Victim Compensation Scheme in the States – Status as on April 2017

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** Data Obtained from Internet/Website
## DETAILS OF VICTIM COMPENSATION SCHEME

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* If victim is less than 14 yrs of age, compensation is doubled
GOVERNMENT OF ANDHRA PRADESH
ABSTRACT


C.O.Ms. No.43

Dated: 15.04.2015.


ORDER:

Whereas section 357-A was inserted in the Code of Criminal Procedure, 1973 by Act 5 of 2009 with effect from 31.12.2009 which provides for preparation of a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

Now, therefore, in exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Andhra Pradesh hereby frames the following scheme for providing funds for the purpose of compensation to the victims or their dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:

1. Short title, extent and Commencement:—
   (1) This scheme may be called the Andhra Pradesh Victim Compensation Scheme, 2015.
   (2) It shall extend to the whole State of Andhra Pradesh.
   (3) It shall come into force on the date of its publication in the official Gazette.

2. Definition.—In this scheme, unless the context otherwise requires:
   (a) "Act" means the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974);
   (b) "District Authority" and "State Authority" means the District Legal Services Authority and State Legal Services Authority as defined under the Legal Services Authorities Act, 1987 (Central Act No 39 of 1987).
   (c) "crime" means an illegal act of omission or commission or an offence committed against the human body of the victim;
   (d) "dependents" means wife/husband, father, mother, unmarried daughter, minor children and includes other legal heir of the victim who, on providing sufficient proof, is found fully dependent on the victim by the District Legal Services Authority;
   (e) "family" means parents, children and includes all blood relations living in the same household;
(f) "Fund" means the victim compensation fund established under clause (3).
(g) "Schedule" means Schedule appended to this Scheme;
(h) "State" means State of Andhra Pradesh;
(i) "Victim" means as defined u/s 2 (wa) of Code of Criminal Procedure 1973, including victim who is sexually exploited for commercial purposes, trafficking, sufferer of acid attack and also a dependent who is leading life on the income of the victim, and who require rehabilitation.

3. Victim Compensation Fund:

(1) The Government shall constitute a fund namely, Victim Compensation Fund (herein after called as VCF), under separate Head of Account and allot a separate budget/grant for the purpose of the scheme every year a sum equivalent to the expenses of the previous year or the probable expenditure requested by the State Legal services Authority.

(2) There shall be credited to the said Fund:

i) budgetary allocation made by the Government;
ii) all grants, subventions, donations and gifts made by the Central Government, State Government, any local authority or any body whether incorporated or not or any person;
iii) receipts of amount of fines imposed under section 357 of the Act and ordered to be deposited by the courts in the fund;
iv) amount of compensation recovered from the wrongdoer/accused under clause 13 of the scheme.
v) Donations / contributions from international / national / Philanthropist / Charitable institution / Organization and individuals.
vii) all other sums received by or on behalf of the victims compensation from any source what so ever.

(3) Except as otherwise directed by the State Government, all moneys credited to the Fund shall be invested in any scheduled bank or in the Treasury of the State Government.

(4) The Home Department shall be the Nodal Department for regulating, administering and monitoring this scheme.

(5) The State Legal Services Authority shall be accountable for its functions under the scheme and for furnishing the periodical returns of the sums distributed to them by the State Government through the Nodal Department.

(6) The Victim Compensation Fund shall be operated by the Member Secretary of the State Legal Services Authority or the Secretary of the District Legal Services Authority, as the case may be.

(7) The State Government may allocate such amount, as it think proper, out of Victim Compensation Fund, to constitute Emergency Fund to be operated by the concerned Commissioner of Police / District Superintendent of Police / Superintendent of Railway Police for providing quick and immediate Medical Assistance to the victim of serious injuries. Such fund shall be released on the report of the concerned Station House Officer.
(8) All the accounts maintained for the purposes relating to Victim Compensation Fund shall be audited every year in the month of April of that year and Audit reports shall be duly submitted to the Government.

4. Application of the Victim Compensation Fund:- The fund shall be Applied for carrying out the purposes of the scheme.

5. Eligibility for Compensation:—

A victim shall be eligible for the grant of compensation if:-

(a) the offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may apply for grant of compensation under sub section (4) of section 357-A of the Act;
(b) the victim/claimant report the crime to the officer-in-charge of the police station or any senior police officer or Executive or Judicial Magistrate of the area within 48 hours of the occurrence.
(c) The offender is traced or identified, and where trial has taken place, the victim/claimant has co-operated with the police during the investigation and trial of the case;
(d) the victim/claimant shall co-operate with the police and prosecution during the investigation and trial of the case;
(e) The income of the family should not exceed Rs. 4.5 lakh per annum
(f) The crime on account of which the compensation to be paid under this scheme should have been occurred within the Jurisdiction of the State of Andhra Pradesh.

6. Interim relief to acid attack victim:—

(1) Notwithstanding anything contained in this scheme, the state or the District Legal Services authority shall award the relief to the acid attack victims under sub-section (6) of section 357 (A) of the Act as the after case rehabilitation cost on the certificate of the officer in charge of the Police Station or the Magistrate of the area concerned, as mentioned in the schedule appended to this scheme:

(2) The above relief shall be subject to the provision of clause 5 as may be applicable and it shall be sanctioned, drawn and disbursed to the acid attack victims by the authorities specified in clause 7.

7. Procedure for grant of compensation.—

(1) Whenever a recommendation is made by the Court or on an application by any victim or his dependent under sub section (2) of section 357-A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to the victim arising out of the reported criminal activity and the District Legal Services Authority may call for any other relevant information necessary in order to determine genuineness of the claims. After verifying the claim and on enquiry, shall award compensation within two months, in accordance with the provisions of the Scheme.

(2) While granting compensation under this Scheme an undertaking shall be obtained from the victim / claimant to the extent that in case of granting subsequent compensation by the Court under section 357 (3) of the Act or under any other law, the victim/claimant to remit the excess amount received as compensation under Sec. 357-A of the Act.
(3) The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including incidental charges such as funeral expenses etc. The compensation may vary from case to case depending on facts of each case.

(4) The quantum of compensation to be awarded under the Scheme to the victim or his dependents shall not exceed the maximum limit as per the schedule appended to this Scheme and shall be disbursed to the victim or his dependents, as the case may be, from the VCF by the District Legal Services Authority in case of concerned Revenue District through a cheque with a copy to the Member Secretary, Andhra Pradesh State Legal Services Authority with a copy to the Jurisdictional Court with Crime Number, Name of the Police Station, Calendar Case / Preliminary Register Case / Sessions Case Number.

(5) Compensation received by the victim from the State / Insurance company or any other institution in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act / G.O /or State-run Scheme including the compensation awarded by the State / National Human Rights Commissions or any Court / Commission shall be considered as part of the compensation amount under this scheme and if the eligible compensation amount is more than the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of the Fund. In case of SCs & STs, the amount of compensation under this scheme is besides the compensation/benefits available to them under other Government schemes/orders.

(6) In fixing the quantum of compensation, regard must be had to the Minimum Wages Act, Fatal Accidents Act and the schedule to the Motor vehicle Act, 1988.

(7) The cases covered under the Motor Vehicle Act, 1988 (Central Act No 59 of 1988) wherein compensation is to be awarded by the Motor Accident claims Tribunal, shall not be covered under the scheme.

(8) The State / District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available, free of cost, on the certificate of the police officer not below the rank of the Officer-in-charge of the police station or Magistrate of the area concerned, or any other interim relief as it may deem fit.

(9) The State / District Legal Services Authority shall take into consideration of the series of surgeries undergone / to be undergone by the victim of acid attack and shall award the actual medical expenditure incurred / to be incurred.

(10) The State / District Legal Services Authority shall take into consideration of the interim compensation of the Emergency Fund that was awarded to the victim while passing the final award.

(11) The State/District Legal Service Authority shall not allow any participation or representation by a legal practitioner or any other person or Institution or Non-Governmental Organization on behalf of the Victim/Claimant.
(12) The State/ District Legal Services Authority shall take into consideration the trauma undergone by a victim of commercial sexual exploitation, trafficking (VOCSET) and the victim of the Acid attacks and the trauma undergone by a bonded labour / child labour in awarding compensation. The Authority shall take into consideration the aspects of rehabilitation, reintegration and restoration of the VOCSET.

8. **Order to be placed on record:**

(a) Copy of the order of compensation passed under this Scheme shall be placed on record of the concerned Court to enable the court to pass an order of compensation under sub-section (3) of section 357 of the Act in the event of awarding compensation even before disposal of criminal case.

(b) Copy of order of compensation shall be placed on the record of the concerned court even after passing of final award.

(c) The State / Dist. Legal Services Authority shall maintain the record as well as the copies of the awards passed for the purpose of future verification and auditing and they shall maintain a separate copy of the awards in a bound book year wise.

9. **Limitation:**

i) No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Act shall be entertained after a period of twelve months of the crime:

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

10. **Appeal:**

(a) Any victim aggrieved of the denial of compensation / insufficiency of the award by the District Legal Services Authority may file an appeal before the State legal Services Authority within a period of ninety days from the date of award:

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

(b) The State Legal Services Authority shall dispose the appeal within a period of 90 days after the services of notices to the parties.

11. **Audit:** All the authorities receiving the funds under the scheme of VCF shall get the accounts audited every year in the April of that year and shall submit the audit report to the Govt and shall preserve the audit reports for future verification.

12. **Recovery of compensation awarded to the victim from Wrongdoer/accused:**

(i) The District Legal Services Authority represented by its Secretary, if deem it proper, may institute proceedings before the competent court of law for recovery of the compensation granted to the victims or their dependents from the person responsible for causing loss or injury as a result of the crime committed by him.
(ii) In such event, the District Legal Services Authority is exempted from paying any court fee which is otherwise payable as per the Andhra Pradesh Court Fees and Suits Valuation Act, 1956.

13. Recovery of compensation in case of Fraud:

(a) In case the victim or his dependents have obtained an order sanctioning compensation under this scheme based on false/vexatious/fabricated complaint which is so held by the Court the compensation paid shall be recovered with 12% interest p.a.

(b) such order/award shall be implemented by the District Collector as arrears of land revenue and the same be credited to the VCF account of the respective District Legal Services Authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. B. PRASADA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Andhra Pradesh, Hyderabad.
The Additional Director General of Police (CID), Andhra Pradesh, Hyderabad
The Commissioner of Printing, Stationery & Stores Purchases, Hyderabad (Publication Wing) 2 copies for publication in the Andhra Pradesh Gazette and, with a request to furnish 200 copies of Gazette to Government.
The Member Secretary, Andhra Pradesh State Legal Services Authority, City Civil Court, Hyderabad.
All the Chairman / Secretaries, District Legal Services Authorities in the State of Andhra Pradesh.
All the District Collectors in the State of Andhra Pradesh.
The Commissioner of Police, Vijayawada/ Visakhapatnam.
All the Superintendents of Police, in the State of Andhra Pradesh.
The Director of Treasuries and Accounts Officer, Hyderabad.
The Pay & Accounts Officer, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.

Copy to:
The Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Hyderabad.
The Joint Secretary (CS), Ministry of Home Affairs, Government of India, New Delhi.
The Special Officer, O/o the Advocate-on-Record, for A.P., No.1, Ashoka Road, AP Bhavan, New Delhi - 110001.
The Private Secretary to Principal Secretary to Chief Minister, A.P. Secretariat, Hyderabad.
The P.S. to the Chief Secretary to Government, A.P., Secretariat, Hyderabad.
The P.S. to Minister for Home.
The P.S. to Minister for Finance.
The P.S. to Principal Secretary to Government, Home Department, A.P., Secretariat, Hyderabad.
The Private Secretary to Secretary (FAC) (LA&J).
The Women, Children, Disabled and Senior Citizens Department.
The Health, Medical and Family Welfare Department.
The Law (C) Department.
The Finance (EBS.VI) Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER
## SCHEDULE

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Description of Loss or Injury</th>
<th>Maximum limit of compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of Life (Including Dowry deaths)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Age 40 years or below 40 years</td>
<td>Rs. 3 lakhs</td>
</tr>
<tr>
<td></td>
<td>b. Age above 40 years and up to 60 years</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td></td>
<td>c. Age above 60 years</td>
<td>Rs. 1 lakh</td>
</tr>
<tr>
<td>2.</td>
<td>Permanent disability (80% or more)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Age 40 years or below 40 years</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td></td>
<td>b. Age above 40 years and up to 60 years</td>
<td>Rs. 1 lakh</td>
</tr>
<tr>
<td></td>
<td>c. Age above 60 years</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>3.</td>
<td>Partial disability (Upto 80%)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Age 40 years or below 40 years</td>
<td>Rs. 1 lakh</td>
</tr>
<tr>
<td></td>
<td>b. Age above 40 years and up to 60 years</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td></td>
<td>c. Age above 60 years</td>
<td>Rs. 25,000/-</td>
</tr>
<tr>
<td>4.</td>
<td>Loss of any limb or part of the body due to acid attacks irrespective of age. Out of Rs. 5 lakhs, a sum of Rs. 1.5 lakhs shall be paid within 15 days of registration of crime and balance amount shall be paid within two months thereafter, as per the directions of the Hon’ble Apex Court in Laxmi (Minor) Vs. Union of India, dated: July 18, 2013 (W.P.(Crl.) No.129 of 2006)</td>
<td>Rs. 5 lakhs</td>
</tr>
<tr>
<td>5.</td>
<td>Rape</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>6.</td>
<td>Loss or injury causing severe mental agony to women and Child Victims in cases like Human Trafficking; Kidnapping and Molestation etc.</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>7.</td>
<td>Rehabilitation</td>
<td>Rs. 1.00 lakh</td>
</tr>
</tbody>
</table>

(P.T.O.)
SPECIAL COMPENSATION IN RESPECT OF VICTIMS OF ACID ATTACKS AND SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Nature of Injury</th>
<th>Compensation (In Rs. Lakhs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of life</td>
<td>10.00</td>
</tr>
</tbody>
</table>

The following expenses shall be payable in addition to compensation outlined above:

<table>
<thead>
<tr>
<th>(i)</th>
<th>Funeral expenses</th>
<th>Rs.10,000/-</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ii)</td>
<td>Medical Expenses- Actual expenses incurred before death or on account of injury supported by bills/vouchers but not exceeding</td>
<td>Rs.50,000/-</td>
</tr>
</tbody>
</table>

Dr. B. PRASADA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER
GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Victim Compensation - Andhra Pradesh: Victim Compensation Scheme, 2015 - amendment to G.O.Ms.No. 43, Home (Courts.B) Department, dt.15.04.2015 by adopting the amounts of Compensation specified by the Govt. of India in the revised Central Victim Compensation Fund Scheme - Orders - Issued.

HOME (COURTS.B) DEPARTMENT

G.O.MS.No. 132 Dated: 06-12-2016

Read the following:-


***

ORDER:

Government of Andhra Pradesh have formulated the Andhra Pradesh Victim Compensation Scheme, 2015 under Section 357-A of the Code of Criminal Procedure, vide G.O., 1st read above.

2. The Joint Secretary to the GoI, MHA, New Delhi, vide letter 2nd read above, has informed that the Central Victim Compensation Fund Scheme has now been modified to provide one time grant to State/UTs instead of releasing fund on time to time basis. The Central Victim Compensation Fund (CVCF) Guidelines-2016 came into force with effect from 06.07.2016. "Reducing disparity in quantum of compensation amount notified by different States for victims of similar crimes" is one of the objectives of CVCF. The Govt. of India has also specified minimum amount of Compensation to be awarded to the victims in different cases under CVCF.

3. It is observed that the amounts of Compensation specified in respect of different categories of victims in the Schedule of Compensation notified under the Andhra Pradesh Victim Compensation Scheme, 2015 vary from the amounts of compensation specified in the revised Central Victim Compensation Fund Scheme (CVCF) by the GoI, which is against the said objective of the CVCF scheme.

4. Government, have therefore, decided to amend G.O.Ms.No. 43, Home (Courts.B) Department, dt.15.04.2015 by adopting the amounts of Compensation specified by the Govt. of India in the revised CVCF Scheme in toto in place of the Schedule of Compensation notified in the G.O., 1st read above, with prospective effect, so as to adhere to the said objective of the CVCF scheme.

5. Accordingly, the following Notification will be published in the Extra - Ordinary Issue of the Andhra Pradesh Gazette, dated:06-12-2016.

NOTIFICATION

AMENDMENT

The compensation schedule specified in Appendix to G.O.Ms.No. 43, Home(Courts.B)Dept., dt.15.04.2015 shall be substituted with the following schedule which shall come into effect from the date of notification of the amendment.

Contd..2.
### SCHEDULE

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Description of Injuries/loss</th>
<th>Minimum Amount of Compensation (as in CVCF of Govt) *</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Acid Attack</td>
<td>Rs. 3 lakhs</td>
</tr>
<tr>
<td>2</td>
<td>Rape</td>
<td>Rs. 3 lakhs</td>
</tr>
<tr>
<td>3</td>
<td>Physical abuse of minor</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>4</td>
<td>Rehabilitation of victim of Human Trafficking</td>
<td>Rs. 1 lakh</td>
</tr>
<tr>
<td>5</td>
<td>Sexual assault (Excluding rape)</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>6</td>
<td>Death</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>7</td>
<td>Permanent Disability (80% or more)</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>8</td>
<td>Partial Disability (40% to 80%)</td>
<td>Rs. 1 lakh</td>
</tr>
<tr>
<td>9</td>
<td>Burns affecting greater than 25% of the body (excluding Acid Attack cases)</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>10</td>
<td>Loss of foetus</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>11</td>
<td>Loss of fertility</td>
<td>Rs. 1.5 lakhs</td>
</tr>
</tbody>
</table>

*Note: If the victim is less than 14 years of age, the compensation shall be increased by 50% over the amount specified above.

**BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH**

**ANURADHA RAJARATNAM ARCOT**

**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General of Police, Andhra Pradesh, Suryaraopet, Vijayawada.
The Additional Director General of Police (CID), Andhra Pradesh, Hyderabad
The Commissioner of Printing, Stationery and Stores Purchase Department, Govt Press, Nuyalampodu, Vijayawada. (with a request to Publish the Notification in the Extra-ordinary issue of the A.P. Gazette & send 200 copies of Gazette to Government.)
The Member Secretary, A.P. State Legal Services Authority, Nyaya Seva Sadan, City Civil Court Compound
Purani Havell, Hyderabad - 500 002
All the Chairman / Secretaries, District Legal Services Authorities in the State of Andhra Pradesh.
All the District Collectors in the State of Andhra Pradesh.
The Commissioner of Police, Vijayawada/ Visakhapatnam.
All the Superintendents of Police, in the State of Andhra Pradesh.
The Director of Treasuries and Accounts Officer, Vijayawada.
The Pay & Accounts Officer, Vijayawada.
The Accountant General, Andhra Pradesh, Hyderabad.

**Copy to:**
The Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Hyderabad.
The Joint Secretary (CSR), Ministry of Home Affairs, Government of India, New Delhi.
The Special Officer, O/o the Advocate-on-Record, for A.P., No.1, Ashoka Road, AP Bhavan, New Delhi - 110001.

Contd..3,
The Private Secretary to Principal Secretary to Chief Minister,
A.P. Secretariat, Velagapudi.
The P.S. to the Chief Secretary to Government, A.P., Secretariat, Velagapudi.
The P.S. to Minister for Home.
The P.S. to Minister for Finance.
The P.S. to Principal Secretary to Government, Home Department,
The Private Secretary to Law Secretary (LABJ).
The Women, Children, Disabled and Senior Citizens Department.
The Health, Medical and Family Welfare Department.
The Law (C) Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER
GOVERNMENT OF ARUNACHAL PRADESH
HOME DEPARTMENT, ITANAGAR.

NOTIFICATION
Dated Itanagar, 26th Jan/2012

No. HMB(B)37/97: In exercise of the powers conferred by section 357 A of the Code of Criminal Procedure, 1973 (Act No 2 of 1974), the Governor of Arunachal Pradesh in co-ordination with the Central Government is pleased to frame the following scheme of providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

1. Title: These rules may be called the Arunachal Pradesh Victim Compensation Scheme 2011.

2. Commencement: They shall come into operation from their date of publication in the official Gazette.

3. Definitions: In this scheme, unless the context otherwise requires:


(b) "Schedule" means Schedule appended to this Scheme.

(c) "State" means State of Arunachal Pradesh.

(d) "Victim" means any person who himself or herself has suffered loss or injury as a result of crime and requires rehabilitation.

(e) "Dependent" means and includes those who at the time of the deceased's death were: either the spouse or a natural parent or a child of the deceased.

4. Constitution of Arunachal Pradesh Victim Compensation Fund: Under the scheme, the State Government shall provide from time to time such funds/ grants/ allocations to the Nodal Department to defray, on the recommendations of the Arunachal Pradesh State Legal Services Authority, all expenses to the victim under the Arunachal Pradesh Victim Compensation Scheme 2011, for which a separate provision shall be made every year in the State Budget.

5. Eligibility for compensation: The victim or his dependent satisfying the following criteria shall be eligible for the receipt of compensation:

1. He/She should not have been in receipt of any compensation for such loss or injury from any Government authorities or any other scheme of the Central / State Government, for which the applicant or his dependents shall file a declaration to that effect along with the application form as set out in Annexure-II.

2. The loss or injury sustained by the victim or his dependents should have caused substantial loss to the income of the family making it difficult to make both ends to meet, without the financial aid or which requires such expenditure beyond his means on medical treatment of such mental/physical injury to the victim.

3. Where the offender of the crime is untraceable or cannot be identified, but the victim is identifiable, the victim or his dependents may also apply for grant of compensation under sub-section (4) of section 357 A of the Act.

4. Where the trial court at the conclusion of the trial is satisfied that the compensation awarded under section 357 of the CrPc is not adequate for rehabilitation, or where the case and in acquittal or discharge and the victim is to be rehabilitated and has therefore recommended a higher compensation,
6. Procedure for grant of compensation:

(i) Under the scheme, the victim or his dependents shall, as soon as an FIR is filed, apply for compensation in the specified format as at Annexure to the area Superintendent of Police or the Judicial Magistrate along with the supporting documents, who shall on receipt of such application forward the same to the District Legal Services Authority certifying the eligibility of such claims.

(ii) On such application made by any victim or his dependents under subsection (4) of section 357 A of the Code of Criminal Procedure, 1973 Act to the District Legal Services Authority, it shall examine the case and get verified the contents of the claim with regard to the assessment of such loss or injury caused to the claimant by a competent medical board constituted for the purpose and it may also call for any other relevant as deemed necessary for consideration of the claim from the concerned authority. Thereafter, the District Legal Services Authority will submit its recommendations for compensation to the State Legal Services Authority.

