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## THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989

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# THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989

(33 of 1989)

[11<sup>th</sup> September, 1989]

*An Act to prevent the Commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for 1[Special Courts and Exclusive Special Courts] for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows:-

## CHAPTER I PRELIMINARY

**1. Short title, extent and commencement.**-(1) This Act may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(2) It extends to the whole of India 2[\* \* \*].

(3) It shall come into force on such date<sup>3</sup> as the Central Government may, by notification in the Official Gazette, appoint.

**2. Definitions.**-(1) In this Act, unless the context otherwise requires,-

(a) "atrocity" means an offence punishable under section 3;

(b) "Code" means the Code of Criminal Procedure, 1973 (2 of 1974);

4[(bb) "dependent" means the spouse, children, parents, brother and sister of the victim, who are dependent wholly or mainly on such victim for his support and maintenance;]

4[(bc) "economic boycott" means-

- (i) a refusal to deal with, work for hire or do business with other person; or
- (ii) to deny opportunities including access to services or contractual opportunities for rendering service for consideration; or
- (iii) to refuse to do anything on the terms on which things would be commonly done in the ordinary course of business;
- (iv) to abstain from the professional or business relations that one would maintain with other person;]

4[(bd) "Exclusive Special Court" means the Exclusive Special Court established under sub-section (1) of section 14 exclusively to try the offences under this Act;]

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1. Subs. by Act 1 of 2016, sec. 2, for "Special Courts" (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016).

2. The words "except the State of Jammu and Kashmir" omitted by the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), secs. 95, 96 and Fifth Sch., Table-1 (w.e.f. 31-10-2019).

3. Came into force on 30-1-1990, vide S.O. 106(E), dated 29th January, 1990.

4. Ins. by Act 1 of 2016, sec. 3(i) (w.e.f. 26-1-2016, vide S.Q. 152(F) dated 18th January, 2016)

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1(be) "forest rights" shall have the meaning assigned to it in sub-section (1) of section 3 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007);]

(bf) "manual scavenger" shall have the meaning assigned to it in clause g of sub-section (1) of section 2 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (25 of 2013);

(bg) "public servant" means a public servant as defined under section 21 of the Indian Penal Code (45 of 1860), as well as any other person deemed to be a public servant under any other law for the time being in force and includes any person acting in his official capacity under the Central Government or the State Government, as the case may be;]

(c) "Scheduled Castes and Scheduled Tribes" shall have the meanings assigned to them respectively under clause (24) and clause (25) of article 366 of the Constitution;

(d) "Special Court" means a Court of Session specified as a Special Court in section 14;

(e) "Special Public Prosecutor" means a Public Prosecutor specified as a Special Public Prosecutor or an advocate referred to in section 15;

(ea) "Schedule" means the Schedule appended to this Act;]

(eb) "social boycott" means a refusal to permit a person to render to other person or receive from him any customary service or to abstain from social relations that one would maintain with other person or to isolate him from others;]

[(ec) "victim" means any individual who falls within the definition of the "Scheduled Castes and Scheduled Tribes" under clause (c) of sub-section (1) of section 2, and who has suffered or experienced physical mental, psychological, emotional or monetary harm or harm to his property as a result of the commission of any offence under this Act (vii) Institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe; (ix) gives, any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a law; and includes his relatives, legal guardian and legal heirs;]

[(ed) "witness" means any person who is acquainted with the facts and circumstances, or is in possession of any information or has knowledge necessary for the purpose of investigation, inquiry or trial of any crime involving an offence under this Act, and who is or may be required to give information or make a statement or produce any document during investigation, inquiry or trial of such case and includes a victim of such offence;]

[(f) the words and expressions used but not defined in this Act and defined in the Indian Penal Code (45 of 1860), the Indian Evidence Act, 1872 (1 of 1872) or the Code of Criminal Procedure, 1973 (2 of 1974), as the case may be, shall be deemed to have the meanings respectively assigned to them in those enactments.]

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1.Ins. by Act 1 of 2016, sec. 3(i) (w.e. f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016)

2. Ins by Act 1 of 2016, sec. 3(ii) (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016)

3. Subs by Act 1 of 2016, sec. 3(iii), for clause (f) (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016). Clause (1), before substitution stood as under:

“(f) Words and expressions used but not defined in this Act and defined in the Code or the Indian Penal Code (45 of 1860) shall have the meanings assigned to them respectively in the code. Or as the case may be, in the Indian Penal Code.”

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(2) Any reference in this Act to any enactment or any provision thereof shall, in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II  
OFFENCES OF ATROCITIES

**3. Punishments for offences of atrocities.**-(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,

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1. Subs by Act 1 of 2016, sec. 4(1), for sub-section (1) (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016). Sub-section (1), before substitution, stood as under:

"(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,

- (i) forces a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance;
  - (ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dumping excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighbourhood;
  - (iii) forcibly removes clothes from the person of a member of a Scheduled Caste or at in section 14; Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;
  - (iv) wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred;
  - (v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;
  - (vi) compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do "begar or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government;
  - (vii) forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote to a particular candidate or to vote in a manner other than that provided by law;
  - (viii) Institutes false, Malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;
  - (ix) gives, any false, or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;
  - (x) Intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
  - (xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;
  - (xii) being in a position to dominate the will of a woman belonging to a Scheduled Caste or 10 a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;
  - (xiii) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;
  - (xiv) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any section thereof have a right to use or access to;
  - (xv) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence,
- shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine".

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- (a) puts any inedible or obnoxious substance into the mouth of a member of a Scheduled Caste or a Scheduled Tribe or forces such member to drink or eat such inedible or obnoxious substance;
  - (b) dumps excreta, sewage, carcasses or any other obnoxious substance in premises, or at the entrance of the premises, occupied by a member of a Scheduled Caste or a Scheduled Tribe;
  - (c) with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe, dumps excreta, waste matter, carcasses or any other obnoxious substance in his neighbourhood;
  - (d) garlands with footwear or parades naked or semi-naked a member of (m) forces or intimidates or obstructs a member of a Scheduled Caste or a Scheduled Tribe,
  - (e) forcibly commits on a member of a Scheduled Caste or a Scheduled Tribe any act, such as removing clothes from the person, forcible tonsuring of head, removing moustaches, painting face or body or any other similar act, which is derogatory to human dignity;
  - (f) wrongfully occupies or cultivates any land, owned by, or in the possession of or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe, or gets such land transferred;
  - (g) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights, including forest rights, over any land or premises or water or irrigation facilities or destroys the crops or takes away the produce therefrom.
- Explanation. For the purposes of clause (f) and this clause, the expression "wrongfully" includes-
- (A) against the person's will;
  - (B) without the person's consent;
  - (C) with the person's consent, where such consent has been obtained of a Scheduled Caste or a Scheduled Tribe in any place within public by putting the person, or any other person in whom the person is interested in fear of death or of hurt; or
  - (D) fabricating records of such land;
  - (h) makes a member of a Scheduled Caste or a Scheduled Tribe to do "begar" or other forms of forced or bonded labour other than any compulsory service for public purposes imposed by the Government;
  - (i) compels a member of a Scheduled Caste or a Scheduled Tribe to dispose or carry human or animal carcasses, or to dig graves;
  - (j) makes a member of a Scheduled Caste or a Scheduled Tribe to do manual scavenging or employs or permits the employment of such member for such purpose;
  - (k) performs, or promotes dedicating a Scheduled Caste or a Scheduled Tribe woman to a deity, idol, object of worship, temple, or other religious institution as a devadasi or any other similar practice of permits aforementioned acts;

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- (1) forces or intimidates or prevents a member of a Scheduled Caste or a Scheduled Tribe-
- (A) not to vote or to vote for a particular candidate or to vote in a manner other than that provided by law;
  - (B) not to file a nomination as a candidate or to withdraw such nomination; or
  - (C) not to propose or second the nomination. of a member of a Scheduled Caste or a Scheduled Tribe as a candidate in any election;
  - (m) forces or intimidates or obstructs a member of a Scheduled Caste or a Scheduled Tribe, who is a member or a Chairperson or a holder of any other office of a Panchayat under Part IX of the Constitution or a Municipality under Part IXA of the Constitution, from performing their normal duties and functions;
  - (n) after the poll, causes hurt or grievous hurt or assault or imposes or threatens to impose social or economic boycott upon a member of a Scheduled Caste or a Scheduled Tribe or prevents from benefits of any public service which is due to him;
  - (o) commits any offence under this Act against a member of a Scheduled Caste or a Scheduled Tribe for having voted or not having voted for a particular, candidate or for having voted in a manner provided by law;
  - (p) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;
  - (q) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;
  - (r) intentionally insults or intimidates with intent to humiliate a member view; (s) abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;
  - (t) destroys, damages or defiles any object generally known to be held sacred or in high esteem by members of the Scheduled Castes or the Scheduled Tribes.
- Explanation.- For the purposes of this clause, the expression "object" means and includes statue, photograph and portrait;
- (u) by words either written or spoken or by signs or by visible representation or otherwise promotes or attempts to promote feelings of enmity, hatred or ill-will against members of the Scheduled Castes or the Scheduled Tribes;
  - (v) by words either written or spoken or by any other means disrespects any late person held in high esteem by members of the Scheduled Castes or the Scheduled Tribes,

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(w) (i) intentionally touches a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe, when such act of touching is of a sexual nature and is without the recipient's consent;

(ii) uses words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe.

Explanation.-For the purposes of sub-clause (i), the expression "consent" means an unequivocal voluntary agreement when the person by words, gestures, or any form of non-verbal communication, communicates willingness to participate in the specific act:

Provided that a woman belonging to a Scheduled Caste or a Scheduled Tribe who does not offer physical resistance to any act of a sexual nature is not by reason only of that fact, is to be regarded as consenting to the sexual activity:

Provided further that a woman's sexual history, including with the offender shall not imply consent or mitigate the offence;

(x) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;

(y) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any other section thereof have a right to use or access to;

z) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence:

Provided that nothing contained in this clause shall apply to any action taken in discharge of a public duty;

(za) obstructs or prevents a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to-

(A) using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing ghat, any public conveyance, any road, or passage;

(B) mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding processions;

(C) entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious, social or cultural processions including jatras;



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(D) entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant public use in any place open to the public; or

(E) practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to;

(zb) causes physical harm or mental agony of a member of a Scheduled Caste or a Scheduled Tribe on the allegation of practicing witchcraft or being a witch; or

(zc) imposes or threatens a social or economic boycott of any person or a family or a group belonging to a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.]

(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,-

- (i) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is capital by the law for the time being in force shall be punished with imprisonment for life and with fine; and if an innocent member of a Scheduled Caste or a Scheduled Tribe be convicted and executed in consequence of such false or fabricated evidence, the person who gives or fabricates such false evidence, shall be punished with death;
- (ii) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is not capital but punishable with imprisonment for a term of seven years or upwards, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years or upwards and with fine;
- (iii) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause damage to any property belonging to a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years and with fine;
- (iv) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause destruction of any building which is ordinarily used as a place of worship or as a place for human dwelling or as a place for custody of the property by a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for life and with fine;

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[Sec. 3 Sec. 7]

(v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property [knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member], shall be punishable with imprisonment for life and with fine;

(va) commits any offence specified in the Schedule, against a person or property, knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with such punishment as specified under the Indian Penal Code (45 of 1860) for such offences and shall also be liable to fine;]

(vi) knowingly or having reason to believe that an offence has been committed under this Chapter, causes any evidence of the commission of that offence to disappear with the intention of screening the offender from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with the punishment provided for that offence;

(vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

COMMENTS

(i) Legitimate indignation does not fall within ambit of malicious act. Malicious act has been equated with an intentional act without just cause or excuse. The word "vexatious" means harassment by the process of 'law' 'lacking justification' or with intention to harass'. It signifies an action not having sufficient grounds, only seeks to annoy the adversary; Ravinder Singh v. Sukhbir Singh, AIR 2013 SC 1048.

(ii) Severity of punishments provided for various offences cannot be held to be ultra- vires. The sentencing criteria and decision should be left to be judged by a Judicial officer who decides impartially; Jai Singh v. Union of India, AIR 1993 Raj 177

**3[4. Punishment for neglect of duties.-**(1) Whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under this Act and the rules made thereunder, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year

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1. Subs. by Act 1 of 2016, sec. 4(ii)(a), for "on the ground that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member" (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016).

2. Ins. by Act 1 of 2016, sec. 4(ii)(b) (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016).

3. Subs. by Act 1 of 2016, sec. 5, for section 4 (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016). Section 4, before substitution, stood as under:

"4. Punishment for neglect of duties.-Whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year."

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(2) The duties of public servant referred to in sub-section (1) shall include-

- (a) to read out to an informant the information given orally, and reduced to writing by the officer in-charge of the police station, before taking the signature of the informant;
- (b) to register a complaint or a First Information Report under this Act and other relevant provisions and to register it under appropriate sections of this Act;
- (c) to furnish a copy of the information so recorded forthwith to the informant;
- (d) to record the statement of the victims or witnesses;
- (e) to conduct the investigation and file charge sheet in the Special Court or the Exclusive Special Court within a period of sixty days, and to or explain the delay if any, in writing;
- (f) to correctly prepare, frame and translate any document or electronic record;
- (g) to perform any other duty specified in this Act or the rules made thereunder.

Provided that the charges in this regard against the public servant shall be booked on the recommendation of an administrative enquiry.

(3) The cognizance in respect of any dereliction of duty referred to in sub- section (2) by a public servant shall be taken by the Special Court or the Exclusive Special Court and shall give direction for penal proceedings against such public servant.]

5. Enhanced punishment for subsequent conviction.- Whoever, having already been convicted of an offence under this Chapter is convicted for the second offence or any offence subsequent to the second offence, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

COMMENTS

If any person has already been convicted for an offence under this Chapter and is again convicted for second offence or any offence subsequent to the second offence, he shall be punished with imprisonment for a term of not less than one year but which may extend to the punishment provided for that offence.

**6. Application of certain provisions of the Indian Penal Code.-** Subject to the other provisions of this Act, the provisions of section 34, Chapter III, Chapter IV, Chapter V, Chapter VA, section 149 and Chapter XXIII of the Indian Penal Code (45 of 1860), shall, so far as may be, apply for the purposes of this Act as they apply for the purposes of the Indian Penal Code.

**7. Forfeiture of property of certain persons.-**(1) Where a person has been convicted of any offence punishable under this Chapter, the Special Court may, in addition to awarding any punishment, by order in writing, declare that any property, movable or immovable or both, belonging to the person, which has been used for the commission of that offence, shall stand forfeited to Government.

2) Where any person is accused of any offence under this Chapter, it shall be open to the Special Court trying him to pass an order that all or any of the properties, movable or immovable or both, belonging to him, shall, during the period of such trial, be attached, and where such trial ends in conviction, the property so attached shall be liable to forfeiture to the extent it is required for the purpose of realisation of any fine imposed under this Chapter.

## COMMENTS

Where a person has been convicted of any offence under this Chapter, the Special Court has been empowered to forfeit the movable or immovable property of that person to Government if the said property has been used for the commission of that offence. This is in addition to punishment to be awarded for the offence.

8. Presumption as to offences. In a prosecution for an offence under this Chapter, if it is proved that-

(a) the accused rendered [any financial assistance in relation to the offences committed by a person accused of] or reasonably suspected of, committing, an offence under this Chapter, the Special Court shall presume, unless the contrary is proved, that such person had abetted the offence;

(b) a group of persons committed an offence under this Chapter and if it is proved that the offence committed was a sequel to any existing dispute regarding land or any other matter, it shall be presumed that the offence was committed in furtherance of the common intention or in prosecution of the common object.

2[(c) the accused was having personal knowledge of the victim or his family, the Court shall presume that the accused was aware of the caste or tribal identity of the victim, unless the contrary is proved.]

## COMMENTS

If it is proved in a prosecution for an offence under this Chapter that (i) the accused has rendered any financial assistance in relation to the offences by a person accused of, or reasonably suspected of, committing, an offence under this Chapter, then the Special Court shall presume, that such person had abetted the offence, (ii) a group of persons has committed an offence under this Chapter which was a sequel to any existing dispute regarding land or any other matter then it shall be presumed that the offence was committed in furtherance of the common intention or in prosecution of the common object, (ii) the accused having personal knowledge of the victim, the Court presume that the accused was aware of the caste or tribal identity of the victim, unless contrary is proved.

9. Conferment of powers.-(1) Notwithstanding anything contained in the Code or in any other provision of this Act, the State Government may, if it considers it necessary or expedient so to do,-

(a) for the prevention of and for coping with any offence under this Act, or

(b) for any case or class or group of cases under this Act,

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1. Subs. by Act 1 of 2016, sec. 6(i), for "any financial assistance to a person accused of" (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016).

