sustained. 50% to be paid when charge sheet is sent to the court and 50% on conviction by lower court.
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	At least Rs.2,50,000/- to each victim of offence. 50% on FIR and 25% at charge sheet and 25% on conviction by the lower court.  At least Rs.5,00,000/- 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.

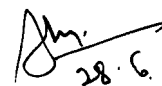
	(b) Where incapacitation is less than 100%	The rates as laid down in a(i) and (ii) above shall be reduced in the same proportion, the stages of payments also being the same.. However, not less than Rs.40,000/- to non-earning members and not less than Rs.80,000/- to an earning member of a family
20	Murder/Death a) Non-earning member of a family b) Earning member of a family.	At least Rs.2,50,000/- to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.  At least Rs.5,00,000/- 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 @ Rs.3,000/- 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 3 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.

(ii). This resolution comes into effect from 23.12.2011 i.e the date of publication of aforesaid amended rules in the Gazette of India.

(iii). This Resolution issues with concurrence of Finance Deptt vide their UOR No.81/FD-SSI Dt.22.03.2012 & P&C Deptt. vide their UOR No.44/P&C(P.II) Dt.09.05.2012

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

**By Order of Governor**

  
28.6.

**Commissioner-cum-Secretary to Government**

Memo No. 21180 /SSD Dt. 28/06/2012

Copy along with copy of the enclosure forwarded to the Director Printing Stationary & Publication, Odisha, Madhupatna Cuttack, with a request to publish the Resolution in an extraordinary issue of the Odisha Gazette and supply 300 copies to this Deptt for needful.

  
**Special Secretary. To Government**

Memo. No. 21/81 /SSD Dt. 28/06/2012

Copy along with copy of the enclosure forwarded to the Secretary to the Governor/Private Secretary to Chief Minister, Odisha, Private Secretary to All Ministers/Private Secretary to al State Minister/ Private Secretary to Chief Secretary, Odisha/Private Secretary to Development Commissioner, Odisha for kind information of the His Excellency Governor/ Hon'ble Chief Minister/ All Hon'ble, Ministers/All Hon'ble Minister of State/Chief Secretary ,Odisha/ Development Commissioner, Odisha

*Q 21/81*

Special Secretary. To Government

Memo. No. 21/82 /SSD Dt. 28/06/2012

Copy along with copy of the enclosure forwarded to the Chairman, National Commission for SCs,,5<sup>th</sup> Floor,Lok Nayak Bhawan,Khan Market, New Delhi-110003/ Chairman, National Commission for STs,5<sup>th</sup> Floor, 'B' Wing, Lok Nayak Bhawan,Khan Market, New Delhi-110003/ Joint Secretary to Govt, of India,Mistry of Social Justice & Empowerment, Shastri Bhawan, New Delhi-110115/Director, Mistry of Social Justice & Empowerment, Shastri Bhawan, New Delhi-110115 ,Director, National Commission for SCs, State Office, Mayukh Bawan (Ground Floor),salt Lake, Kolkata,PIN-700091/Asst. Director, & Regional Head, National Commission for STs,N/1-297,IRC Village,Nayapalli,Bhubaneswar-751015/ D.G.&I.G. of Police, Odisha, Cuttack/ Addl. D.G. of Police, HRPC, Odisha, Cuttack,/ Director, Public Prosecution, Bhubaneswar, All Collector/All Superintendent of Police/All DWOs./Sri Sujit Kumar Mukharjee, Special Officer,Computer Cell for information and necessary action

All Collectors/All Superintendents of Police are requested to see that while recommending monetary relief to the victims of atrocities to observe the provision/norms prescribed in Annexure-I of Rule-12 (4) of SCs & STs(POA) (Amendment) Rules, 2011. No amount less than the prescribed amount shall be recommended & paid to the victims of atrocities. Any deviation in this regard will viewed seriously and the District Administration and Police Administration will be liable for such deviation.

Sri Sujit kumar Mukharjee , Special Officer, Computer Cell is instructed to up load the afore said resolution in this Department web site for information general public.

*Q 21/82*

Special Secretary. To Government