(iii) The Medical Board as referred in Para (ii) above shall be constituted by the District Medical officer on the requisition of District Legal Services Authority and shall at least consist of not less than two medical officers possessing special knowledge in the subject.

(iv) The application so received by the District Legal Services Authority will be duly examined and forwarded to the State Legal Services Authority with its recommendations a period of 30 (Thirty) days or which may be liable to be extended in case of extreme necessity.

(v) The District Legal Services Authority may in urgent and extreme necessity in order to alleviate the suffering of the victim, order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the Police officer not below the rank of Superintendent of Police, or such interim relief whether in cash or kind, for which the claimant has to be deducted from the final amount of compensation to be awarded by the State Legal Services Authority.

(vi) The amount of compensation required by the State Legal Services Authority based on standard price given in the Schedule within a period of 30 (Thirty) days or which may be liable to be extended in case of extreme necessity.

(vii) Enhanced compensation if required on the recommendations of the trial courts may be awarded at the end of the trial for which the State Legal Services Authority may initiate actions accordingly.

7. Mode of payment:

All payments to the claimants or his/her dependents shall be invariably be made in Cheque/Draft to the Deputy Commissioner of the concerned district who shall disburse the same.

8. Recovery of compensation awarded to the victim or his dependents:

(i) The State Legal Services Authority, if so advised, may on receipt of the order of the trial court if any as to the enhancement of the claimant for compensation to the victim or his dependents should be paid by the perpetrator of crime may, in such case, compensation is not immediately paid until proceedings before a competent Court of law in consultation with the office of the concerned public prosecutor for recovery of compensation granted to the victim or his dependents. The amount so recovered shall be deposited in the Victim Compensation Fund and thereafter be paid to the victim or his dependents, as the case may be.

(ii) The amount so recovered shall be deposited in the Victim Compensation Fund and thereafter be paid to the victim or his dependents, as the case may be.

9. Limitation: Under this scheme, no claims for compensation under this scheme by the victim or his dependents shall be entertained by the District Legal Services Authority after
the expiry of a period of one year from the occurrence of the crime.

Provided that the District Legal Services Authority, may, if satisfied, for
reasons to be recorded in writing, condone the delay in filing the claim.

10. Order to be placed on record:

The State Legal Services Authority after the award of compensation shall cause
its transmittal a copy of such order to the trial court to enable such court to pass order of
compensation under Sub-section 3 of Section 357 of the Act.

11. Appeal:

Any victim aggrieved by the denial of recommendation of his case by the District
Legal Services Authority may file an appeal before the State Legal Services Authority
within a period of 90 days and the State Legal Services Authority may take up his case
afresh and after taking into consideration all relevant information may decide the
quantum of compensation.

Provided that the State Legal Services Authority, if satisfied, for the reasons to
be recorded in writing may condone the delay in filing appeal.

Schedule - I

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Particular of Loss or Injury</th>
<th>Limit of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of Life</td>
<td>2,00,000/-</td>
</tr>
<tr>
<td>2</td>
<td>Rape</td>
<td>50,000/-</td>
</tr>
<tr>
<td>3</td>
<td>Acid/Alkali Attack</td>
<td>100,000/-</td>
</tr>
<tr>
<td>4</td>
<td>Loss of any limb or part of body resulting 80% or above handicap</td>
<td>50,000/-</td>
</tr>
<tr>
<td>5</td>
<td>Loss of any limb or part of body resulting 40% and below 80% handicap</td>
<td>20,000/-</td>
</tr>
<tr>
<td>6</td>
<td>Rehabilitation</td>
<td>20,000/-</td>
</tr>
<tr>
<td>7</td>
<td>Loss of any limb or part of body resulting below 40% handicap</td>
<td>10,000/-</td>
</tr>
<tr>
<td>8</td>
<td>Loss of injury causing mental, physical or emotional handicap in infant or child victim in case of woman, child or infant</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Simple Loss or injury to Child victim</td>
<td>10,000/-</td>
</tr>
</tbody>
</table>

Chief Secretary,
Govt. of Arunachal Pradesh
Itanagar
ANNEXURE-1
APPLICATION FORM FOR ASSISTANCE TO THE VICTIM OR THE DEPENDENTS OF THE VICTIMS OF THE CRIMES UNDER SECTION 357A OF THE CODE OF CRIMINAL PROCEDURE,1973 (see rule 5)

PART A
A. DETAILS OF THE VICTIM (to be filled in block letters)

1. Name: ........................................................................................................
2. Age: ........................................................................................................
3. Sex: ........................................................................................................
4. Occupation ..............................................................................................
5. Father’s name/Husband’s name ................................................................
6. Mother’s name: ......................................................................................
7. Address: ................................................................................................
8. Identification Proof ...................................................................................

9. Effect of violence: (Pla Tick) i) Death ii) Rape iii) Acid Burns iv) Loss of any limb or part of body resulting in handicap of 50% or above v) above 40% and below 60%. vi) below 40% handicap vii) Rehabilitation viii) loss or injury due to mental agony to women and children victim of human trafficking ix) Simple loss or injury to child victim.(please enclose all relevant documents like FIR/Police Report and injury report, if any.

B. DETAILS OF FAMILY MEMBERS OF THE VICTIM:

<table>
<thead>
<tr>
<th>Sl No</th>
<th>Name</th>
<th>Sex</th>
<th>Age</th>
<th>F/Husband’s name</th>
<th>Relationship with the victim</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

C. DETAILS OF THE BENEFICIARY.
(To be filled in block letters)

1. Name: ........................................................................................................
2. Age: ........................................................................................................
3. Sex: ........................................................................................................
4. Occupation ..............................................................................................
5. Father’s name/Husband’s name ................................................................
6. Mother’s name: ......................................................................................
7. Address: ................................................................................................
8. Identification Proof ...................................................................................
9. Relationship with the victim: ....................................................................

FORWARDING
This is to certify that the ....................................................... (victim applicant/dependents) are eligible for receipt of the compensation under the Arunachal Pradesh Victim Compensation Fund Scheme, 2011 and as such their case is recommended for consideration.
Date:
Place:

(Superintendent of Police / Judicial Magistrate)
GOVERNMENT OF ASSAM
POLITICAL (A) DEPARTMENT : DISPUR

ORDER BY THE GOVERNOR
NOTIFICATION

Dated Dispur, the 18th October, 2012

No. PLA.757/2010/123 : In exercise of the powers conferred by section 357-A of Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Assam, in co-ordination with the Central Government is hereby pleased to make the following scheme for providing funds for the purpose of compensation to the victim or his/her dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely :-

1. Short title, extent and commencement. -

   (1) This scheme may be called the Assam Victim Compensation Scheme, 2012.
   (2) It shall extend to the whole of Assam.
   (3) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions. -

   In this scheme, unless the context otherwise requires,
   (a) "Act" means the Code of Criminal Procedure, 1973(2 of 1974);
   (b) "Fund" means "the Victim Compensation Fund" constituted under para 3;
   (c) "Schedule" means Schedule appended to this Scheme;
   (d) "State Government" means the Government of Assam;
   (e) "The State Legal Service Authority" means the Assam State Legal Services Authority;
   (f) "Victim" means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression "victim" includes his/her guardian or legal heir;
   (g) "Department" means the Political Department of the Government of Assam;
   (h) "Nodal officer" means an officer of the department authorized to handle the affairs relating to the scheme at Government level;
   (i) Words and expressions used herein and not defined; but defined in the Indian Penal Code (IPC), Code of Criminal Procedure (Cr. PC) and the Indian Evidence Act shall have the meanings respectively assigned to them in these Acts.

3. Victim Compensation Fund. -

   (1) There shall be constituted a fund, namely, the Victim Compensation Fund from which amount of compensation under this scheme shall be paid to the victim or his/her dependents who have suffered loss or injury as result of the crime and who require rehabilitation.

Cond.: 21
(2) The State Government shall allot a separate budget for the purpose of the scheme every year.

(3) The fund shall be operated by the Member Secretary, State Legal Services Authority and he will place the funds at the disposal of District Legal Services Authorities as per requirement from time to time.

(4) The expenditure will be made from the head of account to be created under the control of department and the Senior Most Secretary of department shall be the chief controlling authority of the fund.

(5) The State Legal Services Authority shall be responsible for maintaining the accounts and the fund will be audited by the Accountant General of Assam.

(6) Department will release the fund to the State Legal Services Authority and the State Legal Services Authority will furnish periodical returns/accounts to the department.

(7) All amounts shall be paid through bank transfers only. Cash payment of any amount shall not be made from the fund at any level.

4. Eligibility for compensation.

The victim or his dependents satisfying the following criterion shall be eligible for grant of the compensation:

(1) Loss or injury sustained by the victim or his dependents should have caused substantial loss to the income of the family making it difficult to meet their both ends without the financial aid or has to spend beyond his means on medical treatment of mental/physical injury and a recommendation is made by Court for compensation.

(2) The victim/dependents report the crime to the Offier-in-Charge of Police Station or Judicial magistrate of the area promptly, provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in reporting.

(3) The victim/dependents co-operate with the police and prosecution during the investigation and trial of the case.

(4) Where the perpetrator of heinous crime is not traceable or goes unpunished after trial, but the victim is identifiable and the victim has to be rehabilitated physically and mentally, such victim may also apply for grant of compensation under subsection (4) of section 357-A of the Act.

Contd...
5. Procedure for grant of compensation.

(1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependents under sub-section (2) of section 357-A of the Act, to the State Legal Services Authority or the District Legal Services Authority, as the case may be, the said Authorities respectively shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. After verifying the claim, the District Legal service Authority or the State Legal Services Authority, as the case may be, shall, after due inquiry, award compensation within two months, in accordance with provisions of this Scheme.

(2) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at a later date, orders the accused persons to pay any amount by way of compensation under sub-section (1) (b) of section 357 of the Act, the victim/dependents shall remit an amount of compensation, or the amount ordered equal to the amount of compensation, or the amount ordered to be paid under subsection (3) of section 357 of the Act, whichever is less. An undertaking to this effect shall be given by the victim/dependents before the disbursal of the compensation amount.

(3) The District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The Compensation may vary from case to case depending on facts and circumstances of each case.

(4) According to the Schedule of this Scheme, the quantum of compensation to be awarded under the Scheme shall be disbursed to the victim or his dependents, as the case may be, from the Fund.

(5) Compensation received by the victim from the Central Government, State Government, insurance company or any other institution in relation to the crime in question namely, insurance, ex-gratia and/or payment received under any other Act or State-run scheme, shall be considered as part of the compensation amount under this scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance shall be paid out of the Fund.

(6) In fixing the quantum of compensation, regard must be had to the minimum wages and schedule to motor vehicle act, 1988.

Contd... 4/
(7) The State or the District Legal services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concerned or any other interim relief as it may deem fit.

(8) The compensation to the victim under this scheme shall not exceed the maximum amount prescribed in the Schedule.

(9) State Government may review the maximum limit of compensation indicated in the Schedule by issuing official notification from time to time.

6. **Order to be placed on record.**

Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the Court to pass order of compensation under sub-section (3) of section 357 of the Act.

7. **Limitation.**

No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Act shall be entertained after a period of six months from occurrence of the crime:

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

8. **Appeal.**

Any victim aggrieved of the denial of compensation by the District Legal Services Authority, may file an appeal before the State Legal Services Authority within a period of ninety days from the date of order of denial:

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

9. **Power to remove difficulties.**

If any difficulty arises in giving effect to any provision of this scheme, the State Government in the Political Department may make such order, not inconsistent with the provisions of the Act or this Scheme, as may appear to it to be necessary for the purposes of removing the difficulty.

Contd...5/
No.-L.G.-6-01/2011-151/AC/NG—PREAMBLE.—Whereas, regarding The Victim Compensation Scheme of The Home Ministry, Government of India and sale of Acid etc and in the case of Latraj (minor), The Hon’ble Supreme Court has directed that under section 357-A of the Code of Criminal Procedure all State should prepare a scheme. Bihar Victim Compensation Scheme, 2011 had been framed in that light, but certain amendment is felt necessary in the light of the observation of the Hon’ble Supreme Court. Therefore is in view of amendment Bihar Victim Compensation Scheme, 2014 is necessary to be notified.

Now, therefore in exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Bihar is hereby pleased to make the following scheme, superseding The Bihar Victim Compensation Scheme, 2011 for purpose of granting compensation to the victims or their dependants who sustain damage or hurt due to offences and who are in need of rehabilitation.

1. **Short title, extent and commencement.**—(1) This scheme shall be called the Bihar Victim Compensation Scheme, 2014.
(2) It shall extend to the whole of the State of Bihar.
(3) It shall come into force at once.

2. Definition. — In this scheme, unless the context otherwise requires —
(a) “Act” means the Code of Criminal Procedure, 1973 (2 of 1974);
(b) “Schedule” means Schedule appended to this scheme;
(c) “Crime” means illegal act of omission or commission or an offence committed against the human body of the victim;
(d) “Dependants” means wife/husband, father, mother, unmarried daughter, minor children, widow, daughter, divorced daughter, son and daughter-in-laws and includes other legal heir of the victim who, on providing sufficient proof, is found fully dependent on the victim by the District Legal Services Authority;
(e) “Court” as defined under section 3 of the Indian Evidence Act, 1872.
(f) “Family” means parents, children and includes all blood relations living in the same household;
(g) “Victim” means victim as defined under section 2(22a) of the code of criminal procedure 1973 (2 of 1974);
(h) “State” means the State of Bihar.

3. Victim Compensation Fund. — (1) There shall be constituted a fund namely victim Compensation Fund.
(2) The Victim Compensation Fund shall consist of —
(a) budgetary allocation for which necessary provision shall be made in the annual budget by the State.
(b) receipt of amount of fines imposed under section 357 of the Act and ordered to be deposited by the Courts in the Fund.
(c) amount of compensation recovered from the wrong doers/recovered under clause 7 of the Scheme.
(3) Law Department shall be nodal Department for regulating, administering and monitoring this scheme.
(4) To alleviate the suffering of the victim, the District Legal Services Authority, may order for immediate first aid facility to be made available free of cost on the certificate of the Police Officer not below the rank of Officer in-charge of the Police Station or Magistrate of the area concerned, or any other relief, as it may deem fit.
(5) The Fund shall be operated by the Member Secretary, State Legal Services Authority.

4. Eligibility for compensation. — A victim shall be eligible for the grant of compensation where —
(a) a recommendation is made by the Court under sub-sections(2) and (3) of section 357-A of the Act in the offender is not traced or identified, and where no trial takes place, such victim may also apply for grant of compensation under sub-section(2) of section 357-A of the Act;
(b) the victim/claimant report the crime to the officer in-charge of the police station or any Judicial Magistrate of the area within 48 hours of the occurrence;
Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in reporting;
(c) the offender is traced or identified and where trial has been held, the victim/claimant has co-operated with the police and prosecution during the investigation and trial of the case;
(d) The Crime on account of which the compensation which to be paid under this scheme should have been occurred within the jurisdiction of Bihar State.

5. Procedure for grant of compensation. — (1) Whenever a recommendation is made by the Court under sub-section (2) of section 357-A of the Act or an application is made by any victim or his dependent under sub-section(4) of section 357-A of the Act to the District Legal Service
Authority, the District Legal Service Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim and arising out the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness of the claim. After verifying the claim and by conducting due inquiry, the District Legal Service Authority shall award compensation within two months, in accordance with provisions of this scheme;

Provided that to the victim of the acid attack Rs. 1,00,000/- (one lac rupees) shall be paid to the victim within fifteen days of the information of occurrence and rest Rs. 2,00,000/- (two lac rupees) shall be paid within the two months from the aforesaid payment.

(2) The District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expense etc. The compensation may vary from case to case depending on fact of each case.

(3) The quantum of compensation to be awarded to the victim or his dependents shall be as per Schedule.

(4) The cases covered under Motor Vehicle Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(5) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concerned, or any other relief, as it may deem fit.

(6) Compensation received by the victim from the Central/State Government, insurance company in relation to the crime in question, namely, insurance, ex-gratia and/or under any other Act or any other State run scheme, shall be considered as part of the compensation amount under this scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Fund.

6. Order to be placed on record.— Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the court to pass order of compensation under sub-section(3) of section 357 of the Act.

7. Recovery of compensation awarded to victim from wrong doer/accused.—The District Legal Services Authority, if deem it proper, may institute proceedings before the competent Court of law for recovery of the compensation granted to the victim or his/her dependent(s) from the person responsible for causing loss or injury as a result of the crime committed by him.

8. Limitation.—No claim made by the victim or his dependents under sub-section(4) of section 357-A of the Act shall be entertained after a period of six months of the crime.

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

9. Appeal.—Any victim aggrieved of the denial of compensation by the District Legal Service Authority may file an appeal before the State Legal Services Authority within a period of 90(ninety) days;

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

10. Scheme to be laid before Legislature.—Scheme shall be laid, as soon as may be after it is made, before the House of the Legislature, while it is in Session for a total period of fourteen days. This period may be comprised in one Session or in two or more successive Sessions. If, before the expiry of the Session immediately following in Session or the successive Sessions aforesaid, the
provisions of this scheme, the Government may, by order made thereunder, make such provisions not inconsistent with the provisions of this scheme, as may appear to it to be necessary or expedient for removing the difficulty.

12. Repeal and savings.—With effect from the date of coming into force of this scheme, the Bihar Victim Compensation Scheme, 2011 shall stand repealed and notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under that scheme shall be deemed to have been done or taken in exercise of the powers conferred under this scheme, as if this scheme were in force of the day on which such thing or action was done or taken.

By Order of the Governor of Bihar,
VINOD KUMAR SINGH
Secretary to Government.

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Particular of Loss or Injury</th>
<th>Maximum Limit of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of Life</td>
<td></td>
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<tr>
<td></td>
<td>a. Age 40 years or below 40 years.</td>
<td>Rs. 3.00 lacs</td>
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<tr>
<td></td>
<td>b. Age above 40 years and up to 60 years.</td>
<td>Rs. 2.00 lacs</td>
</tr>
<tr>
<td></td>
<td>c. Age above 60 years</td>
<td>Rs. 1.00 lacs</td>
</tr>
<tr>
<td>2</td>
<td>Acid attack victim</td>
<td>Rs. 3 Lakhs after care and rehabilitation. (a) Rs. 1 lakh shall be paid to each victim within 15 days of occurrence or being brought to the notice of the State Government to facilitate immediate medical attention and expenses. (b) Balance sum of Rs. Two Lakhs shall be paid as expeditiously as may be possible and positively within two months thereafter.</td>
</tr>
<tr>
<td>3</td>
<td>Rape</td>
<td>Rs. 3.00 lacs</td>
</tr>
<tr>
<td>4</td>
<td>Loss or injury due to severe mental agony to women and child victims in cases like Human Trafficking, Humab bid behaviour, Kidnapping and Molestation etc. grievous heart as defined under section-320 of India Penal Code 1860</td>
<td>Rs. 50,000/-</td>
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NOTIFICATION

No. P 3-87/2011/Home-Two.—In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Governor of Chhattisgarh, in co-ordination with the Central Government, hereby frames the following scheme for providing a Fund for the purpose of compensation to the victim or his dependants who have suffered loss or injury as a result of crime and who require rehabilitation:

1. **Short title**: This scheme may be called the “Victim Compensation Scheme-2011”.

2. **Definitions**: In this Scheme, unless the Context otherwise requires:
   2. “Schedule” means the Schedule appended to this Scheme.
   4. “Victim” means a person who himself has suffered loss or injury as a result of crime and requires rehabilitation and this includes dependant family members also.

3. (1) **Victim Compensation Fund**: A Fund shall be constituted namely Victim Compensation Fund by the State Government. The amount of compensation under this scheme shall be paid to the Victim or his dependants by the Office of the Collector of the district concerned.

   (2) The State Government shall make provision for the Fund in the budget of Home Department. The Home Department shall be nodal department for the scheme and shall give allotment to the Collectors of the districts as per requirement.

   (3) The Collector of the district concerned shall maintain account relating to the Fund and shall submit quarterly return of expenditure to the Home Department.

4. **Eligibility for Compensation**: A victim or his dependant satisfying the following criteria shall be eligible for the grant of compensation:
   (A) Loss or injury sustained by the victim should have caused substantial loss to the income of the family making it difficult to meet their both ends without the financial aid or has to spend beyond his means on medical treatment of mental/physical injury.

   (B) The victim/dependant should have reported a crime to the officer in-charge of the Police Station/Executive Magistrate/Judicial Magistrate of the area without undue delay.

   (C) The victim/dependant should cooperate with the police and prosecution during the investigation and trial of the case respectively.

5. **Procedure for grant of compensation**:
   (1) Whenever a recommendation is made by a court under Section 357 of the Act or an application is made by the Victim or his dependant under sub section 4 of the Section 357-A of the Act to the District Legal Service Authority, the said Authority shall verify the facts and the claims after due enquiry and consultation with the SP concerned and award adequate compensation in accordance with the provisions of the scheme by completing the enquiry within two months.

   (2) The compensation under this scheme shall be paid subject to the condition that if the trial court, while passing judgment at a later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, the amount of compensation already awarded by the District Legal Service Authority shall be duly considered and adjusted. An undertaking to this effect shall be given by the victim/claimant before the disbursal of the compensation amount.
(3) The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or his dependants on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation, keeping in view the minimum wages prevalent at the time and including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case.

(4) Compensation received by the victim in relation to the crime in question from other sources namely insurance, exgratia, payment received under any other Act or Scheme of Central/State Government shall be considered as part of compensation amount under this scheme and shall be adjusted against the compensation amount awarded under this Scheme.

(5) The quantum of compensation to be awarded to the victim or his dependants by the District/State Legal Service Authority shall not exceed the upper limit as provided in the schedule of this scheme.

(6) The cases covered under Motor Vehicle Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(7) The District Legal Service Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost or any other interim relief as it may deem fit on the certificate of the police officer not below the rank of the office-in-charge of the police station or the Executive Magistrate of the area concerned.

6. Recovery of Compensation from the person/persons responsible for causing loss/injury:

(1) The State Legal Service Authority, if deemed fit, shall institute a proceeding before the competent court of law in consultation with the office of the district prosecution officer for recovery of the compensation granted to the victim or his dependants from the person/persons responsible for causing loss or injury as a result of the crime committed by him/them.

(2) The amount so recovered shall be deposited in the victim compensation fund.

7. Order to be placed on record:—Copy of the order of compensation passed under this scheme shall be mandatorily placed on record of the trial court to enable the court to pass order of compensation under subsection (3) of section 357 of the Act.

8. Limitation:—No application of the victim or his dependants under subsection (4) of section 357-A of the act shall be entertained after a period of one year from the date of suffering loss/injury.