2. Ins. by Act 1 of 2016, sec. 6(ii) (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016).

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in any district or part thereof, confer, by notification in the Official Gazette, on any officer of the State Government, the powers exercisable by a police officer under the Code in such district or part thereof or, as the case may be, for such case or class or group of cases, and in particular, the powers of arrest, investigation and prosecution of persons before any special court.

(2) All officers of police and all other officers of Government shall assist the officer referred to in sub-section (1) in the execution of the provisions of this Act or any rule, scheme or order made thereunder.

(3) The provisions of the Code shall, so far as may be, apply to the exercise of the powers by an officer under sub-section (1).

COMMENTS

Central Government vesting investigating power with Officer not below rank of Deputy Superintendent of Police can be relaxed by State Government; State of Bihar v. Anil Kumar, AIR 2017 SC 2716

CHAPTER III  
EXTERNMENT

**10. Removal of person likely to commit offence.-** (1) Where the Special Court is satisfied, upon a complaint or a police report that a person is likely to commit an offence under Chapter II of this Act in any area included in 'Scheduled Areas' or 'Tribal Areas' as referred to in article 244 of the Constitution [or any area identified under the provisions of clause (vii) of sub-section (2) of section 21] it may, by order in writing, direct such person to remove himself beyond the limits of such area, by such route and within such time as may be specified in the order, and not to return to that area from which he was directed to remove himself for such period, not exceeding 2[three years] as may be specified in the order.

(2) The Special Court shall, along with the order under sub-section (1), communicate to the person directed under that sub-section the grounds on which such order has been made.

(3) The Special Court may revoke or modify the order made under sub-section (1), for the reasons to be recorded in writing, on the representation made by the person against whom such order has been made or by any other person on his behalf within thirty days from the date of the order.

COMMENTS

Upon a complaint or a police report if the Special Court is satisfied that a person is likely to commit an offence in any area included in the 'Scheduled Areas' or Tribal Areas" as referred in article 244 of the Constitution or any area identified under the provisions of clause (vii) of sub-section (2) of section 21, it may direct such person to remove himself beyond the limits of such area by the prescribed route and within the prescribed time for a period not exceeding three years.

**11. Procedure on failure of person to remove himself from area and enter thereon after removal.-**(1) If a person to whom a direction has been issued under section 10 to remove himself from any area-

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1. Ins. by Act 1 of 2016, sec. 7(a) (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016).

2. Subs. by Act 1 of 2016, sec. 7(b), for "two years" (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18<sup>th</sup>

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[Sec. 11 Sec. 14A]

(a) fails to remove himself as directed; or  
(b) having so removed himself enters such area within the period specified in the order, otherwise than with the permission in writing of the Special Court under sub- CHAPTER IV SPECIAL COURTS section (2), the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

(2) The Special Court may, by order in writing, permit any person in respect of whom an order under section 10 has been made, to return to the area from which he was directed to remove himself for such temporary period and subject to such conditions as may be specified in such order and may require him to execute a bond with or without surety for the due observation of the conditions imposed.

(3) The Special Court may at any time revoke any such permission.

(4) Any person who, with such permission, returns to the area from which he was directed to remove himself, shall observe the conditions imposed, and at the expiry of the temporary period for which he was permitted to return, or on the revocation of such permission before the expiry of such temporary period, shall remove himself outside such area and shall not return thereto within the unexpired portion specified under section 10 without a fresh permission.

(5) If a person fails to observe any of the conditions imposed or to remove himself accordingly or having so removed himself enters or returns to such area without fresh permission, the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

12. Taking measurements and photographs, etc., of persons against whom order under section 10 is made. (1) Every person against whom an order been made under section 10 shall, if so required by the Special Court, allow his measurements and photographs to be taken by a police officer.

(2) If any person referred to in sub-section (1), when required to allow his measurements or photographs to be taken, resists or refuses to allow the taking of such measurements or photographs, it shall be lawful to use all necessary means to secure the taking thereof.

(3) Resistance to or refusal to allow the taking of measurements or photographs under sub-section (2) shall be deemed to be an offence under section 186 of the Indian Penal Code (45 of 1860).

(4) Where an order under section 10 is revoked, all measurements and photographs (including negatives) taken under sub-section (2) shall be destroyed or made over to the person against whom such order is made.

13. Penalty for non-compliance of order under section 10.-Any person contravening an order of the Special Court made under section 10 shall be punishable with imprisonment for a term which may extend to one year and with fine.

COMMENTS

Contravention of an order of the Special Court made under section 10 is punishable with imprisonment upto one year or with fine

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1[14. Special Court and Exclusive Special Court.-(1) For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, establish an Exclusive Special Court for one or more Districts:

Provided that in Districts where less number of cases under this Act is recorded, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for such Districts, the Court of Session to be a Special Court to try the offences under this Act:

Provided further that the Courts so established or specified shall have power to directly take cognizance of offences under this Act.

2) It shall be the duty of the State Government to establish adequate number of Courts to ensure that cases under this Act are disposed of within a period of two months, as far as possible.

(3) In every trial in the Special Court or the Exclusive Special Court, the proceedings shall be continued from day-to-day until all the witnesses in attendance have been examined, unless the Special Court or the Exclusive Special Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded in writing:

Provided that when the trial relates to an offence under this Act, the trial shall, as far as possible, be completed within a period of two months from the date of filing of the charge sheet.]

**2[14A.Appeals.** (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), an appeal shall lie, from any judgment, sentence or order, not being an interlocutory order, of a Special Court or an Exclusive Special Court, to the High Court both on facts and on law.

(2) Notwithstanding anything contained in sub-section (3) of section 378 of the Code of Criminal Procedure, 1973 (2 of 1974), an appeal shall lie to the High Court against an order of the Special Court or the Exclusive Special Court granting or refusing bail.

(3) Notwithstanding anything contained in any other law for the time being in force, every appeal under this section shall be preferred within a period of ninety days from the date of the judgment, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of ninety days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of ninety days:

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1. Subs. by Act 1 of 2016, sec. 8, for section 14 (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016). Section 14, before substitution, stood as under:

"14. Special Court-For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for each district a Court of Session to be a Special Court to try the offences under this Act."

2. Ins. by Act 1 of 2016, sec. 9 (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016)

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Provided further that no appeal shall be entertained after the expiry of the period of one hundred and eighty days.

(4) Every appeal preferred under sub-section (1) shall, as far as possible, be disposed of within a period of three months from the date of admission of the appeal.]

**1[15. Special Public Prosecutor and Exclusive Public Prosecutor.**-(1) For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

(2) For every Exclusive Special Court, the State Government shall, by notification in the Official Gazette, specify an Exclusive Special Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as an Exclusive Special Public Prosecutor for the purpose of conducting cases in that Court.]

CHAPTER IVA  
**RIGHTS OF VICTIMS AND WITNESSES**

15A. Rights of victims and witnesses.-(1) It shall be the duty and responsibility of the State to make arrangements for the protection of victims, their dependents, and witnesses against

(2) A victim shall be treated with fairness, respect and dignity and with due regard to any special need that arises because of the victim's age or gender or educational disadvantage or poverty.

(3) A victim or his dependent shall have the right to reasonable, accurate, and timely notice of any Court proceeding including any bail proceeding and the Special Public Prosecutor or the State Government shall inform the victim about any proceedings under this Act.

(4) A victim or his dependent shall have the right to apply to the Special Court or the Exclusive Special Court, as the case may be, to summon parties for production of any documents or material, witnesses or examine the persons present.

(5) A victim or his dependent shall be entitled to be heard at any proceeding under this Act in respect of bail, discharge, release, parole, conviction or sentence of an accused or any connected proceedings or arguments and file written submission on conviction, acquittal or sentencing.

(6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), the Special Court or the Exclusive Special Court trying a case under this Act shall provide to a victim, his dependent, informant or witnesses-

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1. Subs. by Act 1 of 2016, sec. 10, for section 15 (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016). Section 15, before substitution, stood as under:

"15. Special Public Prosecutor.-For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that court."

2 Chapter IVA (containing section 15A) inserted by Act 1 of 2016, sec. 11 (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18<sup>th</sup> January, 2016)



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- (a) the complete protection to secure the ends of justice;
- (b) the travelling and maintenance expenses during investigation, inquiry and trial;
- (c) the social-economic rehabilitation during investigation, inquiry and trial and andtrial; and
- (d) relocation.

(7) The State shall inform the concerned Special Court or the Exclusive Special Court about the protection provided to any victim or his dependent, informant or witnesses and such Court shall periodically review the protection being offered and pass appropriate orders.

(8) Without prejudice to the generality of the provisions of sub-section (6), the concerned Special Court or the Exclusive Special Court may, on an application made by a victim or his dependent, informant or witness in any proceedings before it or by the Special Public Prosecutor in relation to such victim, informant or witness or on its own motion, take such measures including-

- (a) concealing the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to the public;
- (b) issuing directions for non-disclosure of the identity and addresses of the witnesses;
- (c) take immediate action in respect of any complaint relating to harassment of a victim, informant or witness and on the same day, if necessary, pass appropriate orders for protection:

Provided that inquiry or investigation into the complaint received under clause (c) shall be tried separately from the main case by such Court and concluded within a period of two months from the date of receipt of the complaint:

Provided further that where the complaint under clause (c) is against any public servant, the Court shall restrain such public servant from interfering with the victim, informant or witness, as the case may be, in any matter related or unrelated to the pending case, except with the permission of the Court.

(9) It shall be the duty of the Investigating Officer and the Station House Officer to record the complaint of victim, informant or witnesses against any kind of intimidation, coercion or inducement or violence or threats of violence, whether given orally or in writing, and a photocopy of the First Information Report shall be immediately given to them at free of cost.

(10) All proceedings relating to offences under this Act shall be video recorded.

(11) It shall be the duty of the concerned State to specify an appropriate scheme to ensure implementation of the following rights and entitlements of victims and witnesses in accessing justice so as-

- (a) to provide a copy of the recorded First Information Report at free of cost;
- (b) to provide immediate relief in cash or in kind to atrocity victims or their dependents;

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- (c) to provide necessary protection to the atrocity victims or their dependents, and witnesses;
- (d) to provide relief in respect of death or injury or damage to property;
- (e) to arrange food or water or clothing or shelter or medical aid or transport facilities or daily allowances to victims;
- (f) to provide the maintenance expenses to the atrocity victims and their dependents;
- (g) to provide the information about the rights of atrocity victims at the time of making complaints and registering the First Information Report;
- (h) to provide the protection to atrocity victims or their dependents and witnesses from intimidation and harassment;
- (i) to provide the information to atrocity victims or their dependents or associated organizations or individuals, on the status of investigation and charge sheet and to provide copy of the charge sheet at free of cost
- (j) to take necessary precautions at the time of medical examination;  
of the said area..
- (k) to provide information to atrocity victims or their dependents or associated organizations or individuals, regarding the relief amount;
- (l) to provide information to atrocity victims or their dependents or associated organizations or individuals, in advance about the dates and place of investigation and trial;
- (m) to give adequate briefing on the case and preparation for trial to atrocity victims or their dependents or associated organizations or individuals and to provide the legal aid for the said purpose;
- (n) to execute the rights of atrocity victims or their dependents or associated organizations or individuals at every stage of the proceedings under this Act and to provide the necessary assistance for the execution of the rights.
- (12) It shall be the right of the atrocity victims or their dependents, to take assistance from the Non-Government Organizations, social workers or advocates

CHAPTER V  
MISCELLANEOUS

**16. Power of State Government to impose collective fine.**-The provisions of section 10A of the Protection of Civil Right Act, 1955 (22 of 1955) shall, so far as may be, apply for the purposes of imposition and realization of collective fine and for all other matters connected therewith under this Act.

COMMENTS

Section 10A of the Protection of Civil Rights Act, 1955 (22 of 1955) is given below:

"10A. Power of State Government to impose collective fine.-(1) If, after an inquiry in the prescribed manner, the State Government is satisfied that the inhabitants of an area are concerned in, or abetting the commission of, any offence punishable under this Act, or

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harboring persons concerned in the commission of such offence or failing to render all the assistance in their power to discover or apprehend the offender or offenders or suppressing material evidence of the commission of such offence, the State Government may, by notification in the Official Gazette, impose a collective fine on such inhabitants and apportion such fine amongst the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the State Government's judgment of the respective means of such inhabitants and in making any such apportionment the State Government may assign a portion of such fine to a Hindu undivided family to be payable by it:

Provided that the fine apportioned to an inhabitant shall not be realised until the petition, if any, filed by him under sub-section (3) is disposed of.

(2) The notification made under sub-section (1) shall be proclaimed in the area by beat of drum or in such other manner as the State Government may think best in the circumstance to bring the imposition of the collective fine to the notice of the inhabitants of the said area

(3) (a) Any person aggrieved by the imposition of the collective fine under sub-section (1) or by the order of apportionment, may, within the prescribed period, file a petition before the State Government or such other authority as that Government may specify in this behalf for being exempted from such fine or for modification of the order of apportionment:

Provided that no fee shall be charged for filing such petition.

(b) The State Government or the authority specified by it shall, after giving to the petitioner a reasonable opportunity of being heard, pass such order as it may think fit:

Provided that the amount of the fine exempted or reduced under this section shall not be releasable from any person, and the total fine imposed on the inhabitants of an area under sub-section (1) shall be deemed to have been reduced to that extent.

(4) Notwithstanding anything contained in sub-section (3), the State Government may exempt the victims of any offence punishable under this Act or any person who does not, in its opinion, fall within the category of persons specified in sub-section (1), from the liability to pay the collective fine imposed under sub-section (1) or any portion thereof. associated organisations or individuals

(5) The portion of collective fine payable by any person (including a Hindu undivided family) may be recovered in the manner provided by the Code of Criminal Procedure, 1973 (2 of 1974), for the recovery of fines imposed by a Court as if such portion were a fine imposed by a Magistrate."

**17. Preventive action to be taken by the law and order machinery.**-(1) A District Magistrate or a Sub-divisional Magistrate or any other Executive Magistrate or any police officer not below the rank of a Deputy Superintendent of Police may, on receiving information and after such inquiry as he may think necessary, has reason to believe that a person or a group of persons not belonging to the Scheduled Castes or the Scheduled Tribes, residing in or frequenting any place within the local limits of his jurisdiction is likely to commit an offence or has threatened to commit any offence under this Act and is of the opinion that there is sufficient ground for proceeding, declare such an area to be an area prone to atrocities and take necessary action for keeping the peace and good behaviour and maintenance of public order and tranquillity and may take preventive action.

(2) The provisions of Chapters VIII, X and XI of the Code shall, so far as may be, apply for the purposes of sub-section (1)

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(3) The State Government may, by notification in the Official Gazette, make one or more schemes specifying the manner in which the officers referred to in sub-section (1) shall take appropriate action specified in such scheme or schemes to prevent atrocities and to restore the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes.

COMMENTS

District Magistrate, Sub-divisional Magistrate, Executive Magistrate, or Deputy Superintendent of Police has been empowered to declare any area, within the local limits of his jurisdiction, to be an area prone to atrocities if, on receiving information and after making inquiry he has reason to believe that a person or group of persons not belonging to the Scheduled Castes or the Scheduled Tribes, is likely to commit an offence or has threatened to commit any offence under this Act and is of the opinion that there is sufficient ground for proceeding. He can take necessary action for keeping the peace and good behaviour and maintenance of public order and tranquility and can take preventive action

**18. Section 438 of the Code not to apply to persons committing an offence. under the Act-**Nothing in section 438 of the Code shall apply in relation to any case involving the arrest of any person on an accusation of having committed an offence under this Act.

**18A. No enquiry or approval required.**-(1) For the purposes of this Act,

- (a) preliminary enquiry shall not be required for registration of a First Information Report against any person; or
- (b) the investigating officer shall not require approval for the arrest, if necessary, of any person, against whom an accusation of having committed an offence under this Act has been made and no procedure other than that provided under this Act or the Code shall apply.

(2) The provisions of section 438 of the Code shall not apply to a case under this Act, notwithstanding any judgment or order or direction of any Court.]

19. Section 360 of the Code or the provisions of the Probation of Offenders Act not to apply to persons guilty of an offence under the Act.-The provisions of section 360 of the Code and the provisions of the Probation of Offenders Act, 1958 (20 of 1958) shall not apply to any person above the age of eighteen years who is found guilty of having committed an offence under this Act.

20. Act to override other laws-Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

21. Duty of Government to ensure effective implementation of the Act- (1) Subject to such rules as the Central Government may make in this behalf, the State Government shall take such measures as may be necessary for the effective implementation of this Act.

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(2) In particular, and without prejudice to the generality of the foregoing provisions, such measures may include,-

- (i) the provision for adequate facilities, including legal aid, to the persons subjected to atrocities to enable them to avail themselves of justice;
- (ii) the provision for travelling and maintenance expenses to witnesses, including the victims of atrocities, during investigation and trial of offences under this Act;
- (iii) the provision for the economic and social rehabilitation of the victims of the atrocities;
- (iv) the appointment of officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act;
- (v) the setting up of committees at such appropriate levels as the State Government may think fit to assist that Government in formulation or implementation of such measures;
- (vi) provision for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provisions of this Act;
- (vii) the identification of the areas where the members of the Scheduled Castes and the Scheduled Tribes are likely to be subjected to atrocities and adoption of such measures so as to ensure safety for such members.

(3) The Central Government shall take such steps as may be necessary to co-ordinate the measures taken by the State Governments under sub-section (1).

(4) The Central Government shall, every year, place on the table of each House of Parliament a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this section.

**22. Protection of action taken in good faith.**-No suit, prosecution or other legal proceedings shall lie against the Central Government or against the State Government or any officer or authority of Government or any other person for anything which is in good faith done or intended to be done under this Act.

**23. Power to make rules.**-(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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THE SCHEDULE  
[See section 3(2)(va)]

Section under the Indian Penal Code	Name of offence and punishment
120A	Definition of criminal conspiracy.
120B	Punishment of criminal conspiracy.
141	Unlawful assembly.
142	Being member of unlawful assembly.
143	Punishment for unlawful assembly.
144	Joining unlawful assembly armed with deadly weapon
145	Joining or continuing in unlawful assembly, knowing it has been commanded to disperse.
146	Rioting.
147	Punishment for rioting.
148	Rioting, armed with deadly weapon.
217	Public servant disobeying direction of law with intent to save person from punishment or property from forfeiture.
319	Hurt
320	Grievous hurt.
323	Punishment for voluntarily causing hurt
324	Voluntarily causing hurt by dangerous weapons or means
325	Punishment for voluntarily causing grievous hurt.
326B	Voluntarily throwing or attempting to throw acid.
332	Voluntarily causing hurt to deter public servant from his duty.
341	Punishment for wrongful restraint.
354	Assault or criminal force to woman with intent to outrage her modesty.
354A	Sexual harassment and punishment for sexual harassment.
354B	Assault or use of criminal force to woman with intent to disrobe.
354C	Voyeurism.
354D	Stalking.
359	Kidnapping.
363	Punishment for kidnapping
365	Kidnapping or abducting with intent secretly and wrongfully to confine person.
376B	Sexual intercourse by husband upon his wife during separation
376C	Sexual intercourse by a person in authority
447	Punishment for criminal trespass.
506	Punishment for criminal intimidation.
509	Word, gesture or act intended to insult the modesty of a woman.

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1. Ins. by Act 1 of 2016, sec. 12 (w.e.f. 26-1-2016, vide S.O. 152(E), dated 18th January, 2016).

THE SCHEDULED CASTES AND  
THE SCHEDULED TRIBES (PREVENTION OF  
ATROCITIES) RULES, 1995

In exercise of the powers conferred by sub-section (1) of section 23 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. (1) These rules may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

(2) They shall come into force on the date<sup>2</sup> of their publication in the Official Gazette.

2. **Definitions.**-In the rules, unless the context otherwise requires,-

(a) "Act" means the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989);

3[(b) "dependent" means the spouse, children, parents, brother and sister of the victim, who are dependent wholly or mainly on such victim for support and maintenance;]

(c) "identified area" means such area where State Government has reason to believe that atrocity may take place or there is an apprehension of reoccurrence of an offence under the Act or an area prone to atrocities;

(d) "Non-Government Organisation" means a voluntary organisation engaged in the welfare activities relating to the Scheduled Castes and the Scheduled Tribes and registered under the Societies Registration Act, 1860 (21 of 1860) or under any law for the registration of documents or such organisation for the time being in force;

(e) "schedule" means the Schedule annexed to these rules;

(f) "section" means section of the Act;

(g) "State Government", in relation to a Union territory, means the Administrator of that Union territory appointed by the President under article 239 of the Constitution;

4[(ga) "voluntarily" shall have the same meaning as assigned to it in section 39 of the Indian Penal Code (45 of 1860).]

(h) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Precautionary and preventive measures. With a view to prevent atrocities on the Scheduled Castes and the Scheduled Tribes, the State Government shall:-

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1. Vide G.S.R. 316(E), dated 31st March, 1995, published in the Gazette of India, Extra., Pt. II, Sec. 3(1), dated 31st March, 1995.

2. Came into force on 31-3-1995.

3. Subs. by G.S.R. 424(E), dated 14th April, 2016, for clause (b) (w.e.f. 14-4-2016). Clause (b)' before substitution, stood as under:

'(b) "Dependent", with its grammatical variations and cognate expressions, includes will children, whether married or unmarried, dependent parents, widowed sister, wide and children of pre-deceased son of a victim of atrocity;.

4. Ins. by G.S.R. 588(E), dated 27th June, 2018 (w.e.f. 27-6-2018).

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- (i) identify the area where it has reason to believe that atrocity may take place or there is an apprehension of reoccurrence of an offence under the Act;
- (ii) order the District Magistrate and Superintendent of Police or any other officer to visit the identified area and review the law and order situation;
- (iii) if deem necessary, in the identified area cancel the arms licences of the persons, not being member of the Scheduled Castes or Scheduled Tribes, their near relations, servants or employees and family friends and get such arms deposited in the Government Armoury;
- (iv) seize all illegal fire arms and prohibit any illegal manufacture of fire arms;
- (v) with a view to ensure the safety of person and property, if deema necessary, provide arms licences to the members of the Scheduled Castes and the Scheduled Tribes;
- (vi) constitute a high power State-level committee, district and divisional level committees or such number of other committees as deem proper and necessary for assisting the Government in implementation of the provisions of the Act;
- (vii) set-up a vigilance and monitoring committee to suggest effective measures to implement the provisions of the Act;
- (viii) set-up Awareness Centres and organise Workshops in the identified area or at some other place to educate the persons belonging to the the Scheduled Castes and the Scheduled Tribes about their rights and the protection available to them under the provisions of various Central and State enactments or rules, regulations and schemes framed thereunder;
- (ix) encourage Non-Government Organisations for establishing and maintaining Awareness Centres and organising workshops and provide them necessary financial and other sort of assistance;
- (x) deploy special police force in the identified area;
- (xi) by the end of every quarter, review the law and order situation, functioning of different committees, performance of Special Public Prosecutors, Investigating Officers and other Officers responsible for implementing the provisions of the Act and the cases registered under the Act.

4. Supervision of Prosecution and Submission of Report.-(1) The State Government, on the recommendation of the District Magistrate, shall prepare for

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1. Subs. by G.S.R. 424(E), dated 14th April, 2016, for sub-rule (1) (w.e.f. 14-4-2016). Sub-rule (1), before substitution, stood as under:

“(1) The State Government on the recommendation of the District Magistrate shall prepare for each District a panel of such number of eminent Senior Advocates who have been in practice for not less than seven years, as it may deem necessary for conducting cases in the Special Courts. Similarly, In consultation with the Director of Prosecution/in-charge of the prostrution, a parel of such number of Public Prosecutors as it may deem necessary for conducting cases in the Special Court, shall also be specified. Both these panels shall be notified in the Olficial Gazette of the State and shall remain in force for a period of three years.”.



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Each District a panel of such number of eminent senior advocates who have been in practice for not less than seven years, as it may deem necessary for conducting cases in the Special Courts and Exclusive Special Courts.

(1A) The State Government in consultation with the Director Prosecution or in charge of the prosecution, shall also specify a panel of such number of Public Prosecutors and Exclusive Special Public Prosecutors, as it may deem necessary for conducting cases in the Special Courts and Exclusive Special Courts, as the case may be

(1B) Both the panels referred to in sub-rule (1) and sub-rule (14) shall benotified in the Official Gazette of the State and shall remain in force for aperiod of three years

2) The District Magistrate and the Director of Prosecution/in-charge of theprosecution shall review at least twice incalendar year, in the monthsofJanuary and July, the performance of '[Special Public Prosecutors and ExclusiveSpecial Public Prosecutors] so specified or appointed and submit a report to the State Government.

(3) If the State Government is satisfied or has reason to believe that 'a Special Public Prosecutor or an Exclusive Special Public Prosecutor) soor specified has not conducted the case to the best of his ability and with due and caution, his name may be, for reasons to be recorded in writing,denotified.

?(4) The District Magistrate and the officer-in-charge of the prosecution at District level, shall review,

(a) the position of cases registered under the Act;

(b) the implementation of the rights of victims and witnesses, specified under the provisions of Chapter IVA of the Act, and submit a monthly report on or before 20th day of each subsequent month to the Director of Prosecution and the State Government, which shall specify the actions taken or proposed to be taken in respect investigation and prosecution of each casecase.]

(5) Notwithstanding anything contained in sub-rule (1) the District Magistrate or the Sub-Divisional Magistrate may, if deem necessary or if so desired by the victims of atrocity engage an eminent Senior Advocate for"conducting cases in the Special Courts or Exclusive Special Courts] on suchpayment of fee as he may consider appropriate.

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1. Subs. by G.S.R. 424(E), dated 14th April, 2016, for "a Special Public Prosecutor" (w.e.f. 14-4-2016).

2. Subs. by G.S.R. 424(E), dated 14th April, 2016, for sub-rule (4) (w.e.f. 14-1-2016). Sub-rule (4). before substitution, stood as under:

"(4) The District Magistrate and the officer-in-charge of the prosecution at the District level, shall review the position of cases registered under the Act and submit a monthly report on or before 20th day of each subsequent month to the Director of Prosecution and the State Government. This report shall specify the actions taken/proposed to be taken in respect of investigation and prosecution of such case."

3. Subs. by G.S.R. 424(E), dated 14th April, 2016, for "conducting cases in the Special Courts" (w.e.f. 14--2016).

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(6) Payment of fee to the [Special Public Prosecutor and Exclusive Special Public Prosecutor] shall be fixed by the State Government on a scale higher than the other panel advocates in the State.

**5. Information to Police Officer in-charge of a Police Station.**-(1) Every information relating to the commission of an offence under the Act, if given orally to an officer in-charge of a police station shall be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be maintained by that police station.

2) A copy of the information as so recorded under sub-rule (1) above shall be given forthwith, free of cost, to the informant.

(3) Any person aggrieved by a refusal on the part of an officer in-charge of a police station to record the information referred to in sub-rule (1) may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who after investigation either by himself or by a police officer not below the rank of Deputy Superintendent of Police, shall make an order in writing to the officer in-charge of the concerned police station to enter the substance of that information to be entered in the book to be maintained by that Police Station.

6. Spot inspection by officers.-(1) Whenever the District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate or any police officer not below the rank of Deputy Superintendent of Police receives an information from any person or upon his own knowledge that an atrocity has been committed on the members of the Scheduled Castes or the Scheduled Tribes within his jurisdiction, he shall immediately himself visit the place of occurrence to assess the extent of atrocity, loss of life, loss and damage to the property and submit a report forthwith to the State Government.

(2) The District Magistrate or the Sub-District Magistrate or any other Executive Magistrate and the Superintendent of Police/Deputy Superintendent of Police after inspecting the place or area shall on the spot-

- (i) draw a list of victims, their family members and dependents entitled for relief;
- (ii) prepare a detailed report of the extent of atrocity, loss and damage to the property of the victims;
- (iii) order for intensive police patrolling in the area;
- (iv) take effective and necessary steps to provide protection to the witnesses and other sympathisers of the victims;
- (v) provide immediate relief to the victims.

**7. Investigating Officer.**-(1) An offence committed under the Act shall be investigated by a police officer not below the rank of a Deputy Superintendent of Police. The investigating officer shall be appointed by the State Government/

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1. Subs. by G.S.R. 424(E), dated 14th April, 2016, for "Special Public Prosecutor" (w.e.f 14-4-2016).

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Director General of Police/Superintendent of Police after taking into account his past experience, sense of ability and justice to perceive the implications of the case and investigate it alongwith right lines within the shortest possible time.

[(2) The investigating officer so appointed under sub-rule (1) shall complete the investigation on top priority, submit the report to the Superintendent of Police, who in turn shall immediately forward the report to the Director-General of Police or Commissioner of Police of the State Government, and the officer-in-charge of the concerned police station shall file the charge-sheet in the Special Court or the Exclusive Special Court within a period of sixty days (the period is inclusive of investigation and filing of charge-sheet).

(2A) The delay, if any, in investigation or filing of charge-sheet in accordance with sub-rule (2) shall be explained in writing by the investigating officer.]

2(3) The Secretary, Home Department and the Secretary, Scheduled Castes and Scheduled Tribes Development Department (the name of the Department may vary from State to State) of the State Government or Union territory Administration, Director of Prosecution, the officer in-charge of Prosecution and the Director-General of Police or the Commissioner of Police in-charge of the concerned State or Union territory shall review by the end of every quarter the position of all investigations done by the investigating officer.]

8. Setting up of the Scheduled Castes and the Scheduled Tribes Protection Cell. (1) The State Government shall set up a Scheduled Castes and the Scheduled Tribes Protection Cell at the State headquarter under the charge of Director General of Police/Inspector General of Police. This Cell shall beresponsible for-

- (i) conducting survey of the identified area;
- (ii) maintaining public order and tranquility in the identified area;
- (iii) recommending to the State Government for deployment of special police force or establishment of special police post in the identified area
- (iv) making investigations about the probable causes leading to an offence under the Act;
- (v) restoring the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes;

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1. Subs. by G.S.R. 424(E), dated 14th April, 2016, for sub-rule (2) (w.e.f. 14-4-2016). Sub-rule (2). before substitution, stood as under:

"(2) The investigating officer so appointed under sub-rule (1) shall complete the investigation on top priority basis within thirty days and submit the report to the Superintendent of Police who in turn will immediately forward the report to the Director General of Police of the State Government."

2.Subs. by G.S.R. 424(E), dated 14th April, 2016, for sub-rule (3) (w.e.f. 14-4-2016). Sub-rule (3), before substitution, stood as under:

"(3) The Home Secretary and the Social Welfare Secretary to the State Government Director of Prosecution, the officer in-charge of Prosecution and the Director General of Police shall review by the end of every quarter the position of all investigations done by the investigating officer".

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- (vi) informing the nodal officer and special officer about the law and order situation in the identified area;
- 1[(via) informing the nodal officer and the concerned District Magistrates about implementation of the rights of victims and witnesses specified under the provisions of Chapter IVA of the Act;]
- (vii) making enquiries about the investigation and spot inspections conducted by various officers;
- (v) making enquiries about the action taken by the Superintendent of Police in the cases where an officer in-charge of the police station has refused to enter an information in a book to be maintained by that police station under sub-rule (3) of rule 5;
- (vi) making enquiries about the wilful negligence by a public servant;
- (vii) reviewing the position of cases registered under the Act; and (xi) submitting a monthly report on or before 20th day of each subsequent month to the State Government/nodal officer about the action taken/proposed to be taken in respect of the above.

**9. Nomination of Nodal Officer.**-The State Government shall nominate a nodal officer of the level of a Secretary to the State Government preferably belonging to the Scheduled Castes or the Scheduled Tribes, for co-ordinating the functioning of the District Magistrates and Superintendent of Police or other officers authorised by them, investigating officers and other officers responsible for implementing the provisions of the Act. By the end of every quarter, the nodal officer shall review-

- (i) the reports received by the State Government under sub-rules (2) and (4) of rule 4, rule 6, clause (xi) of rule 8;
- (ii) the position of cases registered under the Act;
- (iii) law and order situation in the identified area;
- (iv) various kinds of measures adopted for providing immediate relief in cash or kind or both to the victims of atrocity or his or her dependent;
- (v) adequacy of immediate facilities like rationing, clothing, shelter, legal aid, travelling allowance, daily allowance and transport facilities provided to the victims of atrocity or his/her dependants;
- (vi) performance of Non-Governmental Organisations, the Scheduled Castes and the Scheduled Tribes Protection Cell, various committees and the public servants responsible for implementing the provisions of the Act.
- <sup>1</sup>[(vii) implementation of the rights of victims and witnesses specified under the provisions of Chapter IVA the Act.]

**10. Appointment of a Special Officer.**-In the identified area a Special Officer not below the rank of a Additional District Magistrate shall be appointed to coordinate with the District Magistrate, Superintendent of Police or other officers responsible for implementing the provisions of the Act, various committees and the Scheduled Castes and the Scheduled Tribes Protection Cell.

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1. Ins. By G.S.R. 424(E), dated 14<sup>th</sup> April, 2016 (w.e.f. 14-4-2016).