9. Appeal:—Any victim aggrieved of the denial of compensation by the district legal service authority may file an appeal before the state legal service authority within a period of ninety days.

Provided that the state legal service authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

By order and in the name of the Governor of Chhattisgarh,
S. P. SHORI, Joint Secretary.
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 357 A of
the code of Criminal Procedure, 1973(Central) Act 2 of 1974, the Government of
Goa in co-ordination with the Central Government hereby frames the following
scheme for providing funds for the purpose of compensation to the victim or his
dependents who have suffered loss or injury as a result of the crime and who
require rehabilitation, namely:

1. Short title and commencement. - (1) This Scheme may be called the Goa
   Victim Compensation Scheme, 2012.
   
   (2) It shall come into force on such date as the Government may, by
   notification in the Official Gazette, appoint.

2. DEFINITIONS. - (1) In this Scheme, unless the context otherwise requires,-
   
   (a) “Act” means the Code of Criminal Procedure, 1973 (Central
       Act 2 of 1974);
   
   (b) “District Legal Services Authority” means the District Legal
       Services Authority constituted under section 9 of the Legal
       Services Authorities Act, 1987 (Central Act 39 of 1987); for
       a district of the State of Goa;
   
   (c) “Form” means a form appended to this Scheme;
   
   (d) “Fund” means the Victim Compensation Fund constituted
       under clause 3 of this Scheme;
   
   (e) “Government” means the Government of Goa;
   
   (f) “Offence” means any of the offences mentioned in the Indian
       Penal Code, (45 of 1860) or in any other law for the time
       being in force;
   
   (g) “Official Gazette” means the official Gazette of the
       Government;
(h) "Schedule" means Schedule appended to this Scheme;
(i) "State" means the State of Goa;
(j) "State Legal Services Authority" means Legal Services Authority constituted under section 6 of the Legal Services Authorities Act, 1987 (Central Act 39 of 1987), for the State of Goa;
(k) "Victim" means a person who has suffered loss or injury as a result of the crime and who requires rehabilitation.

(2) Words and expressions used in this Scheme and not defined, shall have the same meaning as assigned to them in the Act.

3. VICTIM COMPENSATION FUND

(1) The Government shall constitute a fund called Victim Compensation Fund. There shall be credited into the said fund an amount allocated for the same by budgetary provision every year.

(2) Compensation from the said fund under this Scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

(3) The said Fund shall be operated by the Secretary of the Legal Services Authority for the State of Goa.

4. ELIGIBILITY FOR COMPENSATION

- Where the offender is not traced or identified, but the victim is identified, and where no trial takes place, the victim or his dependents may make an application to the State or the District Legal Services Authority for award of compensation if:
  (1) he has not been compensated for the loss or injury under any other Scheme of the Central or State Government, insurance company or any other institution;
  (2) the loss or injury sustained by the victim has caused substantial loss of income to his family making it difficult to meet their both ends without any compensation.

5. PROCEDURE FOR MAKING APPLICATION BEFORE THE STATE OR DISTRICT LEGAL SERVICES AUTHORITY

- An application for the award of compensation shall be submitted in form "1" hereto along with a copy of the First Information Report (FIR)/complaint, medical report, death
certificate, complaint made to the Court, (in case where the police have not registered the FIR) newspaper report if any, to the State or District Legal Services Authority.

6. RELIEFS THAT MAY BE AWARDED BY THE STATE OR DISTRICT LEGAL SERVICES AUTHORITY.- The State or District Legal Services Authority may award compensation to the victim or his dependent to the extent as specified in schedule hereto.

7. REJECTION OF THE APPLICATION.- The State or District Legal Services Authority may reject an application where it is of the considered opinion that,

(1) the applicant has failed to take all reasonable steps to inform the police or other body or person considered by the State or District Legal Services Authority to be appropriate for the purpose about the circumstances giving rise to the loss or injury; or

(2) the applicant failed to co-operate with the police or the Court to bring the accused to justice; or

(3) the applicant has failed to give all reasonable assistance to the State or District Legal Services Authority for deciding the application; or

(4) the applicant has previously filed an application, in respect of the loss or injury suffered as a result of the same crime under this scheme, for compensation and such application is already granted or rejected or pending adjudication.

(5) the applicant, after having filed the complaint, wilfully turned hostile in the trial and has not supported the case of the prosecution;

(6) the alleged crime prima-facie is collusive in nature and not based up on verifiable facts.

(7) any other reason deemed fit by State or District Legal Service Authority.

8. PROCEDURE FOR GRANT OF COMPENSATION.- (1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent to State or District Legal Services Authority, the State or District Legal Service Authority shall examine and verify the claim made with regard to the loss or injury caused to the victim and arising out of the reported crime. It may call for any other relevant
information in order to determine genuineness of the claim. After verifying the claim and after due inquiry, the State or District Legal Services Authority shall award compensation within a period of two months from the date of such recommendation or application as the case may be, in accordance with provisions of this Scheme.

(2) The award of compensation under this Scheme shall be subject to the condition that if later on the trial court while passing the Judgment orders the accused person to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, the victim shall refund the amount of compensation awarded under this Scheme, or the amount of compensation received in pursuance of the order passed under sub-section (3) of section 357 of the Act, whichever is less. An Undertaking in Form “II” hereto shall be obtained from the victim before the disbursement of the compensation amount under this scheme.

(3) The State or District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or to his dependants on the basis of the loss or injury caused to the victim as a result of the crime and his/their requirements of rehabilitation.

(4) The compensation awarded under this Scheme shall be disbursed to the victim or his dependants, as the case may be, from the Fund, by remitting the same into the bank account specified in the Application by the victim/dependents.

(5) In case where the victim or dependent is a minor, the amount of compensation shall be released to the guardian or whoever has filed the application on behalf of such minor after the State or District Legal Services Authority is satisfied about the proper utilization of funds in the best interest of and for the welfare of such minor.

(6) The compensation already received by the victim or his dependents from the Insurance Company or from the Government in relation to the crime in question, including ex-gratia and/or other payment received under any law or under Central or State run Scheme, shall be treated as the compensation awarded under this Scheme, and if the amount of compensation to be received under this Scheme exceeds the payment already received by the victim from the sources mentioned above, the balance amount shall be paid out of fund to the victim.
(7) The cases covered under the Motor Vehicles Act, 1988 (Central Act 59 of 1988) wherein the compensation is to be awarded by the Motor Accidents Claims Tribunal, shall not be covered under this Scheme.

(8) The State or the District Legal Service Authority, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer in charge of the police station or a Magistrate of the area concerned, or any other interim relief as it may deem fit.

9. **THE ORDER TO BE PLACED ON RECORD** - Copy of the order of compensation passed under this Scheme shall be placed on record of the trial Court so as to enable the trial Court to pass an appropriate order of compensation under sub-section (3) of section 357 of the Act.

10. **LIMITATION.** – An application for compensation under sub-section (4) of section 357 A of the Act shall be made within one hundred and eighty days from the date of Commission of the Crime:

    Provided that the State or District Legal Service Authority may entertain the application received after the expiry of said period of one hundred and eighty days if it is satisfied that the applicant was prevented by sufficient cause from filing the application in time.

11. **APPEAL.** - (1) Any victim or his dependent if aggrieved by the Order of the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days from the date of such Order:

    Provided that the State Legal Services Authority may admit the appeal after the expiry of the period of ninety days if it is satisfied that the victim or his dependent was prevented by sufficient cause from filing the appeal in time.

    (2) The decision or order of the State Legal Services Authority on all matters shall be final.

12. **Accounts and Audit of the Fund:** (1) The Secretary of the Legal Services Authority of the State of Goa shall maintain proper accounts and other
relevant records and prepare an annual statements of accounts including the income and expenditure account and the Balance sheet in respect of said Fund. These accounts shall be audited by an auditor appointed by the Government.

(2) An audited statement of Accounts shall be submitted by the Secretary of the Legal Services Authority of the State of Goa, to the Government, every year.

By order and in the name of
the Governor of Goa

(Neetal P. Amonkar)
Under Secretary (Home)

Copy to:

The Director, Printing & Stationary, Panaji with a request to kindly published the enclosed notifications in the Official Gazette at an early date. Five copies of the said Gazette may be forwarded to this Department for official use.

Copy to:

1. The Secretary of the Legal Services Authority of the State of Goa, Secretariat Porvorim.
2. The Director General of Police, Panaji.
3. The Director of Prosecution, Panaji Goa.
5. Office file.
GOVERNMENT OF GUJARAT
Home Department
Block No.2, 1st Floor
Sachivalaya, Gandhinagar
Date.05/01/2013.

No.GG/ 01 /SB.2/CÔM/132011/GAD/165605:- In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974), the State Government hereby, frame the scheme for providing funds for compensation to the victims or their dependents, who have suffered loss or injury on account of offence against body and who require rehabilitation, namely:-

1. Short Title:- This scheme may be called the Gujarat Victim Compensation Scheme, 2013.

2. Definitions:- (1) In this scheme, unless the context otherwise require,-
(a) "Code" means the Code of Criminal Procedure, 1973 (Central Act No.2 of 1974);
(b) "Schedule" means Schedule appended to this scheme;
(c) "State" means the State of Gujarat; and
(d) "Victim" means a person who has suffered loss or injury as a result of crime and require rehabilitation and the expression victim includes his/her dependents.

(2) Words and expressions used herein and not defined but defined in the Indian Penal Code 1860 (Central Act No.45 of 1860) or the General Clauses Act, 1955 (Central Act No. VIII of 1955 Act) have the same meanings respectively as assigned to them in the Code and the General Clause Act 1955.

3. Victim Compensation Fund. – (1) There shall be constituted a fund namely Victim Compensation Fund from which amount of compensation under this scheme shall be paid to the victim or his/her dependents.
(2) The State Government shall allot a separate budget for this scheme every year.
(3) The fund shall be placed at the disposal of the Secretary, Legal Department.

4. Eligibility.- A victim or his/her dependents shall be eligible for the grant of compensation if:-
(a) the perpetrator of a heinous crime is not traceable or goes unpunished after trial, but the victim is identifiable and has to incur expenses on physical and mental rehabilitation, such victim may also apply for the grant of compensation under sub-section (4) of section 357-A of the Code;
(b) the offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply grant of compensation under sub-section (4) of section 357-A of the Code;
(c) the victim/claimant report the crime without unreasonable delay to the Judicial Magistrate of the area provided that the State Legal Services Authority or the District Legal Services Authority if satisfied, for the reasons to be recorded in writing, may condone the delay.

5. Procedure for grant of compensation.- (1) Whenever a recommendation is made by the Court under Sub-section (2) and (3) or an application is made by any victim or his/her dependent under sub-section (4) of section 357-A of the Code to the District Legal Service Authority or the State Legal Service Authority, as the case may be, District Legal Service Authority or the State Legal Service Authority shall
examine the case and verify the contents of the claim with regard to the loss or injury caused to victim/claimant and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. The District Legal Service Authority or the State Legal Service Authority, as the case may be, shall award compensation within two months, in accordance with provisions of this Scheme.

(2) The District Legal Service Authority or the State Legal Service Authority, as the case may be, shall decide the quantum of compensation to be awarded to victim or his/her dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on facts of each case.

(3) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at later date, order the accused persons to pay any amount by way of compensation under sub section (3) of section 357 of the Code, the victim/claimant shall remit an amount equal to the amount of compensation already paid, or the amount ordered to be paid under the said sub section (3) of section 357 of the Code, whichever is less. An undertaking to this effect shall be given by the victim/claimant before disbursal of the compensation amount.

(4) The quantum of compensation decided by the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall be disbursed to the victim or his/her dependents, as the case may be, from the Victim Compensation Fund.

(5) Compensation received by the victim from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or scheme run by the State shall be considered as part of the Compensation amount under this scheme and if the Compensation amount granted under this scheme exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Victim Compensation Fund.

(6) The case covered under Motor vehicle Act, 1988 (Central Act No.59 of 1988) wherein Compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(7) The District Legal Service Authority or the State Legal Service Authority, as the case may be, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of the cost on the certificate of the police officer not below the rank of the officer in charge of the police station or Magistrate of the area concerned, or any other interim relief as it may deem fit.

(8) The quantum of compensation to be awarded to the victim or his/her dependants shall not exceed the maximum limit as per Schedule.

6. Order to be placed on record.- Copy of the order of compensation passed under this scheme shall be placed on record of the trial Court to enable the court to pass on order of compensation under sub-section (3) of section 357-A of the code.

7. Recovery of Compensation:- (1) The District Legal Service Authority or the State Legal Service Authority, as the case may be, if deemed fit, shall institute proceeding before the competent Court of Law in consultation with the office of concerned public prosecutor for recovery of the compensation granted to the victim or his/her dependants from the person responsible for causing loss or injury as a result of the crime committed by them.
(2) The amounts, so recovered, shall be deposited in the Victim Compensation Fund.

**SCHEDULE**

[See rule 5 (8)]

<table>
<thead>
<tr>
<th>S.N.</th>
<th>Particulars of loss or injury</th>
<th>Maximum Limit of compensation (In rupees)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of Life</td>
<td>1,50,000=00</td>
</tr>
<tr>
<td>2.</td>
<td>Loss of any limb or part of body resulting 80% or above Handicap</td>
<td>1,00,000=00</td>
</tr>
<tr>
<td>3.</td>
<td>Loss of any limb or part of body resulting above 40% &amp; below 80% Handicap</td>
<td>50,000=00</td>
</tr>
<tr>
<td>4.</td>
<td>Rape</td>
<td>1,00,000=00</td>
</tr>
<tr>
<td>5.</td>
<td>Loss of any injury causing severe mental agony to women and child victim in case like Human Trafficking</td>
<td>25,000=00</td>
</tr>
<tr>
<td>6.</td>
<td>Permanent disfigureation of the head or face by acid. (In case of acid attack on a woman)</td>
<td>1,00,000=00</td>
</tr>
<tr>
<td>7.</td>
<td>Assault on women disfiguring her face or any part of body by acid or any other weapon</td>
<td>50,000=00</td>
</tr>
<tr>
<td>8.</td>
<td>In case of sodomy.</td>
<td>25,000=00</td>
</tr>
<tr>
<td>9.</td>
<td>Rehabilitation.</td>
<td>50,000=00</td>
</tr>
</tbody>
</table>

By order and in the name of Governor of Gujarat,

(P.M. Joshtyara)

Under Secretary to the Government.

Home Department.

Sachivalaya, Gandhinagar

Copy to:

- P.S. to H.E. The Governor, Raj Bhavan, Gandhinagar.
- The P.S. to Hon. Chief Minister, Sachivalaya, Gandhinagar.
- The Personal Secretary to MOS (Home), Gandhinagar.
- The Personal Secretary to The Chief Secretary, Gandhinagar.
- The Personal Secretary to All Minister/Minister of State.
- All the Departments of the Sachivalaya, Gandhinagar.
- The Secretary, Legal Department, Gandhinagar.
- The Executive Chairman, Gujarat State Legal Service Authority, Ahmedabad.
- Chairman, All District Legal Service Authority of Gujarat State.
- The Secretary, Gujarat Legislature Assembly, Gandhinagar.
- The Secretary, Gujarat Vigilance Commission, Gandhinagar.*
- The Registrar, Gujarat High Court, Ahmedabad.*
- The Secretary, Gujarat Service Public Service Commission, Ahmedabad.*
- The Secretary, Gujarat Civil Services Tribunal, Gandhinagar.*
- The Secretary, Gujarat Subordinate Services Selection Board, Gandhinagar.*
- The Personal Secretary to ACS (Home), Gandhinagar.
- The Personal Secretary to Secretary (Home), Gandhinagar.
- The Accountant General, Gujarat State, Ahmedabad/Rajkot.
- The Director of Account & Treasury, Gujarat State, Gandhinagar.
- The Pay & Account Officer/Resident Audit Officers, Gujarat State, Ahmedabad/Gandhinagar.
HARYANA
VICTIM COMPENSATION
SCHEME [VCS] 2013

Notification
The 3rd April, 2013 (as amended vide Haryana Government Notification 26th August, 2015)

No. S.C. 411/CA. 2/1974/5, 357-A/2013. In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Act 2 of 1872) the Governor of Haryana in co-ordination with the Central Government hereby lays the following scheme for providing funds for the purpose of compensation to the victims of crime:

1. This scheme shall be called the Haryana Victim Compensation Scheme, 2013.

Definitions
2. In this scheme, unless the context otherwise requires,

(a) "Act" means the Code of Criminal Procedure, 1973 (2 of 1872).
(b) "crime" means illegal act of omission or commission of an offence committed against the human body of the victim.
(c) "dependents" means wife/husband, father, mother, or daughter, minor children and includes other legal heir of the victim who, on providing sufficient proof, is found fully dependent on the victim by the District Legal Services Authority.
(d) "family" means parents, children and includes all blood relations living in the same household.
(e) "Schedule" means Schedule appended to this scheme.
(f) "State" means the "State of Haryana".
(g) "Victim means victim as defined under the Act and acid attack victim".

Victim Compensation Fund
3. (1) There shall be constituted a fund namely Victim Compensation Fund.

(2) The Victim Compensation Fund shall consist of:

(a) budgetary allocation for which necessary provision shall be made in the annual budget by the State.
(b) receipt of amount of fines imposed under Section 298, 299 and 304 of the Act, and ordered to be deposited by the culprit.

Fund.

(c) amount of compensation recovered from the wrongdoer/acccused under clause 7 of the Scheme.

(d) donations/ contributions from international National Philanthropist/ charitable institution/organization and individuals.

3. The Administration of Justice department shall be Nodal Department for regulating, administering and monitoring this scheme.

4. The State Legal Services Authority shall be accountable for its functions under the scheme and for furnishing periodical returns of the sums distributed to them by the State Government through the Nodal Department.

5. The Fund shall be operated by the Member Secretary, State Legal Services Authority.

4. (1) A victim shall be eligible for the grant of compensation where—

(a) a recommendation is made by the Court under sub-section (2) and (3) of section 357-A or the Act of the offender is not traced or identified, and where no trial takes place, such victim may also apply for grant of compensation under sub-section (4) of section 357-A of the Act;

(b) the victim/claimant reports the crime to the officer-in-charge of the police station or any senior police officer or Executive Magistrate or Judicial Magistrate of the area within 48 hours of the occurrence.

Provided that the District Legal Service Authority if satisfied for the reasons to be recorded in writing, may condone the delay in reporting:

(c) the offender is traced or identified, and where trial has taken place, the victim/claimant has cooperated with the police and prosecution during the investigation and trial of the case;

(d) the income of the family should not exceed Rs. 4.5 Lac per annum;

(e) The Crime on account of which the compensation which to be paid under this scheme should have been occurred within the jurisdiction of Haryana State

(2) The employees of Central/State Government, Boards, Corporations and Public Undertakings and income tax payees shall not be eligible for this scheme.

Procedure for grant of compensation

5. (1) Whenever a recommendation is made by the Court under sub-section (2) or section 357-A of the Act or an application is made by any victim or his dependents under sub-section (4) of section 357-A of the Act to the District Legal Services Authority shall examine the case and verify the contents of the claim with regard to loss or injury caused to the victim and arising out of the proved criminal activity as also any other relevant information necessary in order to determine quantum of the claim. After verifying the claim and by conducting due inquiry, the District Legal Services Authority shall award compensation within two months, in accordance with provisions of this scheme.

(2) Compensation under this scheme shall be paid subject to the condition that if the trial court while passing judgment and order the accused to pay any amount by way of compensation under sub-section (3) of section 357 Act, the victim/claimant shall remit an amount equal to the amount of compensation or the amount ordered to be paid under the said sub-section (3) of section 357 Act, whichever is less. An undertaking to this effect shall be given by the claimant/claimants before the disbursement of the compensation amount.

Provided that the compensation payable under this scheme shall be in addition to the payment of the fine to the victim under section 326-A or section 326-B of the Indian Penal Code.

(3) The District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of the loss caused to the victim, medical expenses to be incurred on treatment, maintenance amount required for rehabilitation including such incidental or funeral expenses etc. The compensation may vary from case to case depending on each case.

(4) The quantum of compensation to be awarded to the victim/claimant shall be as per Schedule I.

(5) The amount of compensation decided under the scheme shall be disbursed to the victim or his dependants, as the case may be, from the time the payment of amount of compensation is being made to the victim for his compensation.

*5(A) Notwithstanding anything in this scheme, the Acid Attack shall be paid amount of Rs. 1.00 Lac, within 15 days of the occurrence of the incident and the balance amount of Rs. 2.00 Lac shall be paid within one month such incident.

6. Compensation received by the victim from the State in respect of...
the same in question, namely, insurance, ex-gratia and/or payment received under any other Act or 'Roja Gandhi Poornima Bima Yojana' or any other State-run scheme, shall be considered as part of the compensation amount under this scheme, the victim/claimant who has received compensation amount from collateral sources mentioned above shall be deemed to be compensated under this scheme and shall not be entitled to separate compensation under this scheme. If the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Fund.

(7) The cases covered under Motor Vehicles Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(8) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concerned, or any other intern relief, as it may deem fit.

Order to be placed on record

6. Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the court to pass order of compensation under sub-section (3) of section 357 of the Act.

Recovery of Compensation passed to victim

7. The District Legal Services Authority, if deem it proper, may institute proceedings before the competent court of law for recovery of the compensation granted to the victim or his/her dependents from the person responsible for causing loss or injury as a result of the crime committed by him.

8. No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Act shall be entertained after a period of six months from the date of this notification.

"Provided further that as a one time measure, the case occurred on or after first January, 2012 Shall also be considered within six months from the date of this notification."

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

9. Any victim aggrieved of the denial of compensation by the District Legal Services Authority may file an appeal before the State Legal Service Authority within a period of ninety days:

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing in appeal.

Schedule I

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Particular of Loss of injury</th>
<th>Maximum Limit of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of Life</td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>Age 40 years or below 40 years</td>
<td>Rs. 5,00,000</td>
</tr>
<tr>
<td>b.</td>
<td>Age above 40 years and up to 60 years</td>
<td>Rs. 7,50,000</td>
</tr>
<tr>
<td>c.</td>
<td>Age above 60 years</td>
<td>Rs. 1,50,000</td>
</tr>
<tr>
<td>2.</td>
<td>Loss of any limb or part of body (60%) including loss due to acid attack</td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>Age 40 years or below 40 years</td>
<td>Rs. 2,50,000</td>
</tr>
<tr>
<td>b.</td>
<td>Age above 40 years and up to 50 years</td>
<td>Rs. 4,00,000</td>
</tr>
<tr>
<td>c.</td>
<td>Age above 60 years</td>
<td>Rs. 6,50,000</td>
</tr>
<tr>
<td>3.</td>
<td>Loss of any limb or part of body (50%) including loss due to acid attack</td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>Age 40 years or below 40 years</td>
<td>Rs. 1,00,000</td>
</tr>
<tr>
<td>b.</td>
<td>Age above 40 years and up to 50 years</td>
<td>Rs. 2,50,000</td>
</tr>
<tr>
<td>c.</td>
<td>Age above 60 years</td>
<td>Rs. 3,50,000</td>
</tr>
<tr>
<td>4.</td>
<td>Rope</td>
<td>Rs. 5,00,000</td>
</tr>
</tbody>
</table>

| 4(A) | Loss of life due to Acid Attack |
|      | Acid attack involving defacement | Rs. 3,00,000 |
| 4(B) | Loss of limb or part of body or plastic Surgery |
|      | Acid attack not involving defacement | Rs. 5,00,000 |

5. Loss or injury causing severe mental agony to women and child victims in cases like Human Trafficking, Kidnapping and Molestation etc.

The following expenses shall be paid in addition to compensation mentioned above:

- (a) Funeral expenses: Rs. 1,000
- (b) Medical Expenses - Actual expenses incurred below limit of Rs. 20,000

In accordance with the Government Notification dated 28.11.2015.
(Authoritative English text of this Department notification No.Home(A)E(3)43/2011 dated 6-09. 2012 as required under clause(3) of article 348 of the Constitution of India).

Government of Himachal Pradesh
Home Department.

NOTIFICATION


In pursuance to sub section (1) of section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Himachal Pradesh in co-ordination with the Central Government is pleased to frame the following Scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:

Short title: 1. This Scheme may be called the Himachal Pradesh (Victim of Crime) Compensation Scheme, 2012.

Definitions: 2. In this Scheme unless the context otherwise requires:-


(b) "Annexure:" means the Annexure-I of the Scheme on which application under the scheme has to be submitted by the applicant;

(c) "Applicant" means the victim or the person making an application on behalf of the victim where he or she, due to physical or mental incapacity, is unable to submit the same or
where the victim has died, includes his legal heirs;

(d) "Fund" means the Himachal Pradesh Victim Compensation Fund constituted under the Scheme;

(e) "Schedule" means Schedule appended to the Scheme;

(f) "State" means State of Himachal Pradesh;

(g) "Legal Service Authority" means the State/District Legal Services Authority, as the case may be, constituted under the Legal Services Authorities Act, 1987; and

(h) "Victim" means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression "victim" includes his or her guardian or legal heir;

Victim 3 (1)
Rehabilitation Fund

There shall be constituted a fund namely Himachal Pradesh Victim Compensation Fund from which an amount of compensation under this Scheme shall be paid to the victim who has suffered loss or injury as a result of a crime and who requires rehabilitation.

(2) The State Government shall allot a separate budget for the purpose of the Scheme every year.

(3) The fund shall be operated by the Secretary, State Himachal Pradesh, Legal Services Authority.
Eligibility for Compensation

4. (1) A victim shall be eligible for the grant of compensation:

(a) Where the Court under sub section (2) of section 357A of the Act makes a recommendation or an application is made under sub section (4) of section 357A of the Act to the State or District Legal Services Authority within 90 days of recording of FIR.

(b) Where the trial Court, at the conclusion of the trial, is satisfied, that the compensation awarded under section 357 of the Act is not adequate for such rehabilitation, or where the case ends in acquittal or discharge and the victim has to be rehabilitated and a recommendation by the Court for compensation is made.

Provided that the victim, within reasonable time frame, gives information to the officer-in-charge of a Police Station of the commission of crime within the limits of such station or to a Judicial Magistrate empowered to take cognizance of such offence arising out of the crime:

Provided further that the victim cooperates with the police and prosecution during investigation and trial of the case:
Provided also that the application is made on Annexure-I to the District Legal Services Authority of the District where the crime was committed (for award of compensation as provided in sub section (4) of section 357A of the Act).

2.(a) Such recommendation or application, as the case may be, shall be transferred to the District Legal Services Authority of the District where the crime was committed.

(b) Where the crime is committed partly in one local area and partly in another or where it consists of several acts done in different local areas, the District Legal Services Authority having jurisdiction over any of such local areas may proceed under section 357A of the Act.

3. A victim would also be eligible for grant of compensation where the offender is not traced or identified, and where no trial takes place.

Procedure for 5. (1) Whenever under sub section (2) of grant of compensation section 357A of the Act, a recommendation for compensation is made by the Court, or an application is made to the District Legal Services Authority for award of compensation, the said Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim arising out of the reported crime.
(2) During the course of verification, the District Legal Services Authority, may call for any other relevant information necessary in order to determine genuineness of the claim and shall after due enquiry, award compensation within sixty days, in accordance with provisions of the Schedule.

(3) The State or the District Legal Services Authority, as the case may be, to elevate the suffering of the victim, may order for immediate interim aid facility or medical benefit to be made available free of cost on the certificate of police officer not below the rank of officer-in-charge of the police station or a Magistrate of the area concerned, or any other interim relief as the appropriate authority deems fit.

(4) Where the victim or his/her dependents have suffered more than one injury or loss, the compensation payable in each individual case shall only be for the severest injury or loss suffered as a result of the crime.

(5) Compensation so paid shall be subject to the condition that if the Court while passing the judgment in the case arising out of the crime, orders of the accused person(s) to pay any amount by way of compensation under sub-section (3) of
section 357 of the Act, an amount equivalent to compensation so paid under section 357A of the Act shall be remitted by the Court directly to the State or the District Legal Services Authority, as the case may be, by whom the compensation had been paid under the Scheme.

(6) The State or the District Legal Services Authority, as the case may be, shall decide the quantum of compensation to be awarded to the victim on the basis of type and severity of loss caused to the victim, medical expenses to be incurred for treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case, depending on the facts of such case and subject to such limits as prescribed in the Schedule.

(7) The quantum of compensation to be awarded under the Scheme shall be remitted into the Bank Account provided in the application. As far as practicable, the amount may be transferred electronically, so as to provide efficacious and speedy disbursement to the victim from the fund. In case where the victim is a minor or mentally ill, the amount shall be remitted to the Bank Account of his/her parent or
guardian after the State or District Legal Services Authority, as the case may be, awarding the compensation would be properly utilized in the interest of and welfare of such minor or mentally ill victim.

(8). In relation to the crime in question, the payments so received by the victim on account of insurance claim, ex-gratia etc. under any other Act or Scheme(s), shall be considered as part of the compensation amount under this Scheme and if the eligible compensation amount exceeds the payments so received by the victim from collateral sources mentioned above, only the balance amount shall be payable out of the fund.

(9). The cases covered under Motor Vehicles Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal shall not be covered under the Scheme.

No compensation shall be admissible under the scheme where:

(a) the victim has previously lodged any claim for compensation in respect of the same crime; or

(b) the incident is so belated that no evidence would be forthcoming.

Non admissibility of 6.
compensation in
certain cases
Refund of compensation 7. (1) Where the applicant after receipt of compensation under the scheme :-
(a) fails to cooperate with the police or prosecution during investigation and trial of the case; or
(b) victim has failed to give all reasonable assistance to the State or District Legal Services Authority in connection with the proceedings under the Scheme; or
(c) furnishes, as true, information relating to the crime which he knows or has reason to believe to be false; or
(d) being legally bound by an oath or affirmation to state the truth in relation to the crime to any public servant or other person authorized by law to administer such oath or affirmation, makes any statement which is false or knows or believes to be false; or
(e) gives false evidence in any stage of a judicial proceeding or fabricates false evidence for the purpose of being used in any stage of a judicial proceeding; or
(f) causes any evidence of the commission of the 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.

(2) The District Legal Services Authority by whom the compensation was awarded under the Scheme shall be informed in writing of the said fact by the police or the prosecuting agency, as the case may be.

(3) On receipt of such information the District Legal Services Authority may serve a notice upon the applicant, calling upon him/her to show cause as to why the compensation under the Scheme so received by as the case may be him/her may not be refunded back to the State or District Legal Services Authority.

(4) The State or District Legal Services Authority by whom the compensation was awarded under the Scheme after considering the explanation, if any, to the show cause notice issued and after giving the victim a reasonable opportunity of being heard, by order, record a finding as to whether the amount of compensation so received deserves to be refunded by the victim to such authority within a period of sixty days from such order, failing which
the said amount shall be recovered from the victim as arrears of land revenue.

Order to be placed on record 8. The Court at the time of ordering compensation under sub section(3) of section 357 of the Act shall take into account any sum paid as compensation under the Scheme and copy of such order of compensation made under section 357A of the Act shall be placed on record of the Court.

Limitation 9. (1) No claim made by the victim under sub-section (4) of section 357-A of the Act shall be entertained after a period of ninety days of the crime.

(2) The District Legal Services Authority, if satisfied for the reasons to be recorded in writing, may condone the delay in filing the claim.

Appeal 10. (1) An applicant aggrieved by the denial of compensation by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days from the date of such order.

(2) The State Legal Services Authority, if satisfied for the reasons to be recorded in writing, may condone the delay in filing the appeal.

—te—
(3) An applicant aggrieved by the orders of the District Legal Services Authority calling upon him/her to refund the compensation as provided in sub para (3) of para 8 of the Scheme may file an appeal before the State Legal Services Authority within a period of ninety days from the date of such order.

(4) No appeal shall lie against the orders of the State Legal Services Authority.

(1) The State and the District Legal Services Authorities shall maintain proper accounts of the fund and other relevant records and prepare an annual statement of accounts.

(2) The Accounts shall be audited by the Examiner, Local Audit Department, Himachal Pradesh.

By Order,

Principal Secretary(Home) to the Government of Himachal Pradesh.


Copy forwarded to the following for information and necessary action to:
1 Registrar General, Hon’ble High Court of Himachal Pradesh, Shimla.
2 All Administrative Secretaries to the Government of Himachal Pradesh.

3 All the District & Sessions Judges in Himachal Pradesh.

4 Secretary, State Legal Services Authority, SDA Complex Kasumpti Shimla-9.

5 All the Heads of Department, Himachal Pradesh.

6 All the Deputy Commissioner, Himachal Pradesh.

7 All the District Superintendent of Police Himachal Pradesh.

8. The Controller Printing & Stationary, Himachal Pradesh, Shimla-5 for publication of the Notification in the Rajpatra. He is requested to upload the notification in the Rajpatra and make available a copy of Gazette to this department.

Deputy Secretary (Home) to the Government of Himachal Pradesh.

6.9.2012

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A
Government of Jammu and Kashmir
Home Department

NOTIFICATION

Jammu, the 23rd April 2013

SRO 229. - In exercise of the powers conferred by sub-section (1) of Section 545-A of the Code of Criminal Procedure Samvat, 1989(Act No. XXIII of 1989), the Government hereby makes the following scheme for providing funds for the purpose of compensation to the victims or their dependents who have suffered loss or injury as a result of the crime and who require rehabilitation; namely:

1. **Short titled:** This Scheme may be called the Jammu and Kashmir Victim Compensation Scheme, 2013.

**Definitions:** In this scheme, unless the context otherwise requires:

1. “Act” means the code of Criminal Procedure Samvat, 1989 (Act No. XXIII of 1989);
2. “Schedule” means Schedule appended to this notification.
4. “Victim” means a person who himself has suffered loss or injury as a result of crime and require rehabilitation and includes dependent family members.

2. **Victim Compensation Fund:**

1. There shall be constituted a fund namely Victim Compensation Fund from which amount of compensation under this scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.
2. The Government shall allot a separate budget for the purpose of the scheme every year.
The funds shall be operated by the Member Secretary, Jammu and Kashmir State Legal Services Authority.

**Eligibility for Compensation:**

A victim shall be eligible for the grant of compensation if:-

1) The offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply for grant of compensation under sub-section (4) of Section 545-A of the Act;

2) He/She should not have been compensated for the loss or injury under any other scheme of the Central/State Government, Insurance Company or any other Institution;

3) The victim/claimant shall co-operate with the police and prosecution during the investigation and trial of the case.

4) The compensation shall be provided to the victim/claimant only after filing of charge sheet or final report in the competent court of law.

**3. Procedure for grant of compensation:**

1) The victim/claimant shall report the crime to the Officer-in-charge of the Police Station or a Judicial Magistrate of the area within a period of six months of the commission of crime:

2) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent under sub section (2) of Section 545-A of the Act to the concerned District Legal Services Authority, the District Legal Services Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to the victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. After verifying the claim, the District Legal Services Authority shall after due enquiry award compensation within two months, in accordance with provisions of this Scheme.

3) The compensation received by the victim/claimant under the scheme shall be recovered and credited to the victim compensation fund if he/she
Compensation under this scheme shall be paid to the victim/claimant subject to the condition that if the trial court while passing judgment at later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of Section 545 of the Act, the victim/claimant shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3), whichever is less. An undertaking to this effect shall be given by the victim/claimant before the disbursal of the compensation amount.

The concerned District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of losses caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on facts of each case. However, the quantum of compensation shall not exceed the amount mentioned in the Schedule-I appended to this scheme.

The quantum of compensation to be awarded under the Scheme shall be disbursed to the victim or his dependents as the case may be, from the Victim Compensation Fund.

Compensation received by the victim from the State in relation to the crime in question namely, insurance, ex-gratia and/or payment received, under any other Act or State-run scheme, shall be considered as part of the compensation amount under this scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Victim Compensation Fund.

The cases covered under Motor Vehicle Act, 1988 wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under this Scheme.

The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost or any other interim relief as it may deem fit.
on the production of a certificate of the police officer not below the rank of the Officer-in-charge of the police station or Magistrate of the area concerned.

4. Orders to be placed on record:

Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the court to pass order of compensation under sub-section (3) of section 545-A of the Act.

5. Limitation:

No claim made by the victim or his dependents under sub section (4) of section 545-A of the act shall be entertained after a period of six months of the commission of crime:

Provided that the District Legal Services Authority, if satisfied for the reasons to be recorded in writing, may condone the delay in filing the claim.

6. Appeal:

Any victim aggrieved of the denial of compensation by the District Legal Services Authority, may file an appeal before the State Legal Services Authority within a period of 90 days:

Provided that the State Legal Services Authority, if satisfied, for reasons to be recorded in writing, may condone the delay in filing the appeal.

By order of the Government of Jammu and Kashmir

(Suresh Kumar) IAS
Principal Secretary to the Government
Home Department


Copy to the:
1. Principal Secretary to Hon’ble Chief Minister.
3. All Principal Secretaries to Government.
4. All Commissioners/Secretaries to Government.
Government of Jharkhand
Home Department

Notification

The 3rd August, 2012

No. 5 Misc. (01)-81/2010/3735.- In exercise of the powers conferred by section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Jharkhand hereby frame the following scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely :-

Short title:-

1. This scheme may be called the Jharkhand Victim Compensation Scheme, 2012.

Definitions:-

2. In this scheme, unless the context otherwise requires:-

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

(b) "Schedule" means Schedule appended to this Scheme;

(c) "State" means State of Jharkhand;

(d) "Victim" means a person who himself has suffered loss or injury as a result of crime and require rehabilitation and includes dependent family members.

(e) "District-Legal-Services-Authority" means a authority constituted under the Chairmanship of the Principal District and Session Judge of the District constituted under the Legal Services Authorities Act 1987.

(f) The "State committee" means a Committee constituted under the Chairmanship of the Director, Prosecution of the State to be notified by the State Government.

Victim Compensation Fund:-

3. (1) There shall be constituted a fund namely Victim Compensation Fund from which amount of compensation under this scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

(2) The State Government shall allot a separate budget for the purpose of the scheme every year.

(3) The Fund shall be operated by the Director, Prosecution, Government of Jharkhand.

(d) The fund at the district level shall be placed by the Director, Prosecution and to be operated by the respective District Magistrates.
Eligibility for compensation:-

4. A Victim shall be eligible for the grant of compensation if, -
   (a) the offender is not traced or identified, but the victim is
       identified, and where no trial takes place, such victim
       may also apply grant of compensation under sub section
       (4) of section 357-A of the Act;
   (b) the victim/claimant report the crime to the officer-in-
       charge of the police station within 48 hours of the
       occurrence; or any senior police officer or Executive
       Magistrate or Judicial Magistrate of the area provided
       that the District Legal Services Authority, if satisfied,
       for the reasons to be recorded in writing, may condone
       the delay in reporting;
   (c) the victim/claimant cooperate with the police and
       prosecution during the investigation and trial of the
       case.

Procedure for grant of compensation:-

5. (1) Whenever a recommendation is made by the Court
       or an application is made by any victim or his dependent under
       sub section (2) of section 357-A of the Act to the District Legal
       Services Authority, the District Legal Services Authority shall
       examine the case and verify the contents of the claim with
       regard to the loss or injury caused to victim and arising out of
       the reported criminal activity and may call for any other
       relevant information necessary in order to determine
       genuineness. After verifying the claim, the District Legal
       Services Authority shall after due enquiry award compensation
       within two months, in accordance with provisions of this
       Scheme.

   (2) Compensation under this Scheme shall be paid subject
       to the condition that if the Trial court while passing judgement
       at later date, orders the accused persons to pay any amount by
       way of compensation under sub-section (2) of section 357 of
       the Act, the victim/claimant shall remit an amount ordered
       equal to the amount of compensation, or the amount order to be
       paid under the said sub-section (2) of section 357 of the Act,
       which ever is less. An undertaking to this effect shall be given
       by the victim/claimant before the disbursal of the compensation
       amount.

   (3) The District Legal Services Authority shall decide the
       quantum of compensation to be awarded to the victim or his
       dependents on the basis of loss caused to the victim, medical
       expenses to be incurred on treatment, minimum sustenance
       amount required for rehabilitation including such incidental
       charges as funeral expenses etc. The compensation may vary
       from case to case depending on fact of each case.

   (4) The quantum of compensation to be awarded to the
       victim or his dependents shall not exceed the maximum limit as
       per schedule-I.
(5) The amount of compensation decided under the scheme shall be disbursed to the victim or his dependents as the case may be, from the Fund.

(6) Compensation received by the victim from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or State-run scheme, shall be considered as part of the compensation amount under these rules and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Fund.

(7) The cases covered under Motor Vehicle Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(8) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concerned or any other interim relief as it may deem fit.

Order to be placed on record:-

6. Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the Court to pass order of compensation under subsection(3) of section 357 of the Act.

Limitation:-

7. No claim made by the victim or his dependents under subsection(4) of section 357A of the Act shall be entertained after a period of six months of the crime:

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

Appeal:-

8. Any victim aggrieved of the denial of compensation by the District Legal Services Authority may file an appeal before the State Committee within a period of ninety days:

Provided that the State Committee, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particular of Loss or Injury</th>
<th>Maximum limit of compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of life</td>
<td>Rs. 2.00 lacs</td>
</tr>
<tr>
<td>2.</td>
<td>Loss of any limb of part of body resulting 80% or above handicap</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>3.</td>
<td>Loss of any limb or part of body resulting 40% &amp; below 80% handicap</td>
<td>Rs. 20,000/-</td>
</tr>
<tr>
<td>4.</td>
<td>Rape of Minor</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>5.</td>
<td>Rape</td>
<td>Rs. 20,000/-</td>
</tr>
<tr>
<td>6.</td>
<td>Rehabilitation</td>
<td>Rs. 20,000/-</td>
</tr>
<tr>
<td>7.</td>
<td>Loss of any limb or part of body resulting below 40% handicap</td>
<td>Rs. 10,000/-</td>
</tr>
<tr>
<td>8.</td>
<td>Loss of injury causing severe mental agony to women and child victims in case like Human trafficking</td>
<td>Rs. 10,000/-</td>
</tr>
<tr>
<td>9.</td>
<td>Simple Loss or injury to Child victim</td>
<td>Rs. 10,000/-</td>
</tr>
</tbody>
</table>

By the order of Governor, Jharkhand

Memo No. ........................................

Ranchi, Dated / 2012

Copy forwarded to the Superintendent, Govt. Press, Doranda, Ranchi for publication in the next issue of Gazette and supply 200 copies to the undersigned.

Sd/-
Deputy Secretary to Govt.

Memo No:..............................
Ranchi, Dated / 2012

Copy forwarded to the Accountant General, Jharkhand, Ranchi/Principal Secretary to Governor of Jharkhand/Principal Secretary to the Chief Minister of Jharkhand/All Principal Secretaries/Secretaries/Head of Department, Jharkhand/Registrar General, Jharkhand, High Court, Ranchi/All Divisional Commissioners, Jharkhand/ Director General & Inspector General of Police, Jharkhand, Ranchi/Director/Asst. Director, Directorate of Prosecution, Jharkhand, Ranchi/All D.Cs/S.S.Ps/S.Ps., Jharkhand for information & necessary action please.

Sd/-
Deputy Secretary to Govt.

Memo No:..............................
Ranchi, Dated 05/08/2012

Copy forwarded to Addl. Secretary, Ministry of Home Affairs (CS Division) Government of India, North Block, New Delhi for information please.

Deputy Secretary to Govt.
NOTIFICATION

No. HD 1 PCB 2011, Bangalore, Dated: 22-02-2011

Whereas sub-section (1) of section 357 of the Code of Criminal Procedure, 1973, mandates for the State Government to prepare a scheme in co-ordination with the Central Government for providing funds for the purpose of compensation to the victims or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation:

Now, therefore, in exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Karnataka hereby frames the following scheme for providing funds for the purpose of compensation to the victims or their dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:

1. Title and Commencement.- (1) This scheme may be called the Karnataka Victim Compensation Scheme, 2011.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions.- In this scheme, unless the context otherwise requires:-

(a) "Act" means the Code of Criminal Procedure, 1973 (Central Act 2 of 1974);

(b) "District Authority" and "State Authority", means the District Legal Service Authority and State Legal Service Authority as defined under the Legal Services Authority Act, 1987, (Central Act 39 of 1987);

(c) "Schedule" means schedule appended to this scheme;

(d) "State" means the State of Karnataka.

(e) "Victim" means a person who himself has suffered loss or injury as a result of crime and require rehabilitation and includes his dependents who had suffered loss or injury as a result of the crime and who require rehabilitation.
3. Victims Compensation Fund.— (1) There shall be a Fund called the Victims Compensation Fund.

(2) There shall be credited to the said fund:

(i) all grants, contributions, donations and gifts made by the Central Government, State Government, any local authority or anybody, whether incorporated or not, or any person;

(ii) all other sums received by or on behalf of the victims compensation from any source whatsoever.

(3) Except as otherwise directed by the State Government all moneys credited to the Fund shall be invested in any Scheduled Bank or in the State Government Treasury.