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The Special Officer shall be responsible for-

- (i) providing immediate relief and other facilities to the victims of atrocity and initiate necessary measures to prevent or avoid re- occurrence of atrocity;
- (ii) setting up an awareness centre and organising workshop in the identified area or at the district headquarters to educate the persons belonging to the Scheduled Castes and the Scheduled Tribes about their rights and the protection available to them under the provisions of various Central and State enactments or rules and schemes etc. framed therein;
- (iii) co-ordinating with the Non-Governmental Organisations and providing necessary facilities and financial and other types of assistance to Non-Governmental Organisations for maintaining centres or organising workshops.
- (iv) implementation of the rights of victims and witnesses specified under the provisions of Chapter IVA of the Act, in the identified areas.]

**11. Travelling allowance, daily allowance, maintenance expenses and transport facilities to the victim of atrocity, his or her dependent and witnesses.** (1) Every victim of atrocity or his/her dependent and witnesses shall be paid to and fro rail fare by second class in express/mail/passenger train or actual bus or taxi fare from his/her place of residence or place of stay to the place of investigation or hearing of trial of an offence under the Act.

(2) The District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall make necessary arrangements for providing transport facilities or reimbursement of full payment thereof to the victims of atrocity and witnesses for visiting the investigating officer, Superintendent of Police/Deputy Superintendent of Police, District Magistrate or any other Executive Magistrate.

(3) Every woman witness, the victim of atrocity or her dependent being a woman or a minor, a person more than sixty years of age and a person having 40 per cent or more disability shall be entitled to be accompanied by an attendant of her/his choice. The attendant shall also be paid travelling and maintenance expenses as applicable to the witness or the victim of atrocity when called upon during hearing, investigation and trial of an offence under the Act.

(4) The witness, the victim of atrocity or his/her dependent and the attendant shall be paid daily maintenance expenses, for the days he/she is away from the place of his/her residence or stay during investigation, hearing and trial of an offence, at such rates but not less than the minimum wages, as may be fixed by the State Government for the agricultural labourers.

(5) In addition to daily maintenance expenses the witness, the victim of atrocity (or his/her dependant) and the attendant shall also be paid diet expenses at such rates as may be fixed by the State Government from time to time.

(6) The payment of travelling allowance, daily allowance, maintenance expenses and reimbursement of transport facilities shall be made immediately or

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1. Ins. By G.S. R. 424(E), dated 14<sup>th</sup> April, 2016 (w.e.f. 14-4-2016).

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not later than three days by the District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate to the victims, their dependants/ attendants and witnesses for the days they visit the investigating officer or in- charge of police station or hospital authorities or Superintendent of Police/ Deputy Superintendent of Police or District Magistrate or any other officer concerned or the special court.

(7) When an offence has been committed under section 3 of the Act, the District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall reimburse the payment of medicines, special medical consultation, blood transfusion, replacement of essential clothing, meals and fruits provided to the victim (s) of atrocity.

**12. Measures to be taken by the District Administration.**-(1) The District Magistrate and the Superintendent of Police shall visit the place or area where the atrocity has been committed to assess the loss of life and damage to the property and draw a list of victims, their family members and dependents entitled for relief.

(2) Superintendent of Police shall ensure that the First Information Report is registered in the book of the concerned police station and effective measure for apprehending the accused are taken.

(3) The Superintendent of Police, after spot inspection, shall immediately appoint an investigating officer and deploy such police force in the area and take such other preventive measures as he may deem proper and necessary.

1[(4) The District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall make necessary administrative and other arrangements and provide relief in cash or in kind or both within seven days to the victims of atrocity, their family members and dependents according to the scale as provided in Annexure-I read with Annexure-II of the Schedule annexed to these rules and such immediate relief shall also include food, water, clothing, shelter, medical aid, transport facilities and other essential items.

(4A) For immediate withdrawal of money from the treasury so as to timely provide the relief amount as specified in sub-rule (4), the concerned State Government or Union territory Administration may provide necessary authorisation and powers to the District Magistrate.

(4B) The Special Court or the Exclusive Special Court may also order socio- economic rehabilitation during investigation, inquiry and trial, as provided in clause (c) of sub-section 6 of section 15A of the Act.]

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1. Subs, by GS.R. 424(E), dated 14th April, 2016, for sub-rule (4) (w.e.f. 14-4-2016), Sub-rule (4), before substitution, stood as under:

"(4) The District Magistrate or the Sub-Divisional Magistrate or any other Executive Magistrate shall make arrangements for providing immediate relief in cash or in kind of both to the victims of atrocity, their family members and dependents according to the scade as in the Schedule annexed to these rules (Annexure I read with Annexure II). Such immediate relief shall also include food, water, clothing, shelter, medical aid, transport facilities and other essential items necessary for human beings."

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[(5) The relief provided to the victim of the atrocity or his/her dependent under sub-rule (4) in respect of death, or injury or rape, or gang rape, or unnatural offences, or voluntarily causing grievous hurt by use of acid, or voluntarily throwing or attempting to throw acid etc. or damage to property shall be in addition to any other right to claim compensation respect thereof under any other law for the time being in force.]

(6) The relief and rehabilitation facilities mentioned in sub-rule (4) above shall be provided by the District Magistrate or Sub-Divisional Magistrate or any other Executive Magistrate in accordance with the scales provided in the Schedule annexed to these rules.

(7) A report of the relief and rehabilitation facilities provided to the victims shall also be forwarded to the 2[Special Court or Exclusive Special Court] by the District Magistrate or the Sub-Divisional Magistrate or the Executive Magistrate or Superintendent of Police. In case the [Special Court or Exclusive Special Court] is satisfied that the payment of relief was not made to the victim or his/ her dependent in time or the amount of relief or compensation was not sufficient or only a part of payment of relief or compensation was made it may order for making in full or part the payment of relief or any other kind of assistance.

**13. Selection of officers and other staff members for completing the work relating to atrocity.-(1)**

The State Government shall ensure that the administrative officers and other staff members to be appointed in an area prone to atrocity shall have the right aptitude and understanding of the problems of the Scheduled Castes and the Scheduled Tribes.

(2) It shall also be ensured by the State Government that person from the Scheduled Castes and the Scheduled Tribes are adequately represented in the administration and in the police force at all levels, particularly at the level of police posts and police station.

**3[14. Specific Responsibility of State Government.-(1)** The State Government shall make necessary provisions in its annual budget for providing relief and rehabilitation facilities to the victims of atrocity, as well as for implementing an appropriate scheme for the rights and entitlements of victims.

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1. Subs. by G.S.R. 588(E), dated 27th June, 2018, for sub-rule (5) (w.e.f. 27-6-2018). Sub-rule (5), before substitution, stood as under:

“(5) The relief provided to the victim of the atrocity or his/her dependent under sub-rule (4) in respect of death, or injury to, or damage to property shall be in addition to any other right to claim compensation in respect thereof under any other law for the time being in force.”.

2. Subs. by G.S.R. 424(E), dated 14th April, 2016, for "Special Court" (w.e.f. 14-4-2016).

3. Subs. by G.S.R. 424(E), dated 14th April, 2016, for rule 14 (w.e.f. 14-4-2016). Rule 14, before substitution, stood as under.

"14. Specific responsibility of the State Government.-The State Government shall make necessary provisions in its annual budget for providing relief and rehabilitation facilities to the victims of atrocity. It shall review atleast twice in a calendar year, in the month of January and July the performance of the Special Public Prosecutor specified or appointed under section 15 of the Act, various reports received, investigation made and preventive steps taken by the District Magistrate, Sub-Divisional Magistrate and Superintendent of Police, relief and rehabilitation facilities provided to the victims and the reports in respect of lapses on behalf of the Concerned officers,”.

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and witnesses in accessing justice as specified in sub-section (11) of section 15A of Chapter IV A of the Act.

(2) The State Government shall review at least twice in a calendar year, in the month of January and July the performance of the Special Public Prosecutor and Exclusive Special Public Prosecutor specified or appointed under section 15 of the Act, various reports received, investigation made and preventive steps taken by the District Magistrate, Sub-Divisional Magistrate and Superintendent of Police, relief and rehabilitation facilities provided to the victims and the reports in respect of lapses on behalf of the concerned officers.]

**15. Contingency plan by the State Government.**-(1) The State Government [shall frame and implement a plan to effectively implement] the provisions of the Act and notify the same in the Official Gazette of the State Government. It should specify the role and responsibility of various departments and their officers at different levels, the role and responsibility of Rural/Urban Local Bodies and Non-Government Organisations. Inter alia this plan shall contain a package of relief measures including the following:-

(a) scheme to provide immediate relief in cash or in kind or both; [(aa) an appropriate scheme for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub-section (11) of section 15A of Chapter IVA of the Act;]

(b) allotment of agricultural land and house sites;

(c) the rehabilitation packages;

(d) scheme for employment in Government or Government undertaking to the dependant or one of the family members of the victim;

(e) pension scheme for widows, dependant children of the deceased, handicapped or old age victims of atrocity;

(f) mandatory compensation for the victims;

(g) scheme for strengthening the socio-economic condition of the victim;

(h) provisions for providing brick/stone masonry house to the victims;

(i) such other elements as health care, supply of essential commodities, electrification, adequate drinking water facility, burial/cremation ground and link road to the Scheduled Castes and the Scheduled Tribes habitats.

(2) The State Government shall forward a copy of the contingency plan or a summary thereof and a copy of the scheme, as soon as may be, [to the Central Government in the Department of Social Justice and Empowerment, Ministry of Social Justice and Empowerment] and to all the District Magistrates, Sub-Divisional Magistrates, Inspectors General of Police and Superintendents of Police.

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1. Subs. by G.S.R. 424(E), dated 14th April, 2016, for "shall prepare a model contingency plan for implementing" (w.e.f. 14-4-2016).
  2. Ins. by GS.R. 424(E), dated 14th April, 2016 (w.e.f. 14-4-2016).
  3. Subs. by G.S.R. 424(E), dated 14th April, 2016, for "to the Central Government in the Ministry of Welfare"(w.e.f. 14-4-2016).



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**16. Constitution of State-Level Vigilance and Monitoring Committee** (1) The State Government shall constitute high power vigilance and monitoring committee I consisting of the following, namely:-

- (i) Chief Minister or Administrator Chairman (in case of a State under President's Rule, the Governor shall be the Chairman);
- (ii) Home Minister, Finance Minister and Minister(s) in-charge of welfare and development of the Scheduled Castes and the Scheduled Tribes -Members (in case of a State under the President's Rule, the Advisors shall be Members);
- (iii) all elected Members of Parliament and State Legislative Assembly and Legislative Council from the State belonging to the Scheduled Castes and the Scheduled Tribes shall be Members;
- (iv) Chief Secretary, the Home Secretary, the Director-General of Police, Director/Deputy Director, the National Commission for the Scheduled Castes and the National Commission for the Scheduled Tribes shall be Members;
- (v) The Secretary in-charge to the welfare and development of the Scheduled Castes and the Scheduled Tribes shall be Convener.

(2) The high power vigilance and monitoring committee shall meet at least twice in a calendar year, in the month of January and July to review the implementation of the provisions of the Act, scheme for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub- section (11) of section 15A of Chapter IVA of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers or agencies responsible for implementing the provisions of the Act and review of various reports received by the State Government including that of the nodal officer and special officer.]

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1. Subs. by G.S.R. 424(E), dated 14th April, 2016, for rule 16 (w.e.f. 14-4-2016). Earlier rule 16 was amended by G.S.R. 896(E), dated 23rd December, 2011 (w.e.f. 23-12-2011) and by G.S.R. 725(E). dated 8th November, 2013 (w.e.f. 8-11-2013) Rule 16, before substitution, stood as under.

"16. Constitution of State-level vigilance and monitoring committee.-(1) The State Government shall constitute a high power vigilance and monitoring committee of not more than 25 members consisting of the following:-

- (i) Chief Minister/Administrator-Chairman (in case of a State under President's Rule
- (ii) Home Minister, Finance Minister and Welfare Minister-Members (in case of a State Governor-Chairman); under the President's Rule Advisors-Members);
- (iii) all elected Members of Parliament and State Legislative Assembly and Legislative Council from the State belonging to the Scheduled Castes and the Scheduled Tribes- Members;
- (iv) Chief Secretary, the Home Secretary, the Director-General of Police, representatives of the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes not more than three social workers nominated by the Central Government-Members;
- (v) the Secretary in-charge of the welfare and development of the Scheduled Castes and the Scheduled Tribes-Convener.

(2) The high power vigilance and monitoring committee shall meet at least twice in a calendar year, in the month of January and July to review the implementation of the provisions of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers/ agencies responsible for implementing the provisions of the Act and various reports received by the State Government."

2. The words "of not more than twenty-five members" omitted by G.S.R. 588(E), dated 27th June, 2018 (w.e.f. 27-6-2018).

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**17. Constitution of District-level vigilance and monitoring committee.**-(1) In each district within the State, the District Magistrate shall set up a vigilance and monitoring committee in his district to review the implementation of the provisions of the Act, '[scheme for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub-section (11) of section 15A of Chapter IVA of the Act,] relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers/agencies responsible for implementing the provisions of the Act and various reports received by the District Administration.

(2) The district-level vigilance and monitoring committee shall consist of the elected Members of the Parliament and State Legislative Assembly and Legislative Council, Superintendent of Police, three group 'A' officers/Gazetted officers of the State Government belonging to the Scheduled Castes and the Scheduled Tribes, not more than 5 non-official members belonging to the Scheduled Castes and the Scheduled Tribes and not more than 3 members from the categories other than the Scheduled Castes and the Scheduled Tribes having association with Non-Government Organizations. The District Magistrate and District Social Welfare Officer shall be Chairman and Member-Secretary respectively.

(3) The district-level committee shall meet at least once in three months.

**[17A. Constitution of Sub-Division level vigilance and monitoring committee.** (1) In each Sub-Division within the State, the Sub-Divisional Magistrate shall set up a vigilance and monitoring committee in his Sub-Division to review the implementation of the provisions of the Act, '[scheme for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub-section (11) of section 15A of Chapter IVA of the Act,] relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers/agencies responsible for implementing the provisions of the Act and various reports received by the Sub-Division Administration.

[(2) The sub-division level vigilance and monitoring committee shall consist of members of State Legislative Assembly and State Legislative Council from the sub-division, elected members of Panchayati Raj Institutions belonging to the

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1. Ins. by G.S.R. 424(E), dated 14th April, 2016 (w.e.f. 14-4-2016).

2. Sub-rule (2A) omitted by G.S.R. 774(E), dated 5th November, 2014 (w.e.f. 5-11-2014). Earlier sub-rule (2A) was inserted by G.S.R. 725(E), dated 8th November, 2013 (w.e.f. 8-11-2013). Sub-rule (2A), before omission, stood as under:

"(2A) Not more than three social workers nominated by the Central Government- members

3. Ins. by G.S.R. 725(E), dated 8th November, 2013 (w.e.f. 8-11-2013).

4. Subs. by G.S.R. 774(E), dated 5th November, 2014, for sub-rule (2) (w.e.f. 5-11-2014). Sub-rule (2), before substitution, stood as under:

"(2) The Sub-Division level vigilance and monitoring committee shall consist of the elected Members of Panchayati Raj Institutions belonging to Scheduled Castes and Scheduled Tribes, Deputy Superintendent of Police, Tehsildar, Block Development Officer, not more than two non-official members belonging to the Scheduled Castes and the Scheduled Tribes and not more than two members from the categories other than the Scheduled Castes and the Scheduled Tribes, having association with Non-Government Organizations. The Sub-Divisional Magistrate shall be the Chairperson and the Block Development Officer, the Member Secretary respectively."

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Scheduled Castes and the Scheduled Tribes, Deputy Superintendent of Police, Tehsildar, Block Development Officer, not more than two non-official members belonging to the Scheduled Castes and the Scheduled Tribes, and not more than two members from the categories other than the Scheduled Castes and the Scheduled Tribes having association with non-Government organisations.]

1[(3) The Sub-divisional Magistrate shall be the Chairperson and the Block Development Officer, the member Secretary, respectively of the sub-division level vigilance and monitoring committee.]

2[(4) The sub-division level vigilance and monitoring committee shall meet at least once in three months.]

**18. Material for annual report.**-The State Government shall every year before the 1st July, forward the report to the Central Government about the measures taken for implementing provisions of the Act and various schemes/ plans framed by it during the previous calendar year.