4. Application of the Victims Compensation Fund.— The fund shall be applied for carrying out the purposes of this Scheme.

5. Grant by the State Government.— The State Government may every year make a grant to the fund of a sum equivalent to the expenses of the previous year or the probable expenditure requested by the State Legal Service Authority.

6. Eligibility for Compensation.— A victim shall be eligible for the grant of compensation if—

(1) the offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply for grant of compensation under sub-section (4) of section 357-A of the Act.

(2) the victim/claimant report the crime to the officer-in-charge of the police station within 48 hours of the occurrence or any senior police officer or Executive Magistrate or Judicial Magistrate of the area.

Provided that the District Legal Service Authority, if satisfied, for reasons to be recorded in writing, may condone the delay in reporting.

(3) the victim/claimant shall co-operate with the police and prosecution during the investigation and trial of the case.

7. Procedure for Grant of Compensation.— (1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent under sub-section (2) of section 357-A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to the victim and arising out of the reported criminal activity and the District Legal Service Authority may call for any other relevant information necessary in order to determine genuineness of the claims. After verifying the claim, the District Legal Service Authority shall after due enquiry award compensation within two months, in accordance with the provisions of this scheme.

(2) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgement at a later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, is paid or recovered and paid to the
Claimant shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of section 357 of the Act, whichever is less. An undertaking to this effect shall be given by the victim/claimant before the disbursal of the compensation amount.

(3) The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case.

(4) The quantum compensation to be awarded to the victim or his dependents shall not exceed the maximum limit specified in Schedule 1.

(5) The amount of compensation decided under the Scheme shall be disbursed to the victim or his dependents as the case may be, from the Fund through cheque.

(6) Compensation received by the victim from the State in relation to the crime in question, namely insurance, ex-gratia and/or payment received under any other Act or State-run scheme that includes compensation awarded by State/National Human Rights Commissions or any Court/Commission shall be considered as part of the compensation amount under this scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount only shall be paid out of Fund.

(7) The cases covered under Motor Vehicle Act, 1988, (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(8) The District Legal Services Authority, to alleviate the suffering of the victims, may order for immediate first-aid facility or medical benefits to be made available free of cost on the Certificate of the Police Officer not below the rank of the Officer-in-charge of the police station or Magistrate of the area concerned or any other interim relief as it may deem fit.

(9) The District Legal Service Authority shall not allow any participation or representation by a legal practitioner or any other person or institution or Non-Governmental Organisation on behalf of the victim/claimant.

(10) If a victim or his dependents have obtained an order sanctioning compensation under this scheme based on false/vexatious/fabricated complaint which is so held by the trial Court, the compensation awarded shall be recovered with 15% interest per annum.

8. Order to be placed on record. Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to pass order of compensation under subsection (3) of section 357 of the Act.

9. Limitation. No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Act shall be entertained after a period of twelve months from the date of the crime.
Provided that the District Legal Authority, if satisfied for the reasons to be recorded in writing, may condone the delay in filing the claim.

10. **Appeal.** Any victim, aggrieved of the denial of compensation by the District Legal Service Authority may file an appeal before the State Legal Service Authority within a period of ninety days:

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

### SCHEDULE

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particulars of Loss or Injury due to Crime</th>
<th>Maximum limit of quantum of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of life</td>
<td>₹2,00,000/-</td>
</tr>
<tr>
<td>2</td>
<td>Loss of any limb or part of body resulting 80% or above handicap</td>
<td>₹1,00,000/-</td>
</tr>
<tr>
<td>3</td>
<td>Loss of any limb or part of body resulting 40% &amp; below 80% handicap</td>
<td>₹50,000/-</td>
</tr>
<tr>
<td>4</td>
<td>Rape of Minor</td>
<td>₹50,000/-</td>
</tr>
<tr>
<td>5</td>
<td>Rehabilitation necessitated due to damage to house, vehicle etc.</td>
<td>₹40,000/-</td>
</tr>
<tr>
<td>6</td>
<td>Loss of any limb or part of body resulting below 40% handicap</td>
<td>₹20,000/-</td>
</tr>
<tr>
<td>7</td>
<td>Grievous injuries other than the injuries mentioned above</td>
<td>₹10,000/-</td>
</tr>
<tr>
<td>8</td>
<td>Women and Child victims in cases like human trafficking, who themselves or their dependents have suffered separation, dislocation and disturbance</td>
<td>₹10,000/-</td>
</tr>
</tbody>
</table>

By Order and in the name of the Governor of Karnataka,

**M.M. Hiremath**  
Under Secretary to Government,  
Home Department (Crimes)
GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G. O. (Ms.) No. 37/2014/Home.

Dated, Thiruvananthapuram, 24th February, 2014
12th Kumbham, 1189.

S. R. O. No. 167/2014.—In exercise of the powers conferred by section 357A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Kerala, in co-ordination with the Central Government, hereby make the following scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:—
1. **Short title and commencement.**—(1) This scheme may be called the Kerala Victim Compensation Scheme, 2014.

   (2) It shall come into force at once.

2. **Definitions.** In this scheme, unless the context otherwise requires,—

   (a) “applicant” means a victim or the dependent of a victim who applies for compensation;

   (b) “Code” means the Code of Criminal Procedure, 1973 (Central Act 2 of 1974);

   (c) “Fund” means the Victim Compensation Fund constituted under paragraph 3;

   (d) “injury” means any injury specified in the Schedule;

   (e) “loss”, includes loss to property or occurred as a result of an injury;

   (f) “probation officer” means an officer appointed by the State Government as a probation officer under section 13 of the Probation of Offenders Act, 1958 (20 of 1958);

   (g) “Schedule” means the Schedule appended to this scheme;

   (h) “State” means the State of Kerala;

   (i) “victim” means a person who has suffered any loss or injury caused by reason of the act or omission on the part of the accused and who requires rehabilitation under this scheme and includes the guardian or legal heir of such person, but does not include a person who is responsible for injury to such person;

   (j) “Dependent” includes wife, husband, father, mother, unmarried daughter and minor children of victim as determined by the authority empowered to issue dependency certificate or any other authority authorised by Government in this regard;

   (k) All other words and expressions used herein and not defined, but defined in the Criminal Procedure Code, 1973 (Central Act 2 of 1974), Indian Penal Code, 1860 (Central Act 45 of 1860) or the Kerala General Clauses Act have the same meanings respectively as assigned to them in the said Acts.
3. Constitution of Victim Compensation Fund.—(1) There shall be a Fund to be constituted, namely, the "Victim Compensation Fund".

(2) the Victim Compensation Fund shall consist of:

(a) budgetary allocation made in the annual budget by the State;

(b) receipt of amount of fines imposed under section 357 of the Code;

(c) donations and contributions received from International or National Charitable Institutions, organisations and individuals.

(3) The amount in the Fund shall be held in Public Account under the new head of account.

(4) The existing head of account in which the fines and fees are deposited as per section 357 of the Code have to be credited to the newly opened head of account.

(5) The Home Department shall be the Nodal Department for regulating, administering and monitoring the scheme.

(6) The Fund shall be operated by the Member-Secretary, Kerala State Legal Services Authority.

(7) The State Legal Services Authority shall be accountable for its functions under the scheme and for furnishing periodical returns of the amounts allotted to them by the State Government through the Nodal Department.

4. Eligibility for Compensation.—The victim or his dependent shall be eligible for compensation under the scheme in the following cases, namely:

(a) where a recommendation is made by the Court under sub-section (2) or sub-section (3) of section 357 A of the Code;

(b) where the trial Court makes a recommendation, on conclusion of the trial, when it is satisfied that the compensation awarded under section 357 of the Code is not adequate for such rehabilitation or where the case ends in acquittal or discharge and the victim has to be rehabilitated;

(c) where the offender is not traced or identified, but the victim is identified and where no trial takes place and in which case, the victim or his dependent may make an application to the District Legal Services Authority;
(d) employees of Central or State Governments, Boards, Corporations, Public Sector Undertakings and those whose family income exceeds the creamy layer limit fixed by the respective Governments from time to time "will not be eligible;

(e) the crime, on account of which the compensation is to be paid under the scheme, should have been occurred within the State.

Exception.—In case, the crime has occurred outside the State and the victim is found within the limit of the State, he/she shall be eligible for interim relief contemplated under sub-section (6) of section 357A of the Code.

5. Procedure for grant of compensation.—(1) On receipt of the recommendation by the trial court or on application under sub-section (4) of section 357A of the Code, the State or the District Legal Services Authority shall, after due enquiry through appropriate authority as deemed fit by the State or the District Legal Services Authority, award adequate compensation by completing the enquiry within two months.

(2) The District Legal Services Authority shall examine and verify the contents of the claim with regard to the loss or injury caused to the victim and arising out of the crime. The Authority may call for any relevant information necessary to determine the genuineness of the claim. After verifying the claim and conducting due enquiry, the District Legal Services Authority shall award adequate compensation within two months, in accordance with the provisions of the scheme.

(3) The District Legal Services Authority may order for immediate first-aid facility or medical benefits to be made available free of cost, on the certificate of the Police Officer not below the rank of an officer-in-charge of the police station or a Judicial or Executive Magistrate or a competent medical officer of the area concerned or any other interim relief as deemed fit by the Authority.

(4) The amount of compensation will be decided by the District Legal Services Authority based on the standard criteria given in the Schedule appended to the scheme.

(5) Compensation shall be paid as a single lump sum or in two instalments as decided by the District Legal Services Authority.

(6) The District Legal Services Authority shall decide the quantum of compensation under sub-section (2) and (3) of section 357 A of the Code within sixty days of the receipt of the recommendation.

(7) The District Legal Services Authority shall decide the quantum of compensation on the basis of loss caused to the victim, medical expenses
arrived on treatment, minimum sustenance amount required for rehabilitation including incidental charges like funeral expenses.

(8) In the case of compensation to victim of rape/victim under trauma, the matter shall be informed to the probation officer in the district concerned for effective rehabilitation and continuous evaluation.

(9) If the trial court, while passing judgment at a date later than the award of compensation, order the accused person to pay any amount by way of compensation under sub-section (3) of section 357 of the Code, the accused person shall remit an amount equal to the amount of compensation or the amount ordered to be paid under sub-section (3) of section 357 of the Code, whichever is less. An undertaking to this effect shall be given by the victim or his claimant before the disbursal of the compensation amount.

(10) The amount of compensation decided under the scheme shall be disbursed to the victim or his dependent from the Victim Compensation Fund. Compensation received by the victim from the State in relation to crime in question, namely, insurance, ex-gratia or payment received under any other Act or any other State scheme, shall be considered as part of the compensation amount under this scheme. The victim or his dependent who has received compensation amount from collateral sources mentioned above shall be deemed to have been compensated under this scheme and shall not be entitled to separate compensation under this scheme. If the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of the Fund.

(11) The cases covered under the Motor-Vehicles Act, 1988 (Central Act 59 of 1988) wherein compensation is to be awarded by the Motor Accidents Claims Tribunal, shall not be covered under the scheme.

(12) Copy of the order of compensation passed by the District Legal Services Authority under this scheme shall be placed on record of the trial court to enable the court to pass an order of compensation under sub-section (3) of section 357 of the Code.

(13) The District Legal Services Authority, shall institute proceedings before the competent court of law for recovery of the compensation, granted to the victim or his dependent, from the accused if found ineligible later.

6. Disbursement of compensation.—(1) Disbursement of compensation will be done through the Aadhar linked bank account.
(2) In the case of a victim who is a minor, the amount of compensation awarded shall be deposited in the account of the minor as fixed deposit, to be withdrawn only on attainment of his majority. In exceptional cases, the amount of compensation can be withdrawn for educational or medical needs of the beneficiary by the competent person as decided by the District Legal Services Authority/Appeal Authorities.

(3) In case of said attack a sum of ₹ 1 lakh (one lakh) shall be paid to such victim within 15 days of such incidents.

7. Rejection, withholding or reduction of compensation.—The District Legal Services Authority may reject, withhold or reduce the award of compensation where the Authority considers that:

(a) the applicant failed to inform the crime to the Police Officer without reasonable delay;

(b) the applicant failed to co-operate with the police officer or other authority in bringing the accused before justice;

(c) the applicant failed to give all reasonable assistance to the District Legal Services Authority or other related authorities in connection with the application;

(d) the eligibility of the victim as shown by the facts and circumstances of the case does not justify award of compensation.

8. Dependency Certificate.—The Tahsildar concerned or the authority designated as competent authority by the Government from time to time, shall issue Dependency Certificate within a period of fifteen days from the date of receipt of the application.

9. Limitation.—No claim made by the victim or his dependent under sub-section (4) of section 357 A of the Code shall be entertained after a period of one hundred and eighty days from the occurrence of the crime. The District Legal Services Authority, if satisfied, for reasons to be recorded in writing, may condone the delay in filing the said claim.

10. Appeal.—(1) Any victim or his dependents aggrieved by the rejection of his/her claim by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days;

(2) A second appeal shall lie to Government in Home Department against the decision of 1st Appeal Authority, viz. State Legal Services Authority within a period of 30 days from the date of decision of the first Appeal.
Authority and the decision of Second Appeal Authority shall be final:

Provided that the State Legal Services Authority/Government if satisfied, for sufficient reasons to be recorded in writing, may condone the delay in filing the appeal.

(3) A decision made by the District Legal Services Authority and accepted by the applicant will normally be considered as final.

The State Legal Services Authority/Government may, however, subsequently re-open a case where there has been such a material change in the medical condition of the victim that injustice would occur if the original assessment of compensation were allowed to stand, or where the victim has died in consequence of the injury.

**Schedule**

**Compensation to Victims for Injury/Loss**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Description of Injury/loss</th>
<th>Amount of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Death</td>
<td>Maximum upto ₹ 5 lakhs</td>
</tr>
<tr>
<td>2</td>
<td>Culpable homicide not amounting to murder</td>
<td>Maximum upto ₹ 3 lakhs</td>
</tr>
<tr>
<td>3</td>
<td>Causing death by negligence</td>
<td>Maximum upto ₹ 2 lakhs</td>
</tr>
<tr>
<td>4</td>
<td>Dowry related violence</td>
<td>Maximum upto ₹ 2 lakhs</td>
</tr>
<tr>
<td>5</td>
<td>Permanent Disability (80% or more)</td>
<td>Maximum upto ₹ 3 lakhs</td>
</tr>
<tr>
<td>6</td>
<td>Partial Disability (40% to 80%)</td>
<td>Maximum upto ₹ 1 lakh</td>
</tr>
<tr>
<td>7</td>
<td>Burns affecting greater than 25% of the body</td>
<td>Maximum upto ₹ 2 lakhs</td>
</tr>
<tr>
<td>8</td>
<td>Burns affecting less than 25% of the body</td>
<td>Maximum upto ₹ 20,000</td>
</tr>
<tr>
<td>9</td>
<td>Loss of foots</td>
<td>Maximum up to ₹ 50,000</td>
</tr>
<tr>
<td>10</td>
<td>Physical abuse of minor</td>
<td>Maximum up to ₹ 50,000</td>
</tr>
<tr>
<td>11</td>
<td>Rape</td>
<td>Maximum up to ₹ 3 lakhs</td>
</tr>
<tr>
<td>12</td>
<td>Sexual assault</td>
<td>Maximum up to ₹ 50,000</td>
</tr>
<tr>
<td>13</td>
<td>Fracture/dislocations</td>
<td>Maximum up to ₹ 1.5 lakhs</td>
</tr>
</tbody>
</table>
Madhya Pradesh Crime Victim Compensation Scheme, 2015

S.No. 1686-2015-two-C-1.—

In exercise of the powers conferred by section 357A of the Code of Criminal Procedure, 1973 (2 of 1974), the State Government in co-ordination with the Central Government, hereby make the following scheme for providing funds for the purpose of compensation and deciding the quantum of compensation to the crime victims or their dependents, according to their financial status, who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:-

1. Short title, extent and commencement. —
   (a) This scheme may be called the Madhya Pradesh Crime Victim Compensation Scheme, 2015.
   (b) It shall extend to the whole State of Madhya Pradesh.
   (c) It shall come into force from the date of its publication in the Madhya Pradesh Gazette.

2. Definitions. - In this scheme, unless the context otherwise requires,—
   (a) "applicant" means a victim or the dependent of a victim who applies for compensation;
   (b) "Code" means the Code of Criminal Procedure, 1973 (No. 2 of 1974);
   (c) "Fund" means the Victim Compensation Fund constituted under para 3 of the said Scheme;
   (d) "injury" means any injury specified in the Schedule appended to this Scheme;
   (e) "loss", includes loss to any property occurred as a result of an injury caused by reason of the criminal act or omission on the part of the accused;
   (f) "offence" means, any act or omission made punishable by any law for the time being in force and includes any act in respect of which a complaint may be made under section 20 of the Cattle-trespass Act, 1871 (No. 1 of 1871);
(g) "probation officer" means an officer appointed by the State Government as a Probation Officer under section 13 of the Probation of Offenders Act, 1958 (No. 20 of 1958);

(h) "schedule" means the Schedule appended to this scheme;

(i) "State" means the State of Madhya Pradesh:

(j) "victim" means a person who has suffered any loss or injury caused by reason of the criminal act or omission on the part of the accused and who requires rehabilitation under this scheme and includes the guardian or legal heir of such person, but does not include a person who is responsible for injury to such person;

(k) "dependent" means and includes wife, husband, father, mother, unmarried daughter and minor children of victim as determined by the authority empowered to issue dependency certificate or any other authority authorized by Government in this regard;

(l) all other words and expressions used herein and not defined, but defined in the Criminal Procedure Code, 1973 (No. 2 of 1974), Indian Penal Code, 1860 (No. 45 or 1860) or the Madhya Pradesh General Clauses Act have the same meanings respectively as assigned to them in the said Acts.


(a) There shall be constituted a Fund to be called by the "Victim Compensation Fund"

(b) The Victim Compensation Fund shall consist of:

   (i) Budgetary allocation made in the annual budget by the State;

   (ii) Receipt of amount of fines imposed under section 357 of the Code;

   (iii) Donations and contributions received from International or National Charitable Institutions, Organizations and individuals.

(c) The amount in the Fund shall be deposited in Public Account under a new head of account.
(d) The existing head of account in which the fines and fees are deposited as per section 357 of the Code have to be credited to the newly opened head of account.

(e) The Home Department shall be the Nodal Department for regulating, administering and monitoring the said scheme.

(f) The Member-Secretary of the Madhya Pradesh State Legal Services Authority shall operate the fund constituted under the Scheme.

(g) The State Legal Service Authority shall be accountable for its functions under the scheme and also for furnishing periodical returns of the amounts allotted to them by the State Government through the Nodal Department.

4. Monitoring of Scheme:- For the purpose of monitoring the scheme the State and District level Committees shall be constituted and shall consist of the following:-

**State Level Committee**

(i) Principal Secretary, Government of Madhya Pradesh Home Department - Chairman

(ii) Principal Secretary, Government of Madhya Pradesh Law and Legislative Affairs Department - Member

(iii) State Legal Services Authority, Government of Madhya Pradesh - Member

(iv) Deputy Secretary, Government of Madhya Pradesh Home Department - Secretary

**District Level Committee**

(i) District and Sessions Judge of the District - Chairman

(ii) District Magistrate of the District - Member

(iii) District Superintendent of Police of the District - Member

(iv) District Legal Services Authority - Secretary

(a) The State Level Committee shall hold quarterly meeting to review the pendency of applications and appeals.
The State Legal Service Authority, shall present state level data after collecting the data from the concerned district and shall submit to the State Level Committee.

(c) The district level committee shall meet and review the pending cases in the first week of every month.

5. Eligibility for Compensation.—

The victim or his dependent shall be eligible for compensation under the scheme in the following cases, namely:

(1) Where a recommendation is made by the Court under sub-section (2) or sub-section (3) of section, 357 A of the Code, the District Legal Services Authority or State Legal Services Authority will decide the amount of compensation.

(2) Where the trial Court makes a recommendation, on conclusion of the trial, when it is satisfied that the compensation awarded under section 357 of the Code is not adequate for such rehabilitation or where the case ends in acquittal or discharge and the victim has to be rehabilitated, or

(3) Where the offender is not traced or identified, but the victim is identified and where no trial takes place or the Trial Court has not passed any order for award/compensation to the victim and in which case, the victim or his dependent may make an application to the District Legal Services Authority;

(4) The crime, on account of which the compensation is to be paid under the scheme, should have been occurred within the State or crime started in the State.
Exception.—In case, the crime has occurred outside the State and the victim is found within the limit of the State, he shall be eligible for interim relief contemplated under sub-section (6) of section 357-A of the Code.

6. Procedure for grant of compensation.—

(1) On receipt of the recommendation by the trial court, Appellate Court, High Court or Court of Session when exercising its power on application under sub-section (4) of section 357-A of the Code, the State or the District Legal Services Authority shall, after due enquiry through appropriate authority as deemed fit by the State or the District Legal Services Authority, award adequate compensation by completing the enquiry within two months.

(2) The District Legal Services Authority shall examine and verify the contents of the claim with regard to the loss or injury caused to the victim and arising out of the crime. The Authority may call for any relevant information's necessary to determine the genuineness of the claim. After verifying the claim and conducting due enquiry, the District Legal Services Authority shall award adequate compensation within two months, in accordance with the provisions of the scheme.

(3) The District Legal Services Authority may order for immediate first-aid facility or medical benefits to be made available free of cost, on the certificate of the Police Officer not below the rank of an officer-in-charge of the police station or a Judicial or Executive Magistrate or a competent medical officer of the area concerned or any other interim relief as deemed fit by the Authority.

(4) The amount of compensation will be decided by the District Legal Services Authority based on the standard criteria given in the Schedule appended to the scheme.
(5) Compensation shall be paid as a single lump sum or in two installments as decided by the District Legal Services Authority.

(6) The District Legal Services Authority shall decide the quantum of compensation under sub-section (2) and (3) of section 357-A of the Code within sixty days of the receipt of the recommendation.

(7) The District Legal Services Authority shall decide the quantum of compensation on the basis of loss caused to the victim, medical expenses occurred on treatment, minimum sustenance amount required for rehabilitation.

(8) In the case of compensation to victim of rape/victim wider trauma, the matter shall be informed to the probation officer in the district concerned for effective rehabilitation and continuous evaluation.

(9) If the trial court, while passing judgment at a date later than the award of compensation, order the accused person to pay any amount by way of compensation under sub-section (3) of section 357 of the Code, the accused person shall remit an amount equal to the amount of compensation or the amount ordered to be paid under sub-section (3) of section 357 of the Code, whichever is less. An undertaking to this effect shall be given by the victim or his claimant before the disbursal of the compensation amount.