SCHEDULE

"[ANNEXURE I

[See rule 12(4)]

NORMS FOR RELIEF AMOUNT

Sl. No	Name of the offence	Minimum amount of relief
(1)	(2)	(3)
1.	Putting any inedible or obnoxious substance [Section 3(1)(a) of the Act]	One lakh rupees to the victim. Payment to then victim be made as follows: (i) 10 per cent. at First Information Report (FIR) stage for serial numbers (2) and (3) and 25 percent at FIR stage for serial numbers (1), (4) and (5); (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 40 per cent. when the accused are convicted by the lower court for serial numbers (2) and (3) and likewise 25 percent for serial numbers (1), (4) and (5).
2.	Dumping excreta, sewage, carcasses or any other obnoxious substance [Section 3(1)(b) of the Act]	
3	Dumping excreta, waste matter, carcasses with intent to cause injury, insult or annoyance [Section 3(1)(c) of the Act]	
4	Garlanding with footwear or parading naked or semi-naked [Section 3(1)(d) of the Act]	
5	Forcibly committing acts such as removing clothes, forcible tonsuring of head, removing moustaches, painting face or body [Section 3(1)(e) of the Act]	

1. Subs. by G.S.R. 774(E), dated 5th November, 2014, for sub-rule (3) (w.e.f. 5-11-2014). Sub-rule (3), before substitution, stood as under:

"(3) Not more than three social workers nominated by the Central Government- members."

2. Ins. by G.S.R. 774(E), dated 5th November, 2014 (w.e.f. 5-11-2014).

3. Subs. by G.S.R. 416(E), dated 23rd June, 2014, for Schedule and Annexure I (w.e.f. 23-6-2014). Earlier it was substituted by G.S.R. 896(E), dated 23rd December, 2011, (w.e.f. 23-12-2011).

4. Subs. by G.S.R. 424(E), dated 14th April, 2016, for "ANNEXURE I" (w.e.f. 14-4-2016)

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(1)	(2)	(3)
6.	Wrongful occupation or cultivation of land [Section 3(1X) of the Act]	One lakh rupees to the victim. The land or premises or water supply or irrigation facility shall be restored where necessary at all Government cost by the concerned State Government Union territory Administration. Payment to the victim to be made as follows:
7.	Wrongful dispossession of land or premises or interfering with the rights, including forest rights. [Section 3(1)(g) of the Act]	(i) 25 per cent, at First Information Report (FIR) stage; (ii) 50 per cent, when the charge sheet is sent to the court; (iii) 25 per cent when the accused are convicted by the lower Court.
8.	Begar or other forms of forced or bonded labour [Section 3(1)(h) of the Act]	One lakh rupees to the victim, Payment to be made as follows:
9.	Compelling to dispose or carry human or animal carcasses, or to dig graves [Section 3(1)(i) of the Act]	(i) Payment of 25 per cent, First Information Report (FIR) stage; (ii) 50 per cent, when the charge sheet is sent to the court;
10.	Making a member of the Scheduled Castes or the Scheduled Tribes to do manual scavenging or employing him for such purpose (Section 3(1)(i) of the Act)	(iii) 25 per cent when the accused are convicted by the lower Court
11.	Performing, or promoting dedication of a Scheduled Caste or a Scheduled Tribe woman as a devadasi [Section 3(1)(k) of the Act]	
12.	Prevention from voting, filing nomination [Section 3(1)(l) of the Act]	Eighty-five thousand rupees to the victim. Payment to be made as follows:
13.	Forcing, intimidating or obstructing a holder of office of Panchayat or Municipality from performing duties [Section 3(1)(m) of the Act]	(i) 25 per cent, at First Information Report (FIR) stage; (ii) 50 per cent, when the charge sheet is sent to the court; (iii) 25 per cent when the accused are convicted by the lower Court
14.	After poll violence and Imposition of social and economic boycott [Section 3(1)(n) of the Act]	
15.	Committing any offence under this Act for having voted or not having voted for a particular candidate [Section 3(1)(o) of the Act]	
16.	Instituting, false, malicious vexatious legal proceedings [Section 3(1)(p) of the Act]	Eighty-five thousand rupees to the victim or reimbursement of actual legal expenses and damages, whichever is less. Payment to be made as follows:

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(1)	(2)	(3)
		(i) 25 per cent, at First Information Report (FIR) stage; (ii) 50 per cent, when the charge sheet is sent to the court; (iii) 25 per cent when the accused are convicted by the lower Court.
17.	Giving false and frivolous information to a Public servant [Section 3(1)(q) of the Act]	One lakh rupees to the victim or reimbursement of actual legal expenses and damages, whichever is less. Payment to be made as follows: (i) 25 per cent, at First Information Report (FIR) stage; (ii) 50 per cent, when the charge sheet is sent to the court; (iii) 25 per cent when the accused are convicted by the lower Court.
18.	Intentional insult or intimidation to humiliate in any place within public view [section 3(1)(r) of the Act]	One lakh rupees to the victim, Payment to be made as follows: (i) 25 per cent, at First Information Report (FIR) stage; (ii) 50 per cent, when the charge sheet is sent to the court; (iii) 25 per cent when the accused are convicted by the lower Court
19.	Abusing by caste name in any place within public view [section 3(1)(s) of the Act]	
20.	Destroying, damaging or defiling any object held sacred or in high esteem (section 3(1)(t) of the Act]	
21.	Promoting feelings of enmity, hatred or ill-will [section 3(1)(u) of the Act]	
22	Disrespecting by words or any other means of any late person held in high esteem Isection 3(1)(v) of the Act]	
23	Intentionally touching a Scheduled Caste or a Scheduled Tribe woman without consent, using acts or gestures, as an act of sexual nature, [section 3(1)(w) of the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent, at First Information Report (FIR) stage;

		(ii) 50 per cent, when the charge sheet is sent to the court; (iii) 25 per cent when the accused are convicted by the lower Court
24	[Section 326A of the Indian Penal Code (45 of 1860)-Voluntarily causing grievous hurt by use of acid, etc., Section 326B of the Indian Penal Code (45 of 1860)-Voluntarily throwing or attempting to throw acid, [Section 3(2)(v), 3(2)(va) read with Schedule to the Act.]]	(b) four lakh and fifteen thousand rupees to the victim with burns between 10 per cent. to 30 per cent on the body; (c) eighty-five thousand rupees to the victim with burns less than 10 per cent. on the body other than on face. In addition, the State Government or Union territory Administration shall take full responsibility for the treatment of the victim of acid attack. The payment in terms of items (a) to (c) are to be made as follows: (i) 50 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. after receipt of medical report.
25.	Section 354 of the Indian Penal Code (45 of 1860) Assault or criminal force to woman with intent to outrage her modesty. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent, at First Information Report (FIR) stage; (ii) 25 per cent, when the charge sheet is sent to the court; (iii) 25 per cent on conclusion of trial by the lower court.
26.	Section 354A of the Indian Penal Code (45 of 1860) Sexual harassment and punishment for sexual harassment. [[Section 3(a)(va)] read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent, at First Information Report (FIR) stage; (ii) 25 per cent, when the charge sheet is sent to the court; (iii) 25 per cent on conclusion of trial by the lower court
27.	Section 354B of the Indian Penal Code (45 of 1860)- Assault or use of criminal force to woman with intent to disrobe [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent, at First Information Report (FIR) stage; (ii) 25 per cent, when the

		charge sheet is sent to the court; (iii) 25 per cent on conclusion of trial by the lower court
28.	. Section 354C of the Indian Penal Code (45 of 1860) - Voyeurism. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 10 per cent, at First Information Report (FIR) stage; (ii) 50 per cent, when the charge sheet is sent to the court; (iii) 40 per cent when the accused are convicted by the lower court.
29.	Section 354D of the Indian Penal Code (45 of 1860) - Stalking (Section 3(2)(va) read with Schedule to the Act)	Two lakh rupees to the victim. Payment to be made as follows: (i) 10 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 40 per cent. when the accused are convicted by the lower court.
30.	Section 376B of the Indian Penal Code (45 of 1860) Sexual intercourse by husband upon his wife during separation. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent. After medical examination and confirmatory medical report; (ii) 25 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
31.	Section 376C of the Indian Penal Code (45 of 1860) Sexual intercourse by a person in authority. [Section 3(2)(va) read with Schedule to the Act]	Four lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent. After medical examination and confirmatory medical report; (ii) 25 per cent. when the charge sheet is sent to the court; (iii) 25 per cent on conclusion of trial by the lower court
32.	Section 509 of the Indian Penal Code (45 of 1860) Word, gesture or act : intended to insult the modesty of a woman. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court;

		(iii) 25 per cent. when the accused are convicted by the lower court.
33.	Fouling or corrupting of water [Section 3(1)(x) of the Act]	Full cost of restoration of normal facility, including cleaning when the water is fouled, to be borne by the concerned State Government or Union territory Administration. In addition, an amount of eight lakh twenty-five thousand rupees shall be deposited with the District Magistrate for creating community assets of the nature to be decided by the District Authority in consultation with the Local Body.
34.	Denial of customary right of passage to a place of public resort or obstruction from using or accessing public resort [Section 3(1)(y) of the Act]	Four lakh twenty-five thousand rupees to the victim and cost of restoration of right of passage by the concerned State Government and Union territory Administration. Payment to be made as follows:  (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; 25 per cent. when the accused are convicted by the lower court.
35.	Forcing of causing to leave house, village, residence desert place of residence [Section 3(1)(z) of the Act]	Restoration of the site or right to stay in house, village or other place of residence by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim and reconstruction of the house at Government cost, if destroyed. Payment to be made as follows:  (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
36.	Obstructing or preventing a member of a	



	<p>Scheduled Caste or a Scheduled Tribe in any manner with regard to-</p> <p>(A) Using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing ghat, any public conveyance, any road, or passage [Section 3(1)(za)(A) of the Act]</p> <p>(B) mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding processions [Section 3(1)(za)(B) of the Act]</p> <p>(C) entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious,</p>	<p>A) Restoration of the right using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing ghat, any public conveyance, any road, or passage equally with others, by the concerned State Government or Union Territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows:</p> <p>(i) 25 per cent. at First Information Report (FIR) stage;</p> <p>(ii) 50 per cent. when the charge sheet is sent to the court;</p> <p>(iii) 25 per cent. when the accused are convicted by the lower court.</p> <p>(B) Restoration of the right of mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding processions, equally with others by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows:</p> <p>(i) Payment of 25 per cent. at First Information Report (FIR) stage;</p> <p>(ii) 50 per cent. when the charge sheet is sent to the court;</p> <p>(iii) 25 per cent. when the accused are convicted by the lower court;</p> <p>(C) Restoration of the right of entering any place of worship which is open to the public or other persons professing the</p>
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	<p>social or cultural processions including jatras [Section 3(1)(za)(C) of the Act]</p>	<p>same religion or taking part in, or taking out any religious procession or jatras, as is open to the public or other persons professing the same religion, social or cultural processions including jatras, equally with other persons, by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows:</p> <p>(i) 25 per cent. at First Information Report (FIR) stage;</p> <p>(ii) 50 per cent. when the charge sheet is sent to the court;</p> <p>(iii) 25 per cent. when the accused are convicted by the lower court;</p>
	<p>D) entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant for public use in any place open to the public [Section 3(1)(za)(D) of the Act]</p>	<p>(D) Restoration of the right of entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant for public use in any place open to the public, equally with other persons by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows:</p> <p>(i) 25 per cent. at First Information Report (FIR) stage;</p> <p>(ii) 50 per cent. when the charge sheet is sent to the court;</p> <p>(iii) 25 per cent. when the accused are convicted by the lower court.</p>

	(E) practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to [Section 3(1)(za)(E) of the Act)	(E) Restoration of the right of practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to, by the concerned Stat Government/Union territory Administration and relief of one lak rupees to the victim. Payment to b made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheets sent to the court; 25 per cent. when the accused and convicted by the lower court.
37.	Causing physical harm or mental agony on the allegation of being a witch or practicing witchcraft or being a witch [Section 3(1)(zb) of the victim. Payment to be made as follows: Act]	. One lakh rupees to the victim and also commensurate with the indignity, insult injury and defamation suffered by the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
38.	Imposing or threatening a social or economic boycott. [Section 3(1)(zc) of the Act]	Restoration of provision of all economic and social services equally with other persons, by concerned State Government or Union territory Administration and relief of one lakh rupees to the victim. To be paid in full when charge sheet is sent to the lower court.
39.	Giving or fabricating false evidence [Section 3(2)(i) and (ii) of the Act]	Four lakh fifteen thousand rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court;

		(iii) 25 per cent. when the accused and convicted by the lower court.
40.	Committing offences under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more [Section 3(2) of the Act]	Four lakh rupees to the victim and or his dependents. The amount would vary specifically otherwise provided in this Schedule. Payment to be made as follows (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
41.	Committing offences under the Indian Penal Code (45 of 1860) specified in the Schedule to the Act punishable with such punishment as specified under the Indian Penal Code for such offences [Section 3(2)(va) read with the Schedule to the Act]	Two lakh rupees to the victim and or dependents. The amount would vary specifically otherwise provided in this Schedule. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court;
42.	Victimisation at the hands of a public servant [Section 3(2)(vii) of the Act]	Two lakh rupees to the victim and or his dependents. Payment to be made as 42. follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
43.	Disability.Guidelines for evaluation of various disabilities and procedure for certification as contained in the Ministry of Social Justice and Empowerment Notification No. 16- 18/97-NI, dated the 1st June, 2001. A copy of the notification is at Annexure-II. (a)100 per cent. Incapacitation	Eight lakh and twenty-five thousand rupees to the victim. Payment to be made as follows: (i) 50 per cent. after medical examination and confirmatory medical report;

	<p>(b) where incapacitation is less than 100 per cent. but more than 50 per cent.</p> <p>(c) where incapacitation is less than 50 per cent.</p>	<p>(ii) 50 per cent. when the charge sheet is sent to the court;</p> <p>Four lakh and fifty thousand rupees to the victim. Payment to be made as follows:</p> <p>(i) 50 per cent. after medical examination and confirmatory medical report;</p> <p>(ii) 50 per cent, when the charge sheet is sent to the court;</p> <p>Two lakh and fifty thousand rupees to the victim. Payment to be made as follows:</p> <p>(i) 50 per cent. after medical examination and confirmatory medical report;</p> <p>(ii) 50 per cent. when the charge sheet is sent to the court.</p>
44.	<p>[Rape, Unnatural Offences or Gang rape]</p> <p>1[(i) Rape, etc., or Unnatural Offences (Sections 375, 376, 376A, 376E and 377 of the Indian Penal Code (45 of 1860))]</p> <p>(ii) Gang rape [Section 376D of the Indian Penal Code (45 of 1860)]</p>	<p>Five lakh rupees to the victim. Payment to be made as follows:</p> <p>(i) 50 per cent. after medical examination and confirmatory medical report;</p> <p>(ii) 25 per cent. when the charge sheet is sent to the court;</p> <p>(iii) 25 per cent. on conclusion of trial by the lower court.</p> <p>Eight lakh and twenty-five thousand rupees to the victim. Payment to be made as follows:</p> <p>(i) 50 per cent. after medical examination and medical report; confirmatory</p> <p>(ii) 25 per cent. when the charge sheet is sent to the court;</p> <p>25 per cent. on conclusion of trial by the lower court.</p>
45.	Murder or Death.	<p>Eight lakh and twenty-five thousand rupees to the victim. Payment to be made as follows:</p> <p>(i) 50 per cent. after post mortem report;</p> <p>(ii) 50 per cent. when the charge sheet is sent to the court.</p>

46.	Additional relief to victims of murder, death, massacre, rape, gang rape, permanent incapacitation and dacoity	<p>In addition to relief amounts paid under above items, relief may be arranged within three months of date of atrocity as follows:</p> <p>(i) Basic Pension to the widow or other dependents of deceased persons belonging to a Scheduled Caste or a Scheduled Tribe amounting to five thousand rupees per month, as applicable to a Government servant of the concerned State Government or Union territory Administration, with admissible dearness allowance and employment to one member of the family of the deceased, and provision of agricultural land, an house, if necessary by outright purchase;</p> <p>(ii) Full cost of the education upto graduation level and maintenance of the children of the victims. Children may be admitted to Ashram schools or residential schools, fully funded by the Government;</p> <p>(iii) Provision of utensils, rice, wheat, dais, pulses, etc., for a period of three months.</p>
47.	Complete destruction or burnt houses.	Brick or stone masonry house to be constructed or provided at Government cost where it has been burnt or destroyed]

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The Scheduled Castes and the Scheduled Tribes  
(Prevention of Atrocities) Rules, 1995  
[ANNEXURE II  
[See rules 12(4) & 19]  
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT NOTIFICATION  
New Delhi, the 1st June, 2001

Subject:- Guidelines for evaluation of various disabilities and procedure for certification.

No. 16-18/97-NI. 1.-In order to review the guidelines for evaluation of various disabilities and procedure for certification as given in the Ministry of Welfare's O.M. No. 4-2/83-HW.-III, dated the 6th August, 1986 and to recommend appropriate modifications/alterations keeping in view the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, Government of India in the Ministry of Social Justice and Empowerment, vide Order No 16-18/97-NI, I, dated 28-8-1998, set up four committees under the Chairmanships of Director-General of Health Services-one each in the area of mental retardation, Locomotor/Orthopaedic disability, Visual disability and Speech and Hearing disability. Subsequently, another Committee was also constituted on 21-7-1999 for evaluation, assessment of multiple disabilities and categorization and extent of disability and procedures for certification.

2.After having considered the reports of these committees the undersigned is directed to convey the approval of the President to notify the guidelines for evaluation of following disabilities and procedure for certification:-

1. Visual impairment
2. Locomotor/Orthopaedic disability
3. Speech and hearing disability
4. Mental retardation
5. Multiple Disabilities.

Copy of the Report is enclosed herewith as Annexure.

3.The minimum degree of disability should be 40% in order to be eligible for any concessions/benefits.

4.According to the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996 notified on 31-12-1996 by the Central Government in exercise of the powers conferred by sub-sections (1) and (2) of section 73 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), authorities to give disability Certificate will be a Medical Board duly constituted by the Central and the State Government. The State Government may constitute a Medical Board consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing locomotor/ Visual including low vision/hearing and speech disability, mental retardation and leprosy cured, as the case may be.

5.Specified test as indicated in Annexure should be conducted by the medical board and recorded before a certificate is given.

6.The certificate would be valid for a period of five years for those whose disability is temporary. For those who acquire permanent disability, the validity can be shown as 'Permanent'.

7.The State Government/UT Administrations may constitute the medical boards indicated in para 4 above immediately, if not done so far.

8.The Director-General of Health Services, Ministry of Health and Family Welfare will be the final authority, should there arise any controversy/doubt regarding the interpretation of the definitions/classifications/evaluations tests, etc.

## ANNEXURE

Reports of the Committee set up to review the guidelines for evaluation of various disabilities and procedure for certification and to recommend appropriate modifications/alterations keeping in view the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

In order to review the definitions of various types of disability, the guidelines for evaluation of various disabilities and procedure for certification as given in the Ministry of Welfare's O.M. No. 4-2/83-HW.III, dated the 6th August, 1986 and to recommend appropriate modifications/alterations keeping in view the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, five Sub- Committees were constituted in the areas of Mental Retardation, Orthopaedic/Locomotor Disability, Visual Disability, Speech and Hearing and Multiple Disabilities, under the Chairmanship of Dr. S.P. Agarwal, Director-General of Health Services, vide the Ministry of Social Justice & Empowerment's Order No. 16-18/97-NI.I, dated 28-8-1998 and 21-7-1999. A copy each of the Order is at Appendix 1.

2 These Sub-Committees, after detailed deliberations, have submitted their reports. List of participants of the meetings taken by the Committee is at Appendix II. The reports of the Committees set up to review the guidelines for evaluation of various disabilities and procedure for certification of each of the area of the disabilities are given in Appendix III.

## APPENDIX I

No. 16-18/97-NI.I

Government of India

Ministry of Social Justice & Empowerment

New Delhi Dated 28th August, 1998

## ORDER

In order to review the definitions of various types of disability, the guidelines for evaluation of various disabilities and procedure for certification as given in the Ministry of Welfare's O.M. No. 4-2/83-HW.III, dated the 6th August, 1986 and to recommend appropriate modifications/alterations keeping in view the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, the following Sub-Committees are hereby constituted in the areas of Mental Retardation, Orthopedic/ Locomotor-Disability, Visual Disability and Speech & Hearing disability:

### **1. Sub-Committee on Mental Retardation:**

1. Dr. S.P. Aggarwal,

Director-General

Health Services Ministry of Health and Family Welfare,  
NirmanBhawan New Delhi-11

2.Dr. R. Srinivasa Murthy,  
Prof. & Head. Deptt.of Psychiatry,  
NIMHANS, Bangalore-22

3.Dr. G.G. Prabhu,  
Workchil Court  
Mysore

4.Dr. (Mrs.) NeenaVohra,  
Consultant & HOD,  
Psychiatry

Dr. R.M.L. Hospital, New Delhi.

Chairperson

Co-Chairperson

Member

Member



5.Dr. AnandPandit, Hony.Prof& Director KEM Hospital Pune-1]	Member
6. Dr. D.K Menon, Director National Instt.for Mentally Handicapped Secunderabad	Member-Secretary

## **II. Sub-Committee on Locomotor/Orthopaedic Disability:**

1. Dr. S.P. Aggarwal, D.G.H.S., Ministry of Health, NirmanBhavan, New Delhi-11	Chairperson
2.Dr. K.K. Singh, Prof. & Head, AHMS. New Delhi,	Co-Chairperson
3.Dr. BaluSankaran, FX-DOHS FX-Chairman ALIMCO, New Delhi	Member
4.Dr. SuranjanBhattacharji, HOD.Deptt.of PMR CMC Hospital, Vellore	Member
5.Dr. R K Srivastava Medical Superintendent Safdarjung Hospital, New Delhi	Member
6. Dr. B.P. Yadav Ex-Chairman Rehab Council of India, New Delhi	Member
7. Dr. B.R. Avadhani Director IPH New Delhi.	Member-Secretary

## **III. Sub-Committee on Visual Disability:**

I. Dr. S.P. Aggarwal D.G.H.S. Ministry of Health, New Delhi	Chairperson
2.Dr. V.K. Dada, Head, Dr. R.P. Centre, AIIMS, New Delhi	Co-Chairperson
3.Dr. Hari Mohan, Director, Mohan Eye Institute, Rajender Nagar, New Delhi	Member
4.ShriLalAdvani Consultant Saket, New Delhi	Member
5.Dr. BhushanPunani Blind Men's Association, Ahmedabad	Member
6.ShriS.A.Datrang National Association for the Blind, Mumbai	Member
7. Dr. S.R. Shukla Director	Member Secretary

NIVH,  
Dehradun.

**IV. Sub-Committee on Speech & Hearing Disability: .**

1. Dr. S.P. Aggarwal D.G.H.S. Ministry of Health, New Delhi	Chairperson
2.Dr. S.K. Kacker Ex-Director, AIIMS, New Delhi	Co-Chairperson
3.Dr. S. Nikam Director AIIMS, Mysore	Member
4.Dr. J.M. Hans Sr. ENT Surgeon, Dr. RML Hospital, New Delhi	Member
5.Dr. M Raghunath Professor in Audiology PGIMER, Chandigarh	Member
6. Dr. (Mrs.) Rekha Roy Director AYJNIHH.Mumbai-400050.	Member-Secretary

2. The terms of reference for the Committees are as follows:

- (a) Providing uniform definitions and categorisation of degree and extent of the disability,
- (b) Recommending authorities competent to give certification,
- (c) The Committees will submit their report in two months.

3. TA/DA to the members of the Committee will be borne by the concerned Institute whose Director is included as Member-Secretary of the Sub-Committee.

(GauriChatterjee)  
Joint Secretary to Govt. of India-  
Tele No. 3381641

To,  
All Members of the Committees.  
Copy for information to:  
PSs to Secretary (SJ&E)/AS(SJ&E),JS(DD)

No. 16-18-97-NLI  
Government of India  
Ministry of Social Justice & Empowerment

Shastri Bhavan,  
New Delhi, Dated 21st July, 1999

**ORDER**

It has been decided to constitute a Sub-Committee in the sector of Multiple Disability in order to have standard definitions and guidelines for evaluation and procedure for certification, and to make appropriate recommendations, keeping in view the Persons with Disabilities. (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. Accordingly, a Sub-Committee is hereby constituted in the sector of multiple disability, with the following Members:

1.Dr. S.P. Aggarwal, Director-General of Health Services Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi.	Chairman
2.Smt. Aloka Guha. Director,	Member

Spastics Society of Tamil Nadu,  
Opp. TTTI, Taramani Road,  
Chennai-13.

3.Dr. H.C. Goyal,  
Consultant,

Member

Rehabilitation Department, Safdarjung Hospital,  
New Delhi.

4.Dr. Uma Tuli,  
General-Secretary

Member

Amar Jyoti Charitable Trust, N.-192, Greater Kailash-I,  
New Delhi-110048.

5.Dr. D.K. Menon,  
Director,

Member-Secretary

National Institute for the Mentally Handicapped,  
Manovikasnagar, Secunderabad-500009.

3. The terms of reference for the Committee are as follows:-

- (a) Providing uniform definitions and categorisation of degree and extent of the disabilities.
- (b) Recommending authorities competent to give certification.
- (c) The Committee will submit its report in two months.

4. TA/DA to the members of the Committee will be borne by the National Institute for the Mentally Handicapped, Secunderabad.

(Gauri Chatterji)

Joint Secretary to the Government of India.

Tele No.338 1641

To

All Members of the Committees

Copy for information to:-

PSs to Secretary (SJ&E)/ AS (SJ&E)/ JS(DD).

## APPENDIX II

List of participants of the meeting held on 29-2-2000 under the Chairmanship of Dr. S.P. Agarwal, Director-General of Health Services with the Members of Sub-committee constituted vide Order No. 16-18/96-NI.I (PWD), dated 28-8-1998 of Ministry of Social Justice & Empowerment.

1. Dr. R.K. Srivastava, Addl. Director-General of Health Services.
2. Dr. V.K. Dada, Head, R.P. Centre, AIIMS, New Delhi.
3. Dr. R. Srinivasa Murthy, Prof. & HOD, Deptt. of Psychiatry, NIMHANS Bangalore.
4. Dr. O.K. Menon, Director, NIMH, Hyderabad.
5. Dr. Rekha Roy, Director, NIHH, Mumbai.
6. Dr. S.R. Shukla, Director, NIVH, Dehradun.
7. Dr. Dharmendra Kumar, Officiating Director, NIRTAR, Cuttack.
8. Dr. A.S. Bais, Deputy Director-General (Medical).
9. Dr. S. Chug, Consultant in Medicine & Chairman, Medical Board, Dr. RML Hospital.
10. Dr. L.S. Chauhan, ADG (IH).
11. Dr. A.N. Sinha, CMO (HA).

List of participants of the meeting held on 17-8-2000 under the Chairmanship of Dr. S.P. Agarwal, Director-General of Health Services with the Members of Sub-Committee constituted vide Order No. 16-18/96-NI.I (PWD), dated 21-7-1999 of Ministry of Social Justice & Empowerment.

1. Dr. R.K. Srivastava, Addl. Director-General of Health Services.
2. Dr. H.C. Goyal, Consultant & HOD, Rehabilitation, S.J. Hospital, New Delhi.
3. Dr. O.K. Menon, Director, National Institute for the Mentally Handicapped,

4. Smt. Aloka Guha, Director, Spastic Society of Tamil Nadu, Opp. TTTI, Taramani Secunderabad. Road, Chennai-13.
5. Dr. A.N. Sinha, CMO (HA).

## APPENDIX III

### **A. MENTAL RETARDATION**

1. Definition:-Mental retardation is a condition of arrested or incomplete development of the mind, which is especially characterised by impairment of skills manifested during the development period which contribute to the over all level of intelligence, i.e., cognitive, language, motor and social abilities.

#### **2. Categories of Mental Retardation:-**

2.1 Mild Mental Retardation:-The range of 50 to 69 (standardised IQ test) is indicative of mild retardation. Understanding and use of language tend to be delayed to a varying degree and executive speech problems that interfere with the development of independence may persist into adult life.

2.2 Moderate Mental Retardation:-The IQ is in the range of 35 to 49. Discrepant profiles of abilities are common in this group with some individuals achieving higher levels in visuo-spatial skills than in tasks dependent on language while others are markedly clumsy by enjoying social interaction and simple conversation. The level of development of language is variable: some of those affected can take part in simple conversations while others have only enough language to communicate their basic needs.

2.3 Severe Mental Retardation:-The IQ is usually in the range of 20 to 34. In this category, most of the people suffer from a marked degree of motor impairment or other associated deficits indicating the presence of clinically significant damage to or mal- development of the central nervous system.

2.4 Profound Mental Retardation:-The IQ in this category estimated to be under 20. The ability to understand or comply with requests or instructions are severally limited. Most of such individuals are immobile or severally restricted in mobility, incontinent and capable at most of only very rudimentary forms of non-verbal communication. They process life or no ability to care for their own basic needs and require constant help and supervision.

#### **3. Process of Certifications:-**

3.1 A disability certificate shall be issued by a Medical Board consisting of three members duly constituted by the Central/State Government. At least, one shall be a Specialist in the area of mental retardation, namely, Psychiatrist, Paediatrician and clinical Psychologist.

3.2 The examination process will consist of three components, namely, clinical assessment, assessment of adaptive behaviour and intellectual functioning.

### **B. VISUAL DISABILITY**

1. Definition:-Blindness refers to a condition where a person suffers from any of the condition, namely,

- (i) total absence of sight; or
- (ii) visual acuity not exceeding 6/60 or 20/200(snellen) in the better eye with best correcting lenses; or
- (iii) limitation of field of vision subtending an angle of 20 degree or worse;

2. Low Vision:-Persons with low vision means a person with impairment of vision of less than 6/18 to 6/60 with best correction in the better eye or impairment of field in any one of the following categories:-

- (a) reduction of fields less than 50 degrees
- (b) Heminaopia with macular involvement
- (c) Altitudinal defect involving lower fields.

### 3. Categories of Visual Disability:-

#### All with correction

Category	Better eye	Worse eye	% age impairment
Category 0	6/9-6/18	6/24 to 6/36	20%
Category I	6/18-6/36	6/60 to Nil	40%
Category II	6/40-4/60 or field of vision 10° - 20°	3/60 to Nil	75%
Category III	3/60 to 1/60 or field of vision 10°	F.C. at 1 ft. to Nil	100%
Category IV	F. C. at 1 ft. to Nil or field of vision 10°	F.C. at 1 ft. to Nil	100%
One eyed persons	6/6	F. C. at 1 ft. to Nil or field of vision 10	30%

Note.-F.C. means Finger Count

**4. Process of Certification:-**A disability certificate shall be issued by a Medical Board duly constituted by the Central/State Government having, at least three members. Out of which, at least one member shall be a specialist in ophthalmology.

### C. SPEECH & HEARING DISABILITY

**1. Definition of Hearing:-**A person with hearing impairment having difficulty of various degrees in hearing sounds is an impaired person.

#### 2. Categories of Hearing Impairment:-

Category	Type of Impairment	DB Level	Speech discrimination	% age of impairment
I	Mild hearing Impairment	DB 26 to 40dB in better ear	80 to 100% in better ear	Less than in 40% to 50%
11(a)	Moderate hearing	41 to 60 dB in better ear	50 to 80% in better ear	40% to 50%
11(b)	Severe hearing Impairment	61 to 70 dB hearing Impairment in better ear	40 to 50% in better ear	51% to 70%
III	(a) Profound hearing Impairment (c) Total deafness	71 to 90 dB 91 dB and above/in better ear/to hearing	Less than 40% in better ear Very Poor discrimination	71% to 100% 100%

(i) Pure tone average of hearing in 500, and 2000 HZ, 4000 HZ by conduction (AC and BC) should be taken as basis for consideration as per the test recommendations.

(ii) When there is only as island of hearing present in one or two frequencies in better ear, it should be considered as total loss of hearing.

(iii) Wherever there is no response (NR) at any of the 4 frequencies (500, 1000, 2000 and 4000 HZ), it should be considered as equivalent to 100 dB loss for the purpose of classification of disability and in arriving at the average.

### 3 Process of Certification:-

A disability certificate shall be issued by a Medical Board duly constituted by the Central and the State Government. Out of which, at least, one member shall be a specialist in the field of ENT.

#### D. LOCOMOTOR DISABILITY

##### 1. Definition:-

(i) Impairment: An impairment in any loss or abnormality of psychological, physiological or anatomical structure or function in a human being.

(ii) Functional Limitations: Impairment may cause functional limitations which are partial or total inability to perform those activities, necessary for motor, sensory or mental function within the range or manner of which a human being is normally capable

(iii) Disability: A disability, is any restriction or lack. (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being.

(iv) Locomotor Disability: Locomotor disability is defined as a person's inability to execute distinctive activities associated with moving both himself and objects, from place to-place and such inability resulting from affliction of musculoskeletal and/or nervous system.

##### 2. Categories of Locomotor Disability:-

The categories of locomotor disabilities are enclosed at Annexure A.

##### 3. Process of Certification:-

A disability certificate shall be issued by a Medical Board of three members duly constituted by the Central and the State Government, out of which, at least, one member shall be a specialist from either the field of Physical Medicine and Rehabilitation or Orthopaedics

Two specimen copies of the disability certificate for mental retardation and others (visual disability, speech and hearing disability and locomotor disability) are enclosed at Annexure-B.

It was also decided that whenever required the Chairman of the Board may co-opt other experts including that of the members constituted for the purpose by the Central and the State Government.

On representation by the applicant, the Medical Board may review its decision having regard to all the facts and circumstances of the case and pass such order in the matter as it thinks fit.