(10) The amount of compensation decided under the scheme shall be disbursed to the victim or his dependent from the Victim Compensation Fund. Compensation received by the victim from the State in relation to crime in question, namely, insurance whose premium has been paid by the State or Central Government, ex-gratia or payment received under any other Act or any other State scheme, shall be considered as part of the compensation amount under this scheme. The victim or his
dependent who has received compensation amount from collateral sources mentioned above shall be deemed to have been compensated under this scheme and shall not be entitled to separate compensation under this scheme. If the eligible compensation amount exceeds the payment received by the victim from collateral sources mentioned above, the balance amount shall be paid out of the Fund.

(11) The cases covered under the Motor Vehicles Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accidents Claims Tribunal, shall not be covered under the scheme.

(12) If the annual income of the victim person, from all the sources of income, exceeds Rupees Five Lakh (Rupees 5 Lakh) then, the compensation as given in different categories of Schedule, amount payable would be 50% (Fifty Percent only)

(13) Copy of the order of compensation passed by the District Legal Services Authority under this scheme shall be placed on record of the trial court to enable the court to pass an order of compensation under sub-section (3) of section 357 of the Code.

(14) The District Legal Services Authority, shall institute proceedings before the competent court of law for recovery of the compensation, granted to the victim or his dependent, from the accused if found ineligible later.

7. Disbursement of compensation.

(1) Disbursement of compensation will be done, through the Aadhar linked bank account.

(2) In the case of a victim who is a minor, the amount of Compensation awarded shall he deposited in the account of the minor as fixed deposit,
to be withdrawn only on attainment of his majority. In exceptional cases, the amount of compensation can be withdrawn for educational or medical needs of the beneficiary by the competent person as decided by the District Legal Services Authority / Appeal Authorities.

(3) In case of acid attack a sum of 1 lakh (one lakh) shall be paid to such victim within 15 days of such incidents.

8. Rejection, withholding or reduction of compensation.-

The District Legal Services Authority may reject, withhold or reduce the award of compensation where the Authority considers that:

(a) The applicant failed to inform the crime to the Police Officer without reasonable delay:

(b) The applicant failed to co-operate with the police officer or other Authority to bring the accused before justice;

(c) The applicant failed to give all reasonable assistance to the District Legal Services Authority or other related authorities in connection with the application.

(d) The eligibility of the victim as shown by the facts and circumstances of the case does not justify award of compensation.

9. Dependency Certificate.—

The Tehsildar concerned or the authority designated as competent authority by the Government from time to time, shall issue Dependency Certificate within a period of fifteen days from the date of the application.
10. **Limitation.**—

No claim made by the victim or his dependent under sub-section (4) of section 357 A of the Code shall be entertained after a period of one hundred and eighty days from the occurrence of the crime. The District Legal Services Authority, if satisfied, for reasons to be recorded in writing, may condone the delay in filing the said claim.

11. **Appeal.**—

(1) Any victim or his dependents aggrieved by the rejection of his/her claim by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days;

(2) A second appeal shall lie to Government in Home Department against the decision of 1st Appeal Authority, viz. State Legal Services Authority within a period of 30 days from the date of decision of the first Appeal Authority and the decision of second Appeal Authority shall be final:

Provided that the State Legal Services Authority/Government if satisfied, for sufficient reasons to be recorded in writing, may condone the delay in filing the appeal.

(3) A decision made by the District Legal Services Authority and accepted by the applicant will normally be considered as final; The State Legal Services Authority/Government may, however, subsequently re-open a case where there has been such a material change in the medical condition of the victim that injustice would occur if the original assessment of compensation were allowed to stand, or where the victim has died in consequence of the injury.
## SCHEDULE

### COMPENSATION TO VICTIMS FOR INJURY/LOSS

Note: If annual income of the victim person, from all the sources of income, exceeds Rupees Five Lakh (Rupees 5 Lakh) then, the compensation amount payable would be 50% of the limit prescribed.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Details of Loss or Injury</th>
<th>Maximum limit of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>a. Loss of life (Death)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Death of an earning member</td>
<td>Maximum upto Rs. 4.00 lakh</td>
</tr>
<tr>
<td></td>
<td>b. Death of a non earning member.</td>
<td>Maximum upto Rs. 2.00 lakh</td>
</tr>
<tr>
<td></td>
<td>b. Loss of Fetus</td>
<td>Maximum upto Rs.50,000 and Free medical treatment in Government Hospitals</td>
</tr>
<tr>
<td>2.</td>
<td>In case of permanent disability being 100%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Victim being the earning member</td>
<td>Maximum upto Rs. 3.00 lakh (Free medical treatment in Government Hospital)</td>
</tr>
<tr>
<td></td>
<td>b. Victim not being the earning member</td>
<td>Maximum upto Rs. 1.50 lakh (Free medical treatment in Government Hospital)</td>
</tr>
<tr>
<td>3.</td>
<td>In case of permanent disability being more than 40%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Victim being the earning member</td>
<td>Maximum upto Rs. 2.00 lakh (Free medical treatment in Government Hospital)</td>
</tr>
<tr>
<td></td>
<td>b. Victim not being the earning member</td>
<td>Maximum upto Rs. 1.00 lakh (Free medical treatment in Government Hospital)</td>
</tr>
<tr>
<td>4.</td>
<td>(a) Loss of fertility (due to other criminal incident except rape)</td>
<td>Maximum upto Rs. 1.50 lakh (free medical treatment in Government hospitals)</td>
</tr>
<tr>
<td>----</td>
<td>-------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>(b) Serious injury to vital part of body or surgery</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Victim being the earning member</td>
<td>Maximum upto Rs. 50,000 (Free medical treatment in Government Hospital)</td>
</tr>
<tr>
<td></td>
<td>b. Victim not being the earning member</td>
<td>Maximum upto Rs. 25,000 (Free medical treatment in Government Hospital)</td>
</tr>
<tr>
<td>5.</td>
<td>a. Gang Rape.</td>
<td>Maximum upto Rs. 3.00 lakh and Free medical treatment in Government Hospital</td>
</tr>
<tr>
<td></td>
<td>b. Sexual crime with minors</td>
<td>Maximum upto Rs. 2.00 lakh and Free medical treatment in Government Hospital</td>
</tr>
<tr>
<td>6.</td>
<td>a. Acid attack leading to disfiguration of more than 40%</td>
<td>Maximum upto Rs. 3.00 lakh out of which Rs. 1.00 lakh to be paid within 15 days of intimation date and balance amount Maximum Rs. 2.00 lakh within 2 months and Free medical treatment in Government Hospital</td>
</tr>
<tr>
<td></td>
<td>b. Acid attack leading to disfiguration of less than 40%</td>
<td>Maximum upto Rs. 1.50 lakh out of which Rs. 50,000 to be paid within 15 days of intimation date and balance amount within 2 months and free medical treatment in Government hospital</td>
</tr>
</tbody>
</table>
HOME DEPARTMENT
World Trade Centre, Centre-1, 30th Floor,
Cuffe Parade, Mumbai-400.005, dated the 11th April 2014.

NOTIFICATION


No. CPC. 0211/C.R. 101/POL-7.—In exercise of the powers conferred by section 357A of the Code of Criminal Procedure, 1973 (II of 1974), the Governor of Maharashtra in co-ordination with the Central Government hereby frames the following scheme for providing funds for the purpose of compensation to the victims or their dependents, who have suffered loss or injury as a result of a crime and who require rehabilitation, namely:

1. Short title.—This Scheme shall be called the Maharashtra Victim Compensation Scheme, 2014.

2. Definition.—(1) In this Scheme, unless the context otherwise requires,—

(a) "Code" means the Code of Criminal Procedure, 1973 (II of 1974);
(b) "Schedule" means Schedule appended to this scheme;
(c) "State" means the State of Maharashtra;
(d) "Victim" means a person as defined in clause (wa) of section 2 of the Code of Criminal Procedure, 1973 (II of 1974);
(e) "dependente" means wife, husband, father, mother, unmarried daughter, minor children and includes other legal heirs of the victim who, on providing sufficient proof, is found fully dependent on the victim by the District Legal Services Authority.

(2) Words and expressions used herein and not defined but defined in the Indian Penal Code, 1860 (XLV of 1860) or the General Clauses Act, 1897 (X of 1897) have the same meanings respectively as assigned to them in the Indian Penal Code, 1860 and the General Clauses Act, 1897.

3. Victim Compensation Fund.—(1) There shall be constituted a fund, namely, "the Victim Compensation Fund" from which the amount of compensation under this scheme shall be paid to the victims or their dependents.

(2) The State Government shall allot a separate budget for the purpose of the Scheme every year.

(3) The Victim Compensation Fund shall consist of,—

(a) the receipt of amount of fines imposed under section 357 of the Code and ordered to be deposited by the courts in the Victim Compensation Fund;
(b) the amount of compensation recovered from the wrongdoer or accused under clause 7 of the Scheme;
(c) the donations or contributions from International, National, Philanthropist, Charitable Institutions or Organizations and individuals.

(4) The Victim Compensation Fund shall be operated by the Secretary, Maharashtra State Legal Services Authority.

(5) The Home Department, shall be a Nodal Department for regulating, administering and monitoring this scheme.

(6) The Maharashtra State Legal Services Authority shall be accountable for its functions under the Scheme and for furnishing periodical returns of the sums distributed to them by the State Government through the Nodal Department.
4. **Eligibility for Compensation.**—Victim or his dependents shall be eligible for the grant of compensation where,—

(a) recommendation is made by the Court under sub-section (2) and (3) of section 357A of the Code of the offender is not traced or identified but the victim is identified, and where no trial takes place, such victim or his dependents may apply for grant of compensation under sub-section (4) of the said section 357A of the Code;

(b) the victim or the claimant reports the crime to the Officer-in-charge of the concerned Police Station or Executive Magistrate or Judicial Magistrate of the area within reasonable time;

Provided that, the District Legal Service Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in reporting the crime;

(c) the victim or claimant co-operates with the police and prosecution during the investigation and trial of the case;

(d) the victim is not compensated for the loss or injury under any other scheme of the Central or State Government or any other institution;

(e) the loss of injury sustained by the victim or his dependents have caused substantial loss of income of the family making it difficult to meet their both ends without the financial aid or has to spend beyond his means on medical treatment of mental or physical injury;

(f) the perpetrator of a crime is not traceable or goes unpunished after trial, but the victim is identifiable and has to incur a lot of expenses on physical and mental rehabilitation;

(g) the Crime on account of which the compensation is to be paid under this Scheme has been occurred within the jurisdiction of Maharashtra State; and

(h) the employees of the Central or State Government, Boards, Corporations and Public Undertakings and income tax payees shall not be eligible for compensation under this Scheme.

5. **Procedure for grant of compensation.**—(1) Whenever a recommendation is made by the Court under sub-sections (2) and (3) or an application is made by any victim or his dependents under sub-section (4) of section 357A of the Code to the District Legal Service Authority or the State Legal Service Authority, as the case may be, the District Legal Service Authority or the State Legal Service Authority, shall examine the case and verify the contents of the claims with regard to the loss or injury arising out of the victim or claimant and the loss or injury arising out of the reported criminal activity, and may call for any other relevant information necessary in order to determine the genuineness of the claim. After verifying the claim and due inquiry, the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall, award adequate compensation by competing the enquiry within two months, in accordance with the provisions of this Scheme.

(2) The District Legal Service Authority or the State Legal Service Authority, as the case may be, upon its satisfaction, shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of the loss caused to the victim, medical expenses incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on the facts of each case.

(3) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the Code, the victim of the claimant shall remit an amount equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of section 357 of the Code, whichever is less. An undertaking to this effect shall be given by the victim or the claimant before the disbursal of the compensation amount.
(4) The quantum of compensation decided by the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall be disbursed to the victim or his dependents, as the case may be, from the Fund. While making payment of the amount of compensation, the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall ensure that all the provisions of the Scheme are strictly complied with.

(5) Compensation received by the victim from the Central or State Government, Insurance Company or any other institution in relation to the crime in question, namely, Insurance, ex gratia and/or payment received under any other Act or State run Scheme, shall be considered as a part of the compensation amount under this Scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned; the balance amount shall be paid out of the Fund.

(6) In fixing the quantum of compensation regard must be had to the minimum wages and the Schedule appended to the Motor Vehicles Act, 1988.

(7) The cases covered under the Motor Vehicles Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(8) The quantum of compensation to be awarded to the victim or his dependents shall not exceed the maximum limit as per the Schedule.

(9) If a victim or his dependents have obtained an order sanctioning compensation under this Scheme based on false, vexatious or fabricated complaint which is so held by the trial Court, the compensation awarded shall be recovered with fifteen per cent interest per annum.

(10) The State or the District Legal Services Authority, as the case may be, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical treatment to be made available free of cost if a certificate of the police officer not below the rank of the Officer-in-charge of the police station or a Magistrate of the area concerned, has been produced to the medical authority concerned or any other interim relief as the appropriate authority, deems fit.

6. Order to be placed on record.—Copy of the order of compensation passed under this Scheme shall be placed on record of the trial Court to enable the Court to pass an order of compensation under sub-section (3) of section 357 of the Code.

7. Recovery of compensation awarded to the victim from wrongdoer or accused.—The District Legal Services Authority, if deem fit proper, may institute proceedings before the competent Court of law for recovery of the compensation granted to the victim or his dependents(s) from the person responsible for causing loss or injury as a result of the crime committed by him.

8. Limitation.—No claim made by the victim or his dependents under sub-section (4) of section 357A of the Code shall be entertained after a period of six months of the crime:

Provided that, the District Legal Service Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

9. Appeal.—Any victim aggrieved by the denial of compensation by the District Legal Service Authority may file an appeal before the State Legal Service Authority within a period of ninety days:

Provided that, the State Legal Service Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.
<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Particulars of loss or injury</th>
<th>Maximum limit of compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of Life</td>
<td>Rs. 2.00 lacs</td>
</tr>
<tr>
<td>2.</td>
<td>Permanent Disability</td>
<td>Rs. 0.50 lacs</td>
</tr>
<tr>
<td>3.</td>
<td>Acid Attack</td>
<td>Rs. 3.00 lacs</td>
</tr>
</tbody>
</table>

The following expenses shall be payable in addition to compensation outlined above:

1. Funeral expenses-Rs. 2,000.
2. Medical expenses-Actual expenses incurred before death or on account of permanent disability by bills or vouchers but not exceeding Rs. 15,000.

By order and in the name of the Governor of Maharashtra,

Dr. AMITABH RAJAN,
Additional Chief Secretary to Government.
Government of Manipur
Secretariat: Home Department

Notification
Imphal, the 1st August, 2011

No. 4/14(R-14)/2010-H(Reh) - In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Manipur in co-ordination with the Central Government hereby frames the following scheme for providing funds for the purpose of compensation to the victim or his dependants who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:

1. Short title: This scheme may be called the Manipur Victim Compensation Scheme, 2011.

2. Definitions - In this scheme, unless the context otherwise requires,

(a) "Act" means the Code of Criminal Procedure, 1973 (2 of 1974);
(b) "Schedule" means Schedule appended to this Scheme;
(c) "State" means State of Manipur;
(d) "Victim" means a person who himself has suffered loss or injury as a result of crime and require rehabilitation and includes dependent family members.

3. Victim Compensation Fund:
(1) There shall be constituted a fund namely Victim Compensation Fund from which amount of compensation under this scheme shall be paid to the victim or his dependants who have suffered loss or injury as a result of the crime and who require rehabilitation.

(2) The State Government shall allot a separate budget for the purpose of the scheme every year.

(3) The Fund shall be operated by the Secretary, State Legal Services Authority.
4. Eligibility for Compensation:
   A victim shall be eligible for the grant of compensation if:
   (a) the offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply for grant of compensation under sub-section (4) of section 357-A of the Act;
   (b) the victim/claimant reports the crime to the Officer-in-Charge of the concerned Police Station, Magistrate or Judicial Magistrate of the area provided that the District Legal Service Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in reporting;
   (c) the victim/claimant cooperate with the police and prosecution during the investigation and trial of the case.

5. Procedure for Grant of Compensation:
   (1) Wherever a recommendation is made by the Court or an application is made by any victim or his dependent under sub-section (2) of section 357-A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. After verifying the claim, the District Legal Service Authority shall after due enquiry award compensation within two months, in accordance with provisions of this Scheme.
   (2) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at a later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, the victim/claimant shall remit an amount equal to the amount of compensation or the amount ordered to be paid under the said sub-section (3) of section 357 of the Act, whichever is less. An undertaking to this effect shall be given by the victim/claimant before the disbursement of the compensation amount.
   (3) The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or his dependants on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum maintenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case.
   (4) The quantum of compensation to be awarded in the Scheme shall be disbursed to the victim or his dependants, as the case may be, from the Fund.
   (5) Compensation received by the victim from the State in relation to the crime in question, namely insurance, ex-gratia paid or payment received under any other Act or
State-run scheme, shall be considered as part of the compensation amount under these rules and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of the Fund.

(6) The cases covered under Motor Vehicle Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(7) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the Officer-in-Charge of the police station or Magistrate of the area concerned, any other interim relief as it may deem fit,

6. Order to be placed on record: Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the court to pass order of compensation under sub-section (3) of section 357 of the Act.

7. Limitation - No claim made by the victim or his dependants under sub-section (4) of section 357 - A of the Act shall be entertained after a period of six months of the crime:

Provided that the District Legal Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

8. Appeal: Any victim aggrieved of the denial of compensation by the District Legal Service Authority may file an appeal before the State Legal Service Authority within a period of ninety days:

Provided that the State Legal Service Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

9. This issues in consultation with Law and Finance Departments and with the prior approval of the State Cabinet.
### SCHEDULE-I

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particular of Loss or Injury</th>
<th>Maximum Limit of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of Life</td>
<td>Rs. 1,00 Lac</td>
</tr>
<tr>
<td>2.</td>
<td>Loss of any limb or part of body resulting 80% or above handicap.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Victim of acid attack</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>4.</td>
<td>Loss of any limb or part of body resulting 40% &amp; below 80% handicap.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Rape of Minor</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>6.</td>
<td>Rape</td>
<td>Rs. 20,000/-</td>
</tr>
<tr>
<td>7.</td>
<td>Rehabilitation</td>
<td>Rs. 20,000/-</td>
</tr>
<tr>
<td>8.</td>
<td>Loss of any limb or part of body resulting below 40% handicap.</td>
<td>Rs. 10,000/-</td>
</tr>
<tr>
<td>9.</td>
<td>Loss of injury causing severe mental agony to women and children in case like Human Trafficking</td>
<td>Rs. 10,000/-</td>
</tr>
<tr>
<td>10.</td>
<td>Simple injury to Child victim.</td>
<td>Rs. 10,000/-</td>
</tr>
</tbody>
</table>

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M. YAISKUL MEITEI,  
Additional Secretary (Home),  
Government of Manipur.
PART-IIA

GOVERNMENT OF MEGHALAYA
ORDERS BY THE GOVERNOR

NOTIFICATIONS
The 8th August, 2014.

No.POL.191/2004/Pt-I/281 - In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (2 of 1974) and the spirit thereof, the Governor of Meghalaya is pleased to institute the following scheme to provide Fund for the purpose of awarding compensation to the victim or his dependent(s) who have suffered loss or injury or require rehabilitation as a result of the offence:

1. Short titles extent and commencement:

i) This scheme shall be called The Meghalaya Victim Compensation Scheme, 2014

ii) It shall extend to the whole of the State of Meghalaya.

iii) It shall come into force at once.

2. Objectives of the Scheme:

The Scheme aims at providing:

a) Financial assistance to the victim; and

b) Support services such as shelter, counselling, medical aid, legal assistance, education and vocational training depending upon the needs of the victim;

c) The Scheme shall apply to the victims and their dependent(s) who have suffered loss, injury, as the case may be, as a result of the crime and who require rehabilitation.
3. Beneficiaries:

The Scheme shall cover the victim and in case of death of the victim, his dependants or the member(s) of the family of the victim who have suffered atrocity resulting from the crime.

4. Definition:

In the scheme, unless the subject or context otherwise requires:

a) "State" means State of Meghalaya;

b) 'Government' means Government of Meghalaya;

c) "Act" or "Code" means the Code of Criminal Procedure, 1973 (2 of 1974);

d) "Fund" means the Victim Compensation Fund;

e) 'Victim Compensation' means the amount payable to the victim and in the case of the death of the victim, to the dependents or legal heirs of the victim;

f) Authority means "the District Legal Services Authority" and "the State Legal Services Authority" and it shall respectively mean the District Legal Services Authority and the State Legal Services Authority constituted under section 9 and section 6 of the Legal Services Authority Act, 1987 respectively;

g) "Schedule" means the Schedule appended to this Scheme;

h) "Loss or Injury" means the loss or injury as defined in Column 2 of the Schedule;

i) The pronoun "he" and its derivatives as used in this Scheme include any person, whether male or female;

j) "victim" means a person who has suffered loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression 'victim' includes in case of death of the victim, the guardian or legal heir;

5. Victim Compensation Fund

There shall be constituted a fund to be named the "Victim Compensation Fund" from which the amount of compensation awarded under this scheme shall be paid to the victim or his guardian or legal heir who have suffered loss or injury as a result of the crime and who require rehabilitation. The compensation as decided by the Meghalaya State Legal Services Authority or the District Legal Services Authority as the case may be, shall be paid to the victim or his guardian or legal heir who have suffered loss or injury and require rehabilitation as a result of the crime.
ii. The Fund shall be operated by the Secretary, State Legal Services Authority and shall be constituted out of the following funds.

a. Grants from the Central Government, State Government or any local authority;

b. Subscriptions, donations and contributions received from any individual or bodies; whether incorporated or not, or international, national, philanthropist, charitable institutions or organizations;

c. Money received in compliance to any court order;

d. Budgetary allocation for which necessary provision has been made in the annual budget by the Government;

e. Fines imposed under Section 357 of the Code of Criminal Procedure, 1973 (1 of 1974) and ordered to be deposited by the courts in the Victim Compensation Fund;

f. Amount of compensation recovered from the wrongdoer or accused under the provisions of this Scheme.

6. **Conditions for compensation:**

(i) Victim shall be eligible for the grant of compensation if ordered by the Court.

(ii) Under this Scheme, the victim or guardian or legal heir, as the case may be, shall be entitled to financial assistance and restorative support services if one of the following criteria is satisfactorily fulfilled:

(a) If the offender is not traced or identified, the victim may also apply for grant of compensation under sub-section (4) of section 357-A of the Act to meet expenses for physical and mental rehabilitation.

(b) The victim or claimant must report the crime to the officer-in-charge of the local Police Station or to the Magistrate having jurisdiction before making claim for compensation or suo moto cognizance taken of the crime by the police under whose jurisdiction the offence was committed.

(c) The victim or claimant (in the case of death of victim) shall fully cooperate with the police and prosecution from the stage of investigation till conclusion of trial of the case. Turning hostile or refusing to depose or failure to appear during trial shall be considered to be non cooperation.

(d) The crime must be one in which the victim sustains mental or bodily injury or dies.

(e) The death or permanent incapacitation of the victim was not the result of suicide or self-inflicted of bodily or mental injury or a result of the victim's own wrong doing.

(f) The victim has not been compensated for the loss or injury under any other scheme of the Central or the State Government or Insurance Company or any other institutions.
(g) Perpetrators of the crime or his dependent will not be eligible to any compensation under the scheme

[Explanation: The victim shall inform the authority the details of claims for compensation made under any other scheme or from any other source. The victim may exercise option to choose another scheme of Government, if the same is more beneficial to him. The victim will not be entitled to lay claim to both benefits and part benefit from one scheme and part from another.]

7. Procedure for grant of compensation

i) Wherever a recommendation is made by the Court or an application is made by any victim or his dependent under sub-sections (2) or (3) of section 357-A of the Cr.P.C., 1973, to the District Legal Services Authority, it shall examine the claim and verify the contents of the same with regard to the loss or injury caused to the victim arising out of the reported criminal activity and shall also call for medical report, FIR and related records, copy of Final Form of the investigation or any other information necessary in order to determine the claim. Such information may relate to the loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses.

ii) On being satisfied after due inquiry, the District Legal Services Authority shall determine the quantum of compensation within two months, within the ceiling of compensation fixed in the Schedule:

Provided that if the compensation awarded by the court exceeds the maximum limit, the amount of compensation so awarded shall be paid irrespective of maximum ceiling provided in the Schedule.

8. Mode of payment:

i) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at a later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the CrPC, the victim or claimant (in the case of death of victim) shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of section 357 of the code, whichever is less. An undertaking to this effect shall be given by the victim or claimant (in the case of death of victim) before the disbursement of the compensation amount.

9. Basis of quantum of compensation

(i) The quantum of compensation to be awarded to the victim or his dependents will be considered on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including incidental charges such as funeral expenses.

(ii) The compensation shall not exceed the amount specified in the Schedule.
(iii) Compensation received by the victim or dependent from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or State-run scheme, shall be considered as part of the compensation amount under these schemes. The victim or claimant who has received compensation amount from collateral sources mentioned above shall be deemed to be compensatory under the scheme. If the eligible compensation amount exceeds the payment received by the victim or dependent from the aforesaid sources, the balance amount shall be paid from the Fund.

(iv) The cases covered under the Motor Vehicle Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal and cases covered under existing schemes/facilities shall not be covered under this Scheme.

[Explanation: amount of compensation given to the victim or his dependents under schemes such as extremist violence, die-in-harness scheme shall not fall under the purview of this Scheme. If, however, the amount of compensation received under the schemes falls short of the amount specified under the

(v) The Meghalaya State Legal Services Authority or the District Legal Services Authority may, in order to alleviate the suffering of the victim, order for immediate first aid facility or medical treatment to be made available free of cost on the certificate of the Officer-in-charge of the Police Station or Magistrate of the area concerned.

(vi) In case employment is given to any family member of a victim of crime on compensatory ground, no assistance will be given to the dependent from the Scheme. In case such employment is given after release of compensation under the scheme, the assistance would not be withdrawn or amount realized, if paid already.

10. Order to be placed on record

A copy of the order of compensation passed under this Scheme shall be mandatorily placed before the trial court to enable the court to pass order of compensation under sub-section (3) of section 357 of the code.

11. Authorities responsible for implementation of the Scheme:

i) District Legal Services Authority:

The District Legal Services Authority in every district will have the exclusive jurisdiction to deal with applications for compensation under the Scheme.

ii) Functions of the District Legal Services Authority:

The District Legal Services Authority shall perform the following functions:

(a) To consider the claims and provide financial assistance and support services, as the case may be, in accordance with the procedures prescribed under the scheme.
NOTIFICATION

No. D-32019/1/2005-HM, the 5th December, 2011. In exercise of the powers conferred by Sec. 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Mizoram, in coordination with the Central Government, hereby frames the following Scheme for providing funds for the purpose of compensation to the victims of crime in particular acid attack victims or their dependents who have suffered loss or injury as a result of crime and who require rehabilitation as indicated hereunder:

1. This Scheme shall be called the "Mizoram Victims of Crime Compensation Scheme, 2011."

2. The broad aim of the Scheme is to make fund provision for the purpose of compensation to the victims of crime or their dependants who have suffered loss or injury as a result of crime and who require rehabilitation.

3. In this Scheme, unless the context otherwise requires,

(a) "Act" means the Code of Criminal Procedure, 1973 (2 of 1974);
(b) "Central Government" for the purpose of this scheme, the Central Government means Government of India, Ministry of Home Affairs;
(c) "Court" means a Court notified by the State Government under Section 3-6 with all the other enabling provisions of the Mizoram Civil Courts Act, 2005 and after consulting the Hon'ble Gauhati High Court;
(d) "Crime" for the purpose of the scheme, the term connote an unlawful act which is an offence against the public and renders the person guilty of the act or default liable to legal punishment under Indian Penal Code (45 of 1860);
(e) "Fund" means fund arranged by the State Government for the purpose of compensation to the victim or his dependants who suffered loss or injury as a result of the crime and who require rehabilitation;
(f) "Injury" for the purpose of this scheme means physical wrong, burns or maiming or disfiguring or mental illness caused to the victim;

(g) "Legal Service Authority" means the legal service authority notified by the State Government under Legal Services Authorities Act, 1987;

(h) "Loss" property with which the owner involuntarily has parted through act of violence, coercion, etc.;

(i) "State Government" for the purpose of this scheme, the State Government means Government of Mizoram;

(j) "Victim" means a person who himself has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged; and causing burns or maiming or disfiguring or disabling or causing grievous hurt as a result of acid attacks and require rehabilitation and the expression "victim" includes dependent family members;

(k) "Rehabilitation" means a sum of money paid to the victims/dependent family members from the Victim Compensation Fund.

4. (a) There shall be constituted a fund, namely, Victim Compensation Fund, from which amount of compensation under this Scheme shall be paid to the victims or their dependents who have suffered loss or injury as a result of crime and who require rehabilitation.

(b) The State Government shall allocate a separate budget for the purpose of the Scheme every year and the expenditure for such compensation shall be met from the head of accounts:

2014 Administration of Justice:
00
114 Legal Advisers & Counsels
03 Legal Services Authority (NP)
00 Other Charges
00
50

(c) The Fund shall be operated by the Secretary, State Legal Services Authority.

Eligibility:

5. The victim or his dependent, satisfying the following criteria, shall be eligible for grant of compensation:

(a) where the perpetrator is not traced or identified or goes unpunished after trial, but the victim is identifiable and the victim has to incur a lot of expenses on physical and mental rehabilitation, such victim may apply for compensation under sub-section 4 of Section 157 A of the Act;

(b) the victim/claimant submits a report of the crime to the Officer-in-Charge of the nearest Police Station, Magistrate or Judicial Magistrate of the area, provided that the District Legal Services Authority, is satisfied, for the reasons to be recorded in writing may condone the delay in reporting;
the victim/claimant cooperates with the Police and prosecution during the investigation and trial of the case;
(d) For the purpose of this Scheme, the dependants would mean husband/ wife, dependent children up to the age of 21 years (including legally adopted children) dependent parents, dependent daughter of any age and physically or mentally challenged children of any age.
(e) The compensation would be given to the victim and his/her dependents in the event of loss of property worth more than Rs. 1.00 lakh and in the event of death or permanent incapacitation of the victim who was the sole bread-winner of the family through act of crime. The death/permanent incapacitation of either the husband or the wife irrespective of whether one or both were earning members, would entitle his/her dependent for compensation.
(f) Only BPL family would be considered for eligibility under the Scheme,
(g) The eligible claimant can file his/her claim within 6 (six) months of the relevant incident of crime. This can however be extended for another 6 (six) months for the reasons to be recorded in writing by the District Legal Services Authority.

Compensation 6:
The following rate of compensation for disability under the scheme will be sanctioned to the victims and their kin/dependants as below-
(a) Death/Permanent Disability
   Rs. 1,00,000/-
(b) Loss of two limbs or two eyes or two ears
   Rs. 1,00,000/-
(c) Loss of one limb or one eye or one ear
   Rs. 50,000/-
(d) Permanent loss/damage of part of the body
   Rs. 30,000/-
(e) In case of hospitalization due to injury caused by a particular incident of crime.
   Lump sum payment of Rs. 5,000/- subject to a maximum of Rs. 20,000/-
   Rs. 20,000/-
(f) Rape
   Rs. 50,000/-
(g) Loss or injury causing severe mental agony to women and child victim in cases like human trafficking, kidnapping, etc
   Rs. 20,000/-

Procedure for grant of Compensation:

7. (a) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent under sub-section (2) of section 357-A of the Act to the District Legal Services Authority, the District Legal Services Authority shall examine the case and verify the contents of the claim.
regard to the loss or injury caused to victim and arising out of
the reported criminal activity and may call for any other relevant
information necessary in order to determine genuineness. After
verifying the claim, the District Legal Services Authority shall,
after due enquiry, award compensation within two months, in
accordance with provisions of this Scheme.

(b) Compensation under this Scheme shall be paid subject to the,
condition that if the trial court while passing judgement at a
later date, orders the accused persons to pay any amount by
way of compensation under sub-section (3) of section 357 of
the Act, the victim/claimant shall remit an amount ordered equal
to the amount of compensation, or the amount ordered to be
paid under the said sub-section (3) of section 357 of the Act,
whichever is less. An undertaking to this effect shall be given
by the victim/claimant before the disbursal of the compensation
amount.

(c) The District Legal Services Authority shall decide the quantum
of compensation to be awarded to the victim or his dependents
on the basis of loss caused to the victim, medical expenses to
be incurred on treatment, minimum sustenance amount
required for rehabilitation including such incidental charges as
funeral expenses, etc. The compensation may vary from case
to case depending on the facts of each case.

(d) The quantum of compensation to be awarded to the victims/
dependent(s) under the Scheme shall be disbursed to the victim
or his dependents, as the case may be, from the Fund.

(e) Victim or dependents who are in possession of property
insurance policy and life insurance policy worth more the Rs.
1,00 lakh would not be entitled to receive compensation under
the scheme.

(f) The cases covered under Motor Vehicle Act, 1988 (59 of 1988)
wherein compensation is to be awarded by the Motor Accident
Claims tribunal, shall not be covered under the Scheme.

(g) Victim or dependents would not be eligible to get compensation
under the scheme if they have received any other assistance,
by way of payment of ex-gratia or any other type of relief
from the State Government or any other source.

(h) In case employment is given to any family member of victim
of crime, the family would not be entitled to assistance under
the scheme. However, in case such employment is given after
the release of assistance under the scheme, the assistance
would not be withdrawn.

(i) The perpetrators of crime or his/her dependents will not be
entitled to any compensation under the scheme.
8. Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the Court to pass order of compensation under sub-section (3) of section 357 of the Act.

9. (a) No claim made by the victim or his dependents under subsection (4) of section 357-A of the Act shall be entertained after a period of six months of the crime:
(b) Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

10. Under this Scheme, no claim made by the victim or his dependents under sub-section 4 of Section 357 A of the Act shall be entertained after a period of 2 (two) years.

K. Riachho,
Secretary to the Government of Mizoram,
Home Department
NOTIFICATION


1. (a) These scheme may be called, The Mizoram Victims of Crime Compensation (First Amendment) Scheme, 2012
(b) It shall come into force from the date of its publication in the Official Gazette.

2. In the Principal Scheme, for clause (g) of Para 3, the following shall be substituted, namely -
   “Legal Services Authority and ‘District Legal Services Authority’ mean the ‘State Legal Services Authority’ and ‘District Legal Services Authority’ established and as defined under the Legal Services Authorities Act, 1987 (Central Act 39 of 1987).”

3. In the Principal Scheme, for Para 10, the following shall be substituted, namely -
   “Any victim aggrieved or denied of compensation by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days.

   Provided that the State Legal Services Authority, if satisfied for the reasons to be recorded in writing may condone the delay in filing the appeal.”

K. Riachho,
Secretary to the Govt. of Mizoram,
Home Department.

Published and Issued by Controller, Printing & Stationery Department, Government of Mizoram
Printed at the Mizoram Government Press, Aizawl. CI500
HRIATTIRNA


He dan hnauih hian pawikhawhna (crime) thleng avanga tuar tu (victim) te emaw an chhungte hnenah zangnadawmna (compensation) a hnuai ami ang hian a pek theii.

1) Pawikhawhna (crime) thleng avanga I thi nei hlu(property) Rs Nuai I aia tam i chan; (loss) anih chuan.
2) Kha pawikhawhna (crime) thleng avanga
   a) Thiina (death) emaw demchhunna rualban zo tawhlu tura (permanent disability) i awm anih chuan; Rs 1,00,000/- thleng.
   b) I fue (limb) pahnih emaw, mit khingnih emaw, i beng pahnih emaw i lo chan anih chuan; Rs 1,00,000/- thleng.
   c) I fue (limb) pakhat emaw, mit khing emaw beng lehlemb emaw i lo chan anih chuan; Rs 50,000/- thleng.
   d) I taksa engemaw lai pawikhawhna (crime) avanga a nihphung pangngai ang ni leh thei tawh ngaile(permanent disability) tura alo chhia phah anih chuan; Rs 30,000/- thleng.
   e) Na taka hlam i tawrha, Damdawiin hial pan i ngai anih chuan; Rs 20,000/- thleng.
   f) Pawngsual i tawk anih chuan; Rs 50,000/- thleng.
   g) Riru hreawmna nasa tak (mental age vii tawh phahin (hmeichhia leh naupang ah) Entirnan, trafficking leh kidnapping ang ah te; Rs 20,000/- thleng.

A chunga kan han rawi tak ang khi Below Poverty Line (BPL) te tan dil (claim) theii a ni a. Thil thlen hun (time of occurrence) atanga thla ruk (6) chhungh ngaile aih thla tehluh tur a ni. Chhan tha tawk a awm chuan thla ruk (6) dend ngailem thaik (condone) theii a ni.

A dil dan kalhmang te leh he mi chungchang hi chhang zawka i hre duh anih chuan, Legal Aid Clinic, District Court, Kolasib ah lokal rawh, kan theii tawka tanpui tur che in i tan entiik lai pawh in kan awm reng e.

Dated Kolasib
26th Feb, 2013

Sd/- H. LALDUHSANGA
Secretary
Kolasib District Legal Services Authority
cum
Civil Judge, Kolasib.

Issued by District Legal Services Authority, Kolasib
NOTIFICATION

Dated Kohima, the 18th December, 2012

No CoN-1/G/6/2011: In exercise of the powers conferred by sections 357A of the Code of Criminal Procedure, 1973 (Act-2 of 1974), the Governor of Nagaland in co-ordination with the Central Government, is pleased to frame a scheme for providing funds for the purpose of compensation to the victims or his dependents who have suffered loss or injury as a result of crime and who require rehabilitation, namely:

1. Short Title: This Scheme may be called the Nagaland Victim Compensation Scheme, 2012.

2. Definitions:
   (1) "Act" means the Code of Criminal Procedure, 1973(2 of 1974)
   (2) "Schedule" means schedule appended to this scheme.
   (3) "State" means State of Nagaland.
   (4) "Victim" means a person who himself has suffered loss or injury as a result of crime and requires rehabilitation and includes dependent family members.

3. Victim Compensation Fund:
   (1) There shall be constituted a fund namely Victim Compensation Fund from which amount of compensation under this scheme shall be paid to the victim or his/her dependents who have suffered loss or injury as a result of crime and require rehabilitation.
   (2) The State Government shall allot a separate budget for the purpose of the scheme every year.
   (3) The Fund shall be operated by the Secretary, Relief & Rehabilitation in Home Department.

4. Eligibility for compensation:
   A victim shall be eligible for the grant of compensation if:
   (1) The offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply grant of compensation under sub-section (4) of the Section 357-A of the Act.
(2). The victim/claimant shall report the crime to the officer in charge of police station Judicial Magistrate of the area; provided that such officers, if satisfied, for the reasons to be recorded in writing may condone the delay in reporting.

(3). The victim/claimant cooperates with the police and prosecution during the investigation and trial of the case.

5. Procedure for grant of Compensation:

(1). Whenever a recommendation is made by the Court or an application is made by any victim or his dependent under sub-section 4 of Section 357A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and shall verify the contents of the claim with regard to the loss or injury caused to victim arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. After verifying the claim, the District Legal Service Authority shall after due enquiry award compensation within two months, in accordance with the provisions of this Scheme.

(2). Compensation under the scheme shall be paid subject to the condition that if the trial court while passing judgment at later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of Section 357 of the Act, the victim/claimant shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of Section 357 of the Act, whichever is less to the State Government Treasury Challan. An undertaking to this effect shall be given by the victim/claimant before the disbursal of the compensation amount. (Format appended as Schedule-II).

(3). The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges, as funeral expenses etc. The compensation may vary from case to case depending on fact of each case. The basis on which the quantum of compensation has been fixed shall be specified in writing.
(4). The quantum of compensation to be awarded under the scheme shall be disbursed to the victim or his dependents, as the case may be, from the fund. The District Legal Service Authority shall communicate the quantum of compensation awarded to the Secretary, Relief & Rehabilitation under Home Department, who shall pay the compensation from the fund so earmarked by the State Government.

(5). Compensation received by the victim from the State in relation to the crime in question, namely, insurance, ex-gratia Cash Grants, cash relief and/or payment received under any other Act or State-run Scheme, shall be considered as part of the compensation amount under these Scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of fund.

(6). The cases covered under Motor Vehicle Act, 1988(59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the scheme.

(7). The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate First Aid facility or medical benefits to be made available free of cost on the certificate of the Police Officer not below the rank of the Officer-In-Charge of the Police Station or Magistrate of the area concerned, or any other interim relief as it may deem fit.

(8). A format for the certificate may be appended as schedule-(III)

6. Order to be placed on record.

Copy of the order of compensation passed under this scheme shall be mandatorily placed on record of the trial court to enable the court to pass order of compensation under sub-section (3) of section 357 of the Act.

7. Recovery of compensation awarded to the victim or his dependents:

(1). The State Legal Services Authority, if deem fit shall institute proceedings before the competent court of law in consultation with the concerned Public Prosecutor for recovery of the compensation granted to the victim or his dependents from the person responsible for causing loss or injury as a result of the crime committed by them.

(2). The amount so recovered shall be deposited in the Victim Compensation Fund.
THE ODISHA VICTIM COMPENSATION SCHEME, 2012
Home Department
NOTIFICATION
The 12th July 2012
(Published in the Odisha Gazette on the 25th July 2012)

No. 27466-CP / CR 07 / 2012- In pursuance of section 357-A of the Code of Criminal Procedure, 1973 (2 of 1974), the State Government in co-ordination with the Central Government do hereby make the following scheme for providing funds for the purpose of compensation to the victims who have suffered loss or injury as a result of the crime and require rehabilitation, namely:-

1. Short Title and Commencement:

   (a) This scheme may be called “The Odisha Victim Compensation Scheme-2012”.
   (b) It shall come into force on the date of its publication in the Odisha Gazette.

2. Definitions: In this scheme, unless the context otherwise requires,

   (b) “District Legal Services Authority” and “State Legal Services Authority” shall respectively mean a District Legal services Authority and the State Legal Services Authority constituted under section 9 and section 6 of the Legal Services Authorities Act, 1987 respectively.
   (c) “Fund” means the Victim Compensation Fund.
   (d) “Schedule” means the Schedule appended to this scheme.
   (e) “State Government” means the Government of Odisha.
   (f) “Loss or injury” means as defined in the Schedule and
   (g) “Victim” means a person who himself/herself suffered loss or injury as a result of crime and requires rehabilitation and in case of his/her death also his/her dependents.

   Provided where the victim is a minor, his/her parents would be dependants in case they are found to have been affected by the crime or in case the perpetration of crime has left a scar on their dependant family members.
3. Objectives of the Scheme:

The Scheme aims at providing:

(a) Financial assistance to the victim; and

(b) Support services such as shelter, counseling, medical aid, legal assistance, education and vocational training depending upon the needs of the victim.

4. Victim Compensation Fund:

(a) There shall be constituted a Fund namely Victim Compensation Fund from and out of which the amount of compensation shall be paid to the Victim or his/her dependants, as the case may be.

(b) The Fund shall be operated by the Secretary, State Legal Services Authority.

(c) There shall be credited to the Fund –

(i) Money out of budget provision made by the State Government for the purpose of the Scheme;

(ii) All grants, subscriptions, donations and gifts made by the Central Government, State Government, any local authority or anybody, whether incorporated or not or any person and

(iii) All other sums received by or on behalf of the victims compensation from any source whatsoever including in compliance to any court order.

5. Target Group/Beneficiaries:

The Scheme shall cover the victims and in case of death of the victim, his/her dependants or the members/members of the family of victim who have suffered the atrocity resulting from crime or by the crime, the member/members who have been visited with a scar and would be eligible for compensation as per the compensation order.

6. Assistance under the Scheme:

a) Under this scheme, the victim or dependants, as the case may be, shall be entitled to financial assistance and restorative support services.

b) Assistance under the scheme shall be available in respect of each of the cases where the P.I.R. is lodged.
7. **Eligibility for compensation:** The victim satisfying the following criteria shall be eligible for compensation:

   a) He/She has not been compensated for the loss or injury under any other scheme of the Central or the State Government or Insurance Company or any other institution. The victim shall inform to the authority the details of claims for compensation made under any other scheme or from any other source. The victim will be free to choose another scheme of Government, if the same is more beneficial to him or her. He/She cannot claim both, or part benefit from one scheme and part from another.

   b) Loss or injury sustained by the victim have caused substantial loss to the income of the family making it difficult to live as before without the financial aid or has affected his/her dignity or personality or the medical treatment of mental/physical injury should have caused financial stress for the family.

   c) The victim shall co-operate with the police and prosecution from the stage of investigation till conclusion of trial of the case.

8. **Authorities responsible for implementation of the Scheme:**

   (A) **District Legal Services Authority**

   A District Legal Services Authority in every district will have the exclusive jurisdiction to deal with applications for assistance received under the Scheme in that district.

   (B) **Functions of the District Legal Services Authority:**

   The District Legal Services Authority shall perform the following functions:

   (a) To consider the claims and provide financial assistance and support services, as the case may be in accordance with the procedure prescribed under the scheme.