#### ANNEXURE A LOCOMOTOR DISABILITY REVISED GUIDELINES FOR PHYSICAL EVALUATION OF THE PERMANENT PHYSICAL IMPAIRMENT

##### 1.1 GUIDELINES FOR EVALUATION OF PERMANENT PHYSICAL IMPAIRMENT OF UPPER LIMB

1. The estimation of permanent impairment depends upon the measurement of functional impairment and is not expression of a personal opinion.

2. The estimation and measurement should be made when the clinical condition has reached the stage of maximum improvement from the medical treatment. Normally, the time period is to be decided by the medical doctor who is evaluating the case for issuing the PPI Certificate as per standard format of the certificate.

3. The upper limb is divided into two component parts; the arm component and the hand component.

4. Measurement of the loss of function of arm component consists of measuring the loss of motion, muscle strength and co-ordinated activities.

5. Measurement of loss of function of hand component consists of determining the prehension, sensation and strength. For estimation of prehension opposition, lateral pinch cylindrical grasp, spherical grasp and hook grasp have to be assessed as shown in Hand Component of Form A Assessment Proforma for upper extremity.

6. The impairment of the entire extremity depends on the combination of the functional impairments of both components.

## 1.2 ARM COMPONENT

Total value of arm component is 90%.

### 1.2.1 Principles of evaluation of range of motion (ROM) of joints

1. The value of maximum ROM in the arm component is 90%.

2. Each of the three joints of the arm is weighed equally (30%). Example:

The intra articular fractures of the bones of right shoulder joint may affect range of motion even after healing. The loss of ROM should be calculated in each arc of motion as envisaged in the Assessment Form A (Assessment Proforma for Upper Extremity).

Arc of ROM	Normal value	Active ROM	Loss of ROM
Shoulder Flexion	0-220	110	50%
Rotation	0-180	90	50%
Abduction-Adduction	0-180	90	50%

The Scheduled Castes and the Scheduled Tribes  
(Prevention of Atrocities) Rules, 1995

Hence the mean loss of ROM of shoulder will be

$$50+50+50=150/3=50\%$$

3

Shoulder movements constitute 30% of the motion of the arm component, therefore the loss of motion for arm component will be  $50 \times 0.3 = 15\%$ . If more than one joint of the arm is involved the loss of percentage in each joint is calculated separately as above and then added together.

#### 1.2.2 Principles of evaluation of strength of muscles:

1. Strength of muscles can be tested by manual method and graded from 0-5 as advocated by Medical Research Council of Great Britain depending upon the strength of the muscles.

2. Loss of muscle power can be given percentages as follows:

Manual muscle Strength grading	Loss of Strength in percentage
0	100%
1	80%
2	60%
3	40%
4	20%
5	0%

3. The mean percentage of loss of muscle strength around a joint is multiplied by 0.30.

4. If loss of muscle strength involves more than one joint the mean loss of percentage in each joint is calculated separately and then added together as has been described for loss of motion.

#### 1.2.3 Principles of evaluation of coordinated activities:

1. The total value for coordinated activities is 90%.

2. Ten different coordinated activities should be tested as given in. Form A. (Appendix I of Annexure A)

3. Each activity has a value of 9%.

#### 1.2.4 Combining values for the Arm Component:

The total value of loss of function of arm component is obtained by combining the value of loss of ROM, muscle strength and coordinated activities, using the combining formula.

$$a+b(90-a)$$

$$90$$

where a = higher value

b = lower value

#### Example

Let us assume that an individual with an intra particular fracture of bones of shoulder joint in addition to 16.5% loss of motion in arm has 8.3% loss of strength of muscles and 5% loss of coordination. These values should be combined as follows:

$$\text{Loss of ROM- } 16.5\% \quad 16.5+8.3(90-16.5)$$

$$90$$

$$\text{Loss of strength of muscles- } 8.3\% \quad =23.33\%$$

To add

$$\text{Loss of coordination - } 5\% \quad 23.3+5(90-23.3)-27.0\%$$

$$90$$

So the total value of loss of function In Arm component will be 27.0% 13 HAND COMPONENT:



1. Total value of hand component is 90%
2. The functional impairment of hand is expressed as loss of prehension, loss of sensation and loss of strength

#### 1.3.1 Principles of evaluation of prehension:

1. Total value of prehension is 30% it includes

(a) Opposition 8%

Tested against Index finger -2%

-Middle finger -2%

- Ring -2%

- Little finger -2%

(b) Lateral pinch 5% - Tested by asking the patient to hold a key between the thumb and lateral side of index finger.

(c) Cylindrical grasp - 6% Tested for

(i) Large object of 4 inches size -3%

(ii) Small object of 1 inch size - 3%

(d) Spherical grasp -6% Tested for

(i) Large object of 4 inches size - 3%

(ii) Small object of 1 inch size - 3%

(e) Hook grasp - 5% -Tested by asking the patient to lift a bag

#### 1.3.2. Principles of Evaluation of sensation:

1. Total value of sensation in hand is 30%

2. It should be assessed according to the distribution given below:

(i) Complete loss of sensation

Thumb ray 9%

Index finger 6%

Middle finger 5%

Ring finger 5%

Little finger 5%

(ii) Partial loss of sensation: Assessment should be made according percentage of loss of sensation in thumb/finger(s)

#### 1.3.3. Principles of Evaluation of strength

1. Total value or strength is 30%

2. It includes:

(i) Grip strength 20%

(ii) Pinch strength 10%

Strength of hand should be tested with hand dynamo-meter or by clinical (grip method)

Additional weightage- A total of 10% additional weightage can be given to following accompanying factors if they are continuous and persistent despite treatment

1. Pain

2. Infection

3. Deformity

4. Mal-alignment

5. Contractures

6. Cosmetic disfigurement

7. Dominant extremity-4%

## 8. Shortening of upper limb

First 1"- No weightage

For each 1" beyond first 1"-2%

The extra points should not exceed 10% of the total Arm Component and total PPI should not exceed 100% in any case.

### 1.3.4. Combining values of hand component:

The final value of loss of function of hand component is obtained by summing up values of loss of prehension, sensation and strength.

### 1.3.5. Combining values for the Extremity:

Values of impairment of arm component and impairment of hand component should be added by using combining formula:

$a+b(90-a)a$ = higher value

90b= lower value

Example:

Impairment of Arm - 27%  $64+27(90-64) 90$

Impairment of hand - 64% =71.8%

The total value can also be obtained by using the Ready Recknoer table for combining formula given at Appendix II of Annexure A.

## 2. Guidelines for Evaluation of permanent physical Impairment in Lower Limb.

The measurement of loss of function in lower extremity is divided into two components: Mobility and standing components

### 2.1 Mobility Component:-

1. Total value of mobility component is 90%
2. It includes range of movement (ROM) and muscle strength

#### 2.1.1. Principles of Evaluation of Range of Movement:

1. The value of maximum range of movement in mobility component is 90%
2. Each of three joints i.e. hip, knee and foot-ankle component is weighed equally-30%.

Example:

A fracture of right hip joint bones may affect range of motion of the hip joint. Loss of ROM of the affected hip in different are should be assessed as given in Form B (Assessment Proforma for lower extremity). (Appendix I of Annexure A)

Affected Joint-Rt. Hip:

Are of Movement	Normal ROM	Active ROM	Loss in percentage
Flexion-Extension	0-140	70	50%
Abduction-Adduction	0-90	60	33%
Rotations	0-90	30	66%

Mean loss of ROM of Rt Hip  $50+33+66= 50\%$

3

Since the hip constitute 30% of the total mobility component of the lower loss of motion in relation to the lower limb will be  $50 \times 0.30=15\%$

If more than one joint of the limb is involved the mean loss of ROM in percentage should be calculated in relation to individual joint separately and then added together as follows to calculate the loss of mobility component in relation to that particular limb.

For example

Mean loss of ROM of Rt. Hip      50%

Mean loss of ROM RL. Knee 40%

Loss of mobility component of Rt. Lower Limb will be

$$(50 \times 0.30) + (40 \times 0.30) = 27\%$$

#### 2.1.2. Principle of Evaluation of Muscle Strength:

1. The value for maximum muscle strength in the limb is 90%
2. Strength of muscles can be tested by Manual Method and graded 0-5 as advocated by MRC of Great Britain depending upon the residual strength in the muscle group.
3. Manual muscle grading can be given percentage like below:

Power Grade of Ms.	Loss of strength in percentage
0	100%
1	80%
2	60%
3	40%
4	20%
5	0%.

4. Mean percentage of muscle strength loss around a joint is multiplied by 0.30 to calculate loss in relation to limb.

5. If there has been a loss muscle strength involving more than one joint the values are added as has been described for loss of ROM

#### 2.1.3. Combining values for mobility component:

1. The values of loss of ROM and loss of muscle strength should be combined with the help of combining formula:  $a + b(90 - a)$

90

(a higher value, b = lower value)

Example: Let us assume that the individual with a fracture of right hip bones has addition to 16% loss of motion, 8% loss of muscle strength also.

Combined values

Motion-16%       $16 + 8(90 - 16)$

90

Strength-8%      = 22.6%

#### 2.2 Stability component:

1. Total value of the stability component is 90%
2. It should be tested by clinical method as given in Form B (Assessment Proforma for lower extremity) There are nine activities, which need to be tested, and each activity has a value of ten per cent (10%). The percentage valued in relation to each activity depends upon the percentage of loss stability in relation to each activity.

#### 2.3 Extra points:

Extra points have been given for pain, deformities, contractures, loss of sensations and shortening Maximum points to be added are 10% (excluding shortening). Details as following.

- |   |                            |    |
|---|----------------------------|----|
| (i) Deformity                                     | In non-functional position | 3% |
|   | In non-functional Position | 6% |
| (ii) PainSever(grossly interfering with function) |                            |    |
| Moderate (moderately interfering                  | 6%                         |    |
| with function)                                    |                            |    |

Mild (mildly interfering with function)	3%	
(iii) Loss of sensation	Complete Loss	9%
Partial Loss	6%	
(iv) Shortening First 1/2"		Nil
Every 1/2" beyond first 1/2"	4%	
(v) Complications	Superficial complications	3%
Deep Complications		

### 3. Guidelines for Evaluation of Permanent Physical Impairment of Trunk (Spine) Basic guidelines:

1. As permanent physical impairment caused by spinal deformity tends to change over the years, the certificate issued in relation to spine should be reviewed as per the standard format of the certificate given at Annexure B of Appendix III.

2. Permanent physical impairment should be awarded in relation to spine and not in relation to whole body.

3. Permanent physical impairment due to neurological deficit in addition to spinal impairment should be added by combining formula. The local effects of the lesions of the spine can be conventionally divided into traumatic and non- traumatic. The percentage of PPI in relation to each situation should be valued as follows:

#### 3.1 TRAUMATIC LESIONS:

##### 3.1.1 Cervical spine injuries

	Percentage of PPI in relation to Spine
(i) 25% or more compression of one or two adjacent vertebral bodies with no involvement of posterior elements, No nerve root involvement, moderate Neck rigidity and persistent.	20% Soreness
(ii) Posterior element damage with radiological Evidence of moderate parties dislocation/subluxation including whiplash injury.	
(a) With fusion healed. No permanent motor or sensory changes.	10%
(b) Persistent pain with radiologically demonstrable instability.	25%
(iii) Severe Dislocation	
(a) Fair to good reduction with or without fusion with no residual motor or sensory involvement.	10%
(b) Inadequate reduction with fusion and persistent radicular pain	15%
3.1.2. Cervical Intervertebral Disc Lesions	Percentage of PPI In relation to Spine
(i) Treated case of disc lesion with persistent pain and no neurological deficit	10%
(ii) Treated case with pain and instability	15%
3.1.3. Thoracic and Thoracolumbar Spine Injuries:	
(i) Compression of less than 50 involving one	10%

- vertebral body with no neurological manifestation
- (ii) Compression of more than 50% involving single vertebra or more with involvement of posterior elements, healed, no neurological manifestations  
persistent pain, fusion indicated 20%
- (iii) Same as (b) with fusion, pain only on heavy use of back 15%
- (iv) Radiologically demonstrable instability with fracture or fracture dislocation with persistent pain. 30%
- 3.1.3. Thoracic and Thoracolumbar Spine Injuries:**
- (i) Compression of less than 50% involving one vertebral body with no neurological manifestation 10%
- (ii) Compression of more than 50% involving single vertebra or more with involvement of posterior elements, healed.  
no neurological manifestations persistent pain, fusion indicated 20%
- (iii) Same as (b) with fusion, pain only on heavy use of back 15%
- (iv) Radiologically demonstrable instability with fracture or fracture dislocation with persistent pain.

#### **1.1.4 Lumbar and Lumbosacral Spine: Fracture**

(a)	Compression of 25% or less of one or two adjacent 15% Vertebral bodies, No definite pattern or neurological Deficit	15%
(b)	Compression of more than 25% with disruption of Posterior elements, persistent pain and stiffness, healed 30% with or without fusion, inability to lift more than 10 kgs..	30%
(c)	Radiologically demonstrable instability in low lumbar or Lumbosacral spine with pain.	35%
<b>3.1.5 Disc lesion</b>		
(a)	Treated case with persistent pain	15%
(b)	Treated case with pain and instability	20%
(c)	Treated case of disc disease with pain activities of lifting moderately modified	25%
(d)	Treated case of disc disease with persistent pain and stiffness aggravated by heavy lifting necessitating modification of all activities requiring, heavy weight lifting	30%

### **3.2 NON-TRAUMATIC LESIONS:**

#### **3.2.1 Scoliosis:**

Basic guidelines- following modification is suggested.

- The largest structural curve should be accounted for curve or both Basic guidelines calculating the PPI and not the compensatory structural curves.

#### **3.2.2 Measurement of Spine Deformity:**

Cobb's method for measurement, of angle of curve in the radiograph taken in standing position should be used. The curves have been divided into following groups depending upon the angle of major structural scoliotic deformity.

Group	Cobb's Angle	PPI in relation to Spine
I	0-20	NIL
II	21-50	10%
III	51-100	20%
IV	101 & above	30%

### 3.23 Torso Imbalance:

In addition to the above PPI should also be evaluated in relation the torso imbalance The torso imbalance should be measured by dropping a plumb line from C7 spine and measuring the distance of plumb line from gluteal crease.

Deviation of Plumb line	PPI
Upto 1.5 Cm	4%
1.6-3.0 Cm	8%
3.1-5.0 Cm	16%
5.1 and above	32%

### 3.24 Head Tilt over C7 spine PPI

Upto 15	4%
More than 15	10%

### 3.2.5 Cardiopulmonary Test

In cases with scoliosis of severe type cardiopulmonary function tests and percentage deviation from normal should be assessed by one of the following method whichever seems more reliable clinically at the time of assessment. The value thus obtained may be added by combining formula.

3.. Chest Expansion	PPI
4-5 Cm.	Normal
Less than 4 cm	5% for each cm.
reduction in Chest expansion	
No expansion	25%

#### b. counting in one breathe:

Breathe Count	PPI
More than 40 NormalPPI 0-40	5%
0-30	10%

The Scheduled Castes and the Scheduled Tribes  
(Prevention of Atrocities) Rules, 1995

0-20	15%
0-10	20%
Less than 5	25%

### 3.2.6 Associated Problems: To be added directly but the total value of PPI in relation spine should not exceed 100%

#### (a) Pain

-mildly Interfering with ADL to	4%
-moderately restricting ADL	6%
-severely restricting ADL	10%

#### (b) Cosmetic-Appearance:

-No obvious disfiguration with clothes on	Nil
-mild disfigurement	2%
-severe disfigurement	4%

#### (c) Leg Length Discrepancy: -

-First ½" shortening	Nil
--Every ½" beyond first ½ "	4%

**(d) Neurological deficit** - Neurological deficit should be calculated as per established method of evaluation of PPI in such cases. Value thus obtained should be added telescopically using combining formula.

### 3.3 KYPHOSIS

Evaluation should be done on the similar guidelines as use for scoliosis with the following modifications:

3.3.1 Spinal Deformity	PPI
Less than 20	Nil
21-40	10%
41-60	20%
Above 60	30%

3.3.2 **Tomo Imbalance**-Plumb line dropped from external ear normally falls at ankle level. The deviation from normal should be measured from ankle anterior joint line to the plumb line.