   (b) To arrange for psychological, medical and legal assistance to the affected persons.

   (c) To arrange for counseling support to the affected woman including counseling of the spouse in case the affected woman is married.
(d) To arrange shelter for the affected woman for such period as may be required.

(e) To arrange for education or vocational/professional training as the case may be for the affected woman under the ongoing schemes/programmes should she require such a support for rehabilitation.

(f) Issue directions to the appropriate authorities to provide protection to the affected persons whenever deemed necessary.

(g) Whenever a recommendation is made by the Court or an application is made by any victim under sub-section 4 of section 357-A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and shall verify the contents of the claim with regard to the loss or injury caused to the claimant and also may call for any other relevant information necessary for consideration of the claim from the concerned. After verifying the claim, the District Legal Service Authority will make recommendations for compensation.

(h) (*) The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges, as funeral expenses etc. The compensation may vary from case to case depending on fact of each case.

(i) The quantum of compensation to be awarded to a victim shall not exceed the maximum limit as per the Schedule.

(j) (**) The amount of compensation as decided by the District Legal Service Authority, in accordance with the schedule shall be disbursed to the victim from the Fund.

9. Procedure for grant of compensation:

(a) Whenever a recommendation is made by the Court or an application is made by any victim under sub section (4) of section 357-A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and shall verify the contents of the claim with regard to the loss or injury caused to the claimant and also may call for any other relevant information necessary for consideration of the claim from the concerned. After verifying the claim, the District Legal Service Authority will make recommendations for compensation.

Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. After verifying the claim, the District Legal Service Authority shall after due enquiry award compensation within two months, in accordance with provisions of this scheme.

(b) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgement at later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, the victim shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of section 357 of the Act, whichever is less. An undertaking to this effect shall be given by the victim before the disbursal of the compensation amount.

(c) The District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case subject to the maximum limit as given in the Schedule.

(d) The quantum of compensation to be awarded under the Scheme shall be disbursed to the victim or his dependents as the case may be, from the Fund. The quantum of compensation to be awarded to a victim shall not exceed from the maximum limit as specified in the Schedule.

(e) Compensation received by the victim from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or State-run scheme or Central-run scheme, shall be considered as part of the compensation amount under the Scheme and if the eligible compensation amount exceeds the payments received by the victim from above sources mentioned above, the balance amount shall be paid out of the Fund. The quantum of compensation to be awarded to a victim shall not exceed the maximum limit as specified in the Schedule.
(f) The victims of cases covered under the Motor Vehicle Act, 1988 (59 of 1988) wherein compensation awarded by the Motor Accident Claims Tribunal or under the provisions of the Act, shall not be covered under the Scheme.

(g) The cases covered under SC & ST (POA) Act and P.C.R. Act, 1955 shall not be covered under the Scheme.

(h) (*) Deleted

(i) The compensation awarded shall be paid in two phases, first half being within any time before commencement of trial and the rest half on conclusion of trial.

(j) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concerned, or any other interim relief as it may deem fit.

(k) The payment from Victim Compensation Fund will be made by Account Payee Cheque or electronic money transfer to the Account of the payee.

(l) (**) Any compensation awarded by the order of Special Court under Sub-Section (8) of Section 33 of the Protection of Children from Sexual Offence Act, 2012 shall be paid from the Scheme.

10. Limitation:

No claim made by the victim or his dependents under sub section 4 of section 357A of the Act shall be entertained after a period of twelve months from the date of the crime.

11. Appeal: Any victim aggrieved of the denial of compensation by the District Legal Service Authority may file an appeal before the State Legal Service Authority within a period of ninety days:

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.


(**) Inserted vide Home Department Notification No.21390 dated 13.06.2013.
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particular of loss or injury</th>
<th>Maximum limit of Compensation (in rupees)</th>
</tr>
</thead>
</table>
| 1.     | Loss of life                                                                              | Earning member  
                                     Rs.1,50,000/-  
Non earning member  
                                     Rs.75,000/- |
| 2.     | Loss of any limb or part of body resulting 80% or above disability (including Acid Attack) | Earning member  
                                     Rs.1,00,000/-  
Non earning member  
                                     Rs.50,000    |
| 3.     | Loss of any limb or part of body, resulting disability of 40% & above but below 80% (including Acid Attack) | Rs.40,000/- |
| 4.     | Loss of any limb or part of body, resulting below 40% disability.                         | Rs.10,000/- |
| 5.     | Loss or injury causing severe mental agony to women and child victims in case like Human Trafficking | Rs.10,000/- |
| 6.     | Simple injury to Child victim.                                                            | Rs.10,000/- |
| 7. (*) | Rape                                                                                      | Rs.1,50,000/- |
| 8. (**) | Penetrative Sexual Assault and Aggravated Penetrative Sexual Assault in case of child victims. | Rs.1,50,000/- |
| 9. (***)| Sexual Assault and Aggravated Sexual Assault in case of child victims.                   | Rs.50,000/- |
| 10. (****)| Sexual harassment of child and using child for pornographic purposes.                    | Rs.20,000/- |


Explanation :-

(i) (*) For the purpose of assessing the percentage of disability, loss or injury causing several mental agony to women and child victims in case like human trafficking and simple injury to the child victims, the certificate of CDMO / SDMO, as the case may be, shall be conclusive unless authority finds it unacceptable for reasons to be recorded in writing.

(ii) (***) In case of rape, the concerned authority shall call for the report of CDMO / SDMO and report of investigating Police Officer including the copy of the FIR to assess the prima facie of the incident which shall be conclusive unless the authority finds it unacceptable for the reasons to be recorded in writing.

(iii) (****) In case of Penetrative Sexual Assaults and Aggravated Penetrative Sexual Assaults and Sexual Assault and Aggravated Sexual Assault, the report of Chief District Medical Officer or Sub-divisional Medical Officer and report of investigating Officer including the copy of the FIR to assess the prima facie of the incident shall be conclusive unless the authority finds it unacceptable for the reasons to be recorded in writing.

(iv) (***** ) In case of Sexual Harassment of child and Using Child for Pornographic Purposes, the report of Investigating Officer including the copy of the FIR to assess the prima facie of the incident shall be conclusive unless the authority finds it unacceptable for the reasons to be recorded in writing.

By Order of the Governor,

Sd/-
(U.N. Behera)
Principal Secretary to Government

(*) & (**) Substituted by the explanations at (i) & (ii) vide Home Deptt. Notification No.49915 dt.27.12.2012 published in the Odisha Gazette on 14th January.

VICTIM COMPENSATION SCHEME

GOVERNMENT OF PUNJAB
DEPARTMENT OF HOME AFFAIRS AND JUSTICE
(HOME-IV BRANCH)
NOTIFICATION

The 8 December, 2011

No.5/154/2008-3H4/3597-In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), and all other powers enabling him in this behalf, the Governor of Punjab in coordination with the Central Government is pleased to frame the following scheme for providing funds for the purpose of compensation to the victims or their dependents as a result of crime and who require rehabilitation, namely:-

SCHEME

1. Short title and commencement :-(1) This scheme may be called the Punjab Victim or their Dependents Compensation Scheme, 2011.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. Definitions :-(1) In this Scheme, unless the context otherwise requires:-
   (a) “Act” means the Code of Criminal Procedure, 1973;
   (b) “Fund” means the victim compensation fund constituted under para-3 of this Scheme; and
   (c) “Schedule” means a Schedule appended to this scheme.

3. Victim Compensation Fund :-(1) There shall be constituted a fund namely the Victim Compensation Fund.

(2) The Punjab Government shall allot a separate budget for the Fund every year to the Department of Legal and Legislative Affairs through the Department of Home Affairs and Justice being the Nodal Department for regulating, administering and monitoring this scheme and an appropriate amount shall be transferred to the State Legal Services Authority, who shall distribute the amount to the District Legal Services Authorities as per their requirements.

(3) The District Legal Services Authority or the State Legal Services Authority, as the case may be, shall maintain accounts and other relevant records and shall furnish to the Department of Legal and Legislative Affairs the returns of the receipts and the sums distributed annually and the norms applied in determining quantum of compensation.

(4) The sums released to the State Legal Services Authorities out of the Fund shall be operated by the Member Secretary of the State Legal Services Authority.
4. **Eligibility for Grant of Compensation** :- The victim or his dependent satisfying the following criteria shall be eligible for the grant of compensation :-
   
   (1) He/She should not have been compensated for the loss or injury under any other Scheme of the Central/Punjab Government, an Insurance Company or any other institution;
   
   (2) Loss or Injury sustained by the victim or his dependent should have caused substantial loss to the income of the family resulting difficulty in making both ends meet without the financial aid or has to spend beyond his means on medical treatment; and
   
   (3) Where the perpetrator of a crime is not traced or identified or where no trial takes place but the victim is identified and the victim has to incur a lot of expenses on physical and mental rehabilitation.

5. **Procedure for grant of compensation** :- (1) whenever a recommendation is made by the Court for compensation or an application is made under sub-section (4) of section 357-A of the Act to the District Legal Services Authority or the State Legal Services Authority, as the case may be. The District Legal Services Authority or the State Legal Services Authority, as the case may be, shall examine the case and shall verify the contents of the claim with regard to the loss or injury caused to the claimant and also may call for any other relevant information necessary for the consideration of the claim and after completing the enquiry within the stipulated period of two months, the District Legal Services Authority or the State Legal Services Authority, as the case may be, shall award adequate compensation.

   (2) The District Legal Services Authority or the State Legal Services Authority, as the case may be, shall decide the quantum of compensation to be awarded to the victim or his dependent on the basis of loss caused to the victim, medical expenses incurred or to be incurred on treatment and minimum sustenance amount required for rehabilitation including incidental charges such as funeral expenses etc.

   (3) The compensation may vary from case to case depending on facts of each case.

   (4) The quantum of compensation to be awarded to the victim or his dependent shall not exceed the maximum limit specified in Schedule.

   (5) The amount of compensation awarded shall be disbursed to the victim or his dependent, as the case may be, from the Fund.

6. **Recovery of Compensation awarded to the Victim or his Dependent** :- The Department of Legal and Legislative Affairs, if deemed fit, shall institute proceedings before the competent Court of law in consultation with the Director Prosecution and Litigation for recovery of the compensation awarded to the victim or his dependent from the person responsible for causing loss or injury as a result of the crime committed by him and the amount so recovered shall be deposited in the Fund.
7. **Limitation**: No claim made by the victim or his dependent under sub-section (4) of section 357-A of the Act shall be entertained after a period of six months of the commission of crime.

Provided that the District Legal Services Authority or the State Legal Service Authority, as the case may be, if satisfied, for the reason to be recorded, in writing, may condone the delay in filing the claim.

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Particular of Loss of Injury</th>
<th>Maximum Limit of compensation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of Life</td>
<td>Rs.1,00,000/-</td>
</tr>
<tr>
<td>2.</td>
<td>Loss of any limb or part of body resulting 40% or above handicap</td>
<td>Rs. 40,000/-</td>
</tr>
<tr>
<td>3.</td>
<td>Rape</td>
<td>Rs. 30,000/-</td>
</tr>
<tr>
<td>4.</td>
<td>Loss of injury causing severe mental agony to women and child victims in case like Human Trafficking.</td>
<td>Rs.20,000/-</td>
</tr>
</tbody>
</table>

Sd/-

D.S.BAINS
Principal Secretary to Government of Punjab
Department of Home Affairs and Justice

Endst.No. 5/154/2008/2008-3H4/ Dated, Chandigarh the

A copy alongwith a spare copy is forwarded to the Controller Printing and Stationery, Punjab, Chandigarh with the request that this notification may be published in the Punjab Government Gazette (Ordinary) and 50 copies thereof supplied to this Department, immediately.

Sd/-

Deputy Secretary Home

Endst.No. 5/154/2008/2008-3H4/3601 Dated, Chandigarh the 8.12.11

A copy each is forwarded to the following for information and necessary action:-
1) The Director General of Police, Punjab, Chandigarh;
2) The Director Prosecution & Litigation, Punjab, Chandigarh;
3) State Legal Services Authority, Punjab, Chandigarh;
4) All District Legal Services Authorities in the State of Punjab.
5) Accountant General (Audit) Punjab, Chandigarh.

Sd/-

Deputy Secretary Home
Endst.No. 5/154/2008/2008-3H4/ Dated, Chandigarh the 8.12.11

A copy each is forwarded to the following for information:
1) The Under Secretary to Government of Punjab, Department of Finance (Finance Expenditure-1 Branch) w.e.t. their I.D. No. 14/95/2009-1F.E.1/1123, dated 4.10.2010;
2) The Legal Remembrancer, Punjab w.r.t. their U.No. 838/Leg.714/2011 dated 11-11-2011;
3) The Under Secretary to Government of Punjab, Department of General Administration (Cabinet Branch) w.r.t. their No.1/311/2010-1Cabinet/43 dated 6-1-2011.

Sd/-
Deputy Secretary Home
RAJASTHAN STATE LEGAL SERVICES AUTHORITY
RAJASTHAN HIGH COURT CAMPUS, JAIPUR BENCH, JAIPUR
(Phone: 0141-2227481, 2227555, FAX: 2227602, Toll Free Helpline 15100)
email: cj-esls@ak.in
Website: www.cslos.gov.in

Rajasthan Victim Compensation Scheme, 2011
Home Department
Notification
Jaipur, January 05, 2015
(As amended vide State Government Notification No. F. 47(154)Home-10/2010
dated 6th April, 2015 published in Rajasthan Gazette on 8th April, 2015)

S.O. 157 - In exercise of the powers conferred by section
357-A of the code of Criminal Procedure, 1973 (Central Act No. 2 of
1974), the State Government hereby frame the scheme for providing
funds for the compensation to the victims or their dependents, who
have suffered loss or injury as a result of the crime and who require
rehabilitation, namely: -

1. **Short Title** - This scheme may be called the Rajasthan Victim
   Compensation Scheme, 2011.

2. **Definitions** :- (1) In this scheme, unless the context otherwise
   requires; -
   (a) "Code" means the Code of Criminal Procedure, 1973
       (Central Act No. 2 of 1974);
   (b) "Schedule" means Schedule appended to this scheme;
   (c) "State" means the State of Rajasthan; and
   [(d) "Victim" means a person who has suffered any loss or
       injury as a result of crime and requires rehabilitation and
       includes his or her guardian or legal heir or dependent.]

---
1 Substituted Vide Notification No. F. 17(154)Home-10/2010 dated 06.04.2015 which
came into force w.e.f. 08.04.2015
(2) Words and expressions used herein and not defined but defined in the Indian Penal Code 1860 (Central Act No. 45 of 1860) or the General Clauses Act, 1955 (Central Act No. VIII of 1955 Act) have the same meanings respectively as assigned to them in the Code and the General Clauses Act 1955.

3. **Victim Compensation Fund** :-

(1) There shall be constituted a fund namely Victim Compensation Fund from which amount of compensation under this scheme shall be paid to the victim or his dependants.

(2) The State Government shall allot a separate budget for this scheme every year.

(3) The fund shall be operated by the Secretary, State Legal Services Authority.

4. **Eligibility** :- A victim or his dependents shall be eligible for the grant of compensation if:-

(a) he/she has not been compensated for the loss or injury under any other scheme of the Central/State Government or any other institution;

(b) loss or injury sustained by the victim or his dependents should have caused loss of income of the family making it difficult to meet their both ends without the financial aid or has to spend beyond his means on medical treatment of mental/physical injury;

(c) the perpetrator of a heinous crime is not traceable or goes unpunished after trial, but the victim is identifiable and has to incur of expenses on physical and mental rehabilitation, such victim may also apply for the grant of compensation under sub-section (4) of section 357-A of the Code.
(d) the offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply grant of compensation under sub-section (4) of section 357-A of the Code;

(e) the victim/claimant report the crime without unreasonable delay to the Judicial Magistrate of the area provided that the District Legal Service Authority, if Satisfied, for the reasons to be recorded in writing, may condone the delay; and

(f) the victim/claimant cooperate with the police and prosecution during the investigation and trail of the case.

5. **Procedure for grant of compensation**:

   (1) Whenever a recommendation is made by the Court under sub-section (2) and (3) or an application is made by any victim or his/her dependent under sub-section (4) of section 357-A of the Code to the District Legal Service Authority or the State Legal Service Authority, as the case may be, the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim/claimant and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. The District Legal Service Authority or the State Legal Service Authority as the case may be, shall award compensation within two months, in accordance with provisions of this Scheme.

Provided that the compensation awarded by the Special Court under the Protection of Children from
Sexual Offences Act, 2012 shall be paid within 30 days from the date of receipt of the order of the Special Court.

(2) The District Legal Service Authority or the State Legal Service Authority, as the case may be, shall decide the quantum of compensation to be awarded to victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case.

(3) Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the Code, the victim/claimant shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of section 357 of the Code, whichever is less. An undertaking to this effect shall be given by the victim/claimant before disbursal of the compensation amount.

Provided that the provisions of above sub-clause (3) shall not apply for the victim of sexual offences under the provisions of the Protection of Children from Sexual Offences Act, 2012 and rules made there under.

(4) The quantum of compensation decided by the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall be disbursed to the victim or his dependents, as the case may be, from the Victim Compensation Fund.

Inserted Vide Notification No. f. 17/154 Home-10/2010 dated 06.04.2015 which came into force w.e.f. 08.04.2015
(5) Compensation received by the victim from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or scheme run by the State shall be considered as part of the compensation amount under this scheme and if the compensation amount granted under this scheme exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Victim Compensation Fund.

"[Provided that nothing in this scheme shall prevent a child who is victim under the Protection of Children from Sexual Offences Act, 2012 or his parents or guardian or any other person in whom the child has trust and confidence from submitting an application for seeking relief under any other rules or scheme of the Central Government or State Government.]

(6) The cases covered under Motor Vehicle Act, 1988 (Central Act No. 59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(7) The District Legal Services Authority or the State Legal Service Authority, as the case may be, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer in charge of the police station or Magistrate of the area concerned, or any other interim relief as it may deem fit.

(8) The quantum of compensation to be awarded to the

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4 Inserted Wider Notification No. F. 17(154)Home-10/2010 dated 06.04.2015 which came into force w.e.f. 08.04.2015
victim or his dependants shall not be exceeded from the maximum limit as per Schedule.

[Provided that the above limit of compensation shall not apply in case of compensation awarded by the Special Court under the Protection of Children from Sexual Offences Act, 2012.

Provided further that the quantum of compensation to be awarded under this scheme shall be in addition to the fine imposed under section 326A or section 376D of Indian Penal Code, 1860 and ordered to be paid to victim by the Court.]

5A. Special Procedure in case of acid attack:

1. Notwithstanding anything contained in clause 5, in case of acid attack a sum of Rupees three lac shall be paid to such victim or his or her dependent or his or her guardian within fifteen days of occurrence of such incident or the information received from officer in charge of police station.

2. When the information received by the officer in charge of a police station he shall be liable to furnish the copy of the FIR supported by medical report to the District Magistrate and the District Legal Services Authority within three days. When the case brought to the notice of the District Magistrate he shall immediate facilitate medical attention and expences in this regard and send his recommendation to the District Legal Services Authority within two days to award the compensation.]

6. Order to be placed on record - Copy of the order of

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5 Inserted Vide Notification No. F. 17(154)Home-10/2010 dated 06.04.2015 which came into force w.e.f. 08.04.2015
6 New Clause 5A inserted Vide Notification No. F. 17(154)Home-10/2010 dated 06.04.2015 which came into force w.e.f. 05.08.2014
compensation passed under this scheme shall be placed on record of the trial Court to enable the court to pass an order of compensation under sub-section (3) of section 357-A of the code.

7. Limitation. - No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Code shall be entertained after a period of one year from the date of commission of the crime.

Provided that the District Legal Service Authority or the State Legal Service Authority, as the case may be, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

8. Recovery of compensation.-

(1) The District Legal Service Authority or the State Legal Service Authority, as the case may be, if deemed fit, shall institute proceedings before the competent Court of Law in consultation with the office of concerned public prosecutor for recovery of the compensation granted to the victim or his dependants from the person responsible for causing loss or injury as a result of the crime committed by them.

(2) The amounts, so recovered, shall be deposited in the Victim Compensation Fund.
<table>
<thead>
<tr>
<th>S.No.</th>
<th>Particulars of loss or injury</th>
<th>Maximum Limit of compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of Life (earning member)</td>
<td>Rs. 5,00,000/-</td>
</tr>
<tr>
<td></td>
<td>Loss of Life (non earning member)</td>
<td>Rs. 2,50,000/-</td>
</tr>
<tr>
<td>2.</td>
<td>Loss of any limb or part of body resulting above 80% disability (earning member)</td>
<td>Rs. 5,00,000/-</td>
</tr>
<tr>
<td></td>
<td>Loss of any limb or part of body resulting above 60% disability (non earning member)</td>
<td>Rs. 2,50,000/-</td>
</tr>
<tr>
<td>3.</td>
<td>Loss of any limb or part of body resulting above 60% disability (earning member)</td>
<td>Rs. 60,000/-</td>
</tr>
<tr>
<td></td>
<td>Loss of any limb or part of body resulting above 40% and up to 80% disability (non earning member)</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>4.</td>
<td>Loss of any limb or part of body resulting up to 40% disability</td>
<td>Rs. 25,000/-</td>
</tr>
<tr>
<td>5.</td>
<td>Rape of Minor</td>
<td>Rs. 5,00,000/-</td>
</tr>
<tr>
<td>6.</td>
<td>Rape</td>
<td>Rs. 5,00,000/-</td>
</tr>
<tr>
<td>7.</td>
<td>Rehabilitation</td>
<td>Rs. 1,00,000/-</td>
</tr>
<tr>
<td>8.</td>
<td>Loss of any injury causing severe mental agony to women and child victims in case like Human Trafficking, child abuse and kidnapping</td>
<td>Rs. 25,000/-</td>
</tr>
<tr>
<td>9.</td>
<td>Simple loss or injury to child victim</td>
<td>Rs. 20,000/-</td>
</tr>
<tr>
<td>10.</td>
<td>Victim of acid attack</td>
<td>Rs. 3,00,000/-</td>
</tr>
<tr>
<td>11.</td>
<td>Offence under the Protection of Children from Sexual Offences Act, 2012</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Penetrative Sexual Assault</td>
<td>Rs. 5,00,000/-</td>
</tr>
<tr>
<td></td>
<td>(b) Aggravated Penetrative Sexual Assault</td>
<td>Rs. 1,00,000/-</td>
</tr>
<tr>
<td></td>
<td>(c) Sexual Assault</td>
<td>Rs. 2,00,000/-</td>
</tr>
<tr>
<td></td>
<td>(d) Aggravated Sexual Assault</td>
<td>Rs. 1