Less than 5 cm in front of ankle	4%
5 to 10 cm in front of ankle	8%
10 to 15 cm	16%
More than 15 cm in front of ankle	32%

(Add directly)

#### Miscellaneous conditions:

Those conditions of the spine which cause stiffness and pain etc. are rated as follows:

	Conditions	Percentage PPI
A	Subjective symptoms of pain, no involuntary muscle spasm, not substantiated by demonstrable structural pathology	-0%
B	Pain, persistent muscles spasm and stiffness of spine substantiated by mild radiological change	-20%

	Condition	Percentage PPI
C	Same as B with Moderate radiological changes	25%
D	Same as B with severe radiological changes involving any one of the regions of spine	30%
E	Same as D involving whole spine	40%

#### 4. Guidelines for Evaluation of PPI in cases of short Stature/ Dwarfism:

1. Recumbent length or longitudinal height below 3rd percentile or less than 2 Standard Deviation from the mean is considered to have short stature.
2. The evaluation of a short statured person should be considered only when it is of disproportionate variety and is accompanied by an underlying pathological conditions Achondroplasia, ChandrodysplasiaPunctata, Spondylocpiphysical dysplasia, mucopoly and acchrydosis, etc.
3. The ICMR norms as enclosed at Appendix III of Annexure A should be used as a guidelines for the height.
4. Every vertical height reduction should be valued as 4% permanent physical impairment.
5. Associated skeletal deformities should be evaluated separately and total percentage of both should be added by combining formula.

#### 5. Guideline for Evaluation of permanent Physical Impairment in Amputees: Basic Guidelines:

1. In case of multiple amputees if the total sum of permanent physical impairment is above 100% it should be taken as 100% only.
2. If the stump is unfit for fitting the prosthesis additional weightage of 5% should be added to the value.

3 In case of amputation in more than one limb percentage of each limb is added by combining formula and another 10% will be added but when only toes or fingers are involved only 5 % will be added.

4 Any complication in form of stiffness of proximal joint, neuroma infection, etc. should be given upto a total of 10% additional weightage.

5 Dominant upper extremity should be given 4% additional weightage

	Upper Limb Amputations	PPI & Loss of physical function of each limb
1	Fore quarter amputations	100%
2	Shoulder Disarticulation	90%
3	Above Elbow upto upper 1/3 of arm	85%
4	Above Elbow upto lower 1/3 of forearm	80%
5	Elbow disarticulation	75%
6	Below Elbow upto upper 1/3 of forearm	70%
7	Below Elbow upto lower 1/3 of forearm	65%
8	Wrist Disarticulation	60%
9	Hand through carpal bones	55%
10	Thumb through CM. or through 1 <sup>st</sup> MC Joint	30%
11	Thumb disarticulation through metacarpophalangeal joint or through proximal phalanx.	23%
12	Thumb disarticulation through inter phalangeal joint or through distal phalanx.	15%

		Index Finger (15%)	Middle Finger (5%)	Ring Finger (3%)	Little Finger (2%)
13	Amputation through proximal phalanx or Disarticulation through M.P Joint	15%	5%	3%	2%
14	Amputation through Middle phalanx or Disarticulation through PP Joint	10%	4%	2%	1%
15	Amputation through Distal phalanx or disarticulation through DIP Joint joint	5%	2%	1%	1%



### **6. 13 Lower Limb Amputations:**

1. Hind quarter	100%
2 Hip disarticulation	90%
3 Above Knee upto lower 1/3 of thigh	85%
4. Above Knee upto lower 1/3 of thigh	80%
5 Through Knee	75%
6 B.K. upto 8 CM	70%
7 B.K upto lower 1/3 of leg	60%
8 Through ankle	55%
9 Syme's	50%
10 Upto mid-foot	40%
11 Upto fore-foot	30%
12 All toes	20%
13 Loss of first toe	10%
14 Loss of second toe	5%
15 Loss of third toe	4%
16 Loss of fourth toe	3%
17 Loss of fifth toe	2%

### **6 Guidelines for Evaluation of permanent Physical Impairment of Congenital deficiencies of the limbs**

#### **6.1 Transverse Deficiencies—**

1. Functionally congenital transverse limb deficiencies are comparable to acquired amputations and can be called synonymously as congenital amputation, however, in some cases revision of amputation is required to fit in a prosthesis.

2 The transverse limb deficiencies therefore should be assessed on basis of the guidelines applicable to the evaluation of PPI in cases of amputees as given in the preceding chapter.

For exemplar:

	PPI
Transverse deficiency Rt. Arm complete (Shoulder disarticulation)	90%
Transverse deficiencies at thigh complete (hip disarticulation)	90%
Transverse deficiency Proximal Upper arm (Above elbow Amp)	85%
Transverse deficiency at lower thigh (Above knee Amp. Lower 1/3)	80%
Transverse deficiency forearm complete (elbow disarticulation)	75%
Transverse deficiency lower forearm (Below Elbow Amp.)	65%
Transverse deficiency carpal complete (wrist disarticulation)	60%
Transverse deficiency Metacarpal complete (Disarticulation through carpal bones)	55%

#### **6.2 Longitudinal Deficiencies :**

##### **6.2.1 Basic Guidelines**

1. In cases of longitudinal deficiencies of limbs due consideration should be given to functional impairment.

2 In upper limb, loss of ROM loss muscular strength and hand functions like prehension, etc. should be tested while assessing the case for PPI.

3 In lower limb clinical method of stability component and shortening of lower limb should be given due weightage.

4 Apart from functional assessment the lost joint/ part of body should also be valued as per distribution given in chapter Guidelines for Evaluation of PPI in upper extremity and lower extremity The values so obtained should be added with the help of combining formula.

Example:

Congenital absence of humerus where forearm bones directly articulate with scapula.

There will be mild reeducation in ROM and strength of muscles in the existing joints apart from loss of body part

Loss of shoulder joint can be given-30%

Loss of ROM of Elbow/ Shoulder & wrist

All the components should be added together by the combining formula of  $a+b(90-a)$  90

6.22 In case of loss of single bone in forearm the evaluation should be based on the principles of evaluation of Arm component which include Evaluation of ROM, Muscle strength and coordinated activities. The values so obtained should be added together with the help of combining formula.

6.23 In case of loss of single bone in leg the evaluation should be based on the principles of evaluation of mobility component and stability components of the lower extremity. The values obtained should be added together with the help of combining formula.

## **7. Guidelines for Evaluation of physical Impairment in Neurological conditions.**

### **7.1 Basic Guidelines:**

1. Assessment in neurological conditions is not the assessment of disease but the assessment of its effects, i.e. clinical manifestations.

2 These guidelines should only be used for central and upper motor neurone lesions.

3 Proformas (form A & B) will be utilized for assessment of lower motor neurone lesions, muscular disorders and other locomotor conditions

4 Normally any neurological assessment for the purpose of certification has to be done six months after the onset of disease however exact time period is to be decided by the medical Doctor who is evaluating the case and has to recommend the review of certificate as given in the standard format of certificate.

5 Total percentage of physical impairment in any neurological condition should not exceed 100%

6 In mixed cases the highest score will be taken into consideration. The lower score will be added telescopically to it by the help of combining formula  $a+b(90-a)$  90

7 Additional rating of 4 % will be given for dominant upper extremity.

8 Additional weightage up to 10% can be given for loss of sensation in each extremity but the total physical impairment should not exceed 100%

### **7.2 Table I**

**Neurological Status**                      **Physical Impairment**

Altered sensorium                      100%

### **7.3 Table II**

**Intellectual Impairment (to be assessed by Clinical Psychologist)**

Degree of Mental Retardation	IQ Range	Intellectual Impairment
Border line	70-79	25%
Mild	50-69	50%
Moderate	35-49	75%
Severe	20-34	90%
Profound	Less than 20	100 %

**7.4 Table III**

Speech defect	Physical Impairment
Mild dysarthria	Nil
Moderate dysarthria	25%
Severe dysarthria	50%

**7.5 Table IV**

Type of Carnival Nerve Involvement	Physical Impairment
Motor carnival nerve	20% for each nerve
Sensory carnival nerve	10% for each nerve
<b>Sensory carnival nerve 10% for each nerve</b>	

**7.6 Table V**

**Motor system Disability**

Neurological Involvement Hemiparesis:	Physical Impairment
<b>Mild</b>	<b>25%</b>
<b>Moderate</b>	<b>50%</b>
<b>Severe</b>	<b>75%</b>

**7.7 Table VI**

**Sensory System Disability**

Extent of sensory deficit	Physical Impairment
Anaesthesia	Upto 10 % for each limb
Hypoaesthesia	Depending upon % of
Paraesthesia	Loss of sensation up to 30% depending
Hands/ Feet sensory loss	Upon % of loss sensation

**7.8 Table VII**

**Bladder disability due to neurogenic Involvement**

Bladder Involvement	Physical Impairment
Mild (Hesitancy / Frequency )	25%
Moderate (precipitancy)	50%
Severe (occasional but recurrent Incontinence)	75%
Very Severe	100%

(Retention / Total Incontinence)	
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**7.9 Table VIII**

**Post Head Injury Fits and Epileptic Convulsions**

Frequency / Security of Convulsions	Physical Impairment
Mild occurrence of one convulsion only	Nil
Moderate 1-5 Convulsions/ month on Adequateq	25%
Severe 6-10 Convulsions / month on Adequate Medication	50%
Very Severe more than 10 fits/ months On adequate Meditation	75%

**7.10 Table IX**

**Ataxia (Sensory or Cerebellar)**

Security of Alaxia	Physical Impairment
Mild (Detected on examination)	25%
Moderate	50%
Severe	75%
Very Severe	100%

**8. Guidelines for Evaluation of physical impairment due to Cardiopulmoary Diseases**

**8.1 Basic Guidelines**

- 1 Modified New York Heart Association subjective classification should be utilized to assess the functional disability.
- 2 The assessing physical should be alert to the fact patients who come for disability claims are likely to exaggerate their symptoms. In case of any doubt patients should be referred for detailed physiological evaluation.
- 3 Disability evaluation of cardiopulmonary patients should be done after full medical, surgical and rehabilitative treatment available because most of these disease are potentially treatable
- 4 Assessment of cardiopulmonary impairment should be done in disease which might have associated cardiopulmonary problems amputees, myopathies etc.
- 5 For respiratory nesessment routine respiratory functions test should be done however in case of interstitial lung disease diffusion studies may be done
- 6In case of Angina pectoris (chest pain) base line studies in resting ECG should be done when there is persistence of symptoms exercise or stress test should be done.

## 8.2 The proposed classification with loss of function is as follow:

Group 0 A patient with cardiopulmonary disease who is asymptomatic (i.e. has no symptoms of breathlessness, palpitation fatigue or chest pain)

Group 1 A patient with cardiopulmonary disease who becomes symptomatic during his ordinary physical activity but has mild restriction (25%) of his physical activities

Group 2 A patient with cardiopulmonary disease who becomes symptomatic during his ordinary physical activity and has 25-50% restriction of his ordinary physical activities

Group 3 A patient with cardiopulmonary disease who becomes symptomatic during less than ordinary physical activity so that his ordinary physical activities are 50-75% restricted

Group 4 A patient with cardiopulmonary disease who is symptomatic even at rest or on mildest exertion so that his ordinary physical activities are severely or completely restricted (75-100%)

Group-5 A patient with cardiopulmonary disease who gets intermittent symptoms at rest (i.e. patients with bronchial asthma, paroxysmal nocturnal dyspnea etc)

### Definition of Multiple Disabilities

Multiple disability means a combination of two more disability as defined in clause (i) of section (2) of the Persons with

Disability (Equal Opportunities Protection of Rights and Full Participation) Act 1995 namely

1 Locomotor disability including leprosy cured

Blindness/ Low vision

3 Speech and hearing impairment

4 Mental retardation

5 Mental illness.

## 2. Guidelines for Evaluation

In order to evaluate the multiple disability the same guidelines shall be used as have been developed by the respective sub-committees of various single disability viz mental retardation, locomotor disability, visual disability and speech and hearing disability and recommended in the meeting held on 29.02.2000 under the Chairmanship of Dr. S.P Agarwal, Director-General of Health Services, Government of India, with reference to Order No. 16-18/96-N.I.I dated 28th August 1998 and communicated to Ministry of Social Justice & Empowerment Government of India, vide letter No.S-13020/4/98-MH dated 16th March, 2000. However, in order to arrive at the total percentage of multiple disability the combining formula.

$A = b(90) - a$  as given in the "Manual for Doctors to Evaluate

Permanent Physical Impairment Developed by Expert Group meeting on "Disability Evaluation" shall be used, where "a" will be the higher score and "b" will be the lower score. However, the Maximum total percentage of multiple disability shall not exceed 100%

For example, if the percentage of hearing disability is 30% and visual disability is 20% then by applying the combining formula given above the total percentage of multiple disability will be calculated as follows

$$30 = 20(90 - 30) = 43\%$$

90

## 3. Procedure for Certification of Multiple Disability

The procedure will remain the same as has been developed by the respective sub-committees on various single disability and finalized in a meeting under the Chairpersonship of Dr. S.P Agarwal held on 29-02-2000. The final disability certificate for multiple disability will be used by Disability Board which has given higher score of disability by combining the score of different disabilities using the combining formula i.e.  $a = b(90 - a)$  in case where two scores of disability are equal the final certificate of multiple disability will be used by any one of them as decided by Local authority

## Appendix I OF ANNEXURE A

### Form A

#### ASSEMENT PERFORMA FOR UPPER EXTREMITY

Name-----Age-----Sex-----Diagnosis

Address-----O.P.D-----Deptt.-----

ARM COMPONENT (Total Value 90%)

Summary value for upper extremity is calculated from component and hand component values Add 4% for dominant extremity 10% Additional weightage to be given to infection, deformity, malalignment, contracture, cosmetic appearance and abnormal mobility.

## APPENDIX I OF ANNEXURE A

### FORM B

#### ASSSSMENT PROFORMA FOR LOWER EXTREMITY

Name-----Age-----Sex-----Diagnosis

Address-----O.P.D-----Deptt.-----

Diagnosis-----

MOBIITY COMPONENT (Total Value (90%))

Joint	Component	Normal Value	Rt Side	Lt Side	Loss of % Rt. Side	Loss of % Lt. side	Mean % Rt. Lt	Mean 0.30 Rt. Lt.	Combing Value Rt. Lt	% Summary Value for Mobility Component a=b (90=a) 90
<b>Range of Movement (Active)</b>  <b>HIP</b>	<b>1 Flexion</b> <b>Extension</b> <b>Arc</b> <b>2 Abduction</b> <b>Adduction</b> <b>3 Rotation</b> <b>arc</b>	<b>0-140</b> <b>0-90</b> <b>0-90</b>								
<b>Range of Movement (Active)</b> <b>KNEE</b>	<b>Flexion</b> <b>Extension</b> <b>arc</b>	<b>0-125</b>								
<b>Range of Movement (Active)</b> <b>ANKLE &amp; Foot</b>	<b>Dors</b> <b>Flexion</b> <b>Panterlexion</b> <b>Arc</b> <b>2 Invesior</b> <b>Extension</b>	<b>0-70</b> <b>0-60</b>								

Arm Component	Component	Normal Value (Degrees )	Rt. Side	Lt. Side	Loss of % Rt. Side	Loss % Lt. Side	Mean % loss Rt. Lt.	Sum of % Loss Rt. Lt	Combining Value Rt. Lt.	& Summary Value for Mobility Component
Range of Movement (Active) Value 90% Elbow	1Flexion Extension Arc 2Rotation Arc 3Abduction Adduction Arc	0-220 0-180 0-180								
Shoulder Range of Movement (Active) Value 90% Wrist	1Flexion-Extension Arc 2Radial Ulnar deviation Arc	0-160 0-55								
Muscle Strength Value 90% Shoulder	1Flexion 2Extension 3Rotation-Ext 4Rotation Int. 5Abduction 6Adduction									
Muscle Strength Value 90%	1Flexion 2Extension 3Pronation 4Supination									
Muscle Strength Value 90%	1Dors Flexion 2Palmar Flexion 3Radial Deviation 4Ulnar deviation									
Coordinate Activities Value 90%	Lifting overhead object remove and placing at the same place 9% 2 Touching nose with end of extremity9% 3 Eating Indian Style9% 4Combing and Plaiting9% 5 Putting on a shirt/Kurta9% 6Ablution glass of water9% 7Drinking Glass of water9% 8Buttoning9% 9Tie Nara Dhoti9% 10Writing 9%									

HAND COMPONENT TOTAL VALUE 90%			
30% PREHENSION 1 Hand component A. Opposition (8%)  B. Lateral Pinch (5%) C. cylindrical Grasp  D. Spherial Grasp  E Hook Grasp	Movement 1 Index 2 Middle 3 Ring 4 Little Key Holding a. Large Object (4%) b. b Small Object (1%) a Large Object (4%) c. Small Object (1%) d. Lifting Bag	Normal Value 2) 2}8% 2]          5% 3) 3) 6% 3) 3) 6% 5%	
2. Sensation 30%	1 Radial Side 2 Uinar Side Thumb 3 Radial Fingers 4 Uinar)	4:1 (4.8:1.2)	
3.	Strength 30%	1. Grip Strength 2. Pinch Strength	20% 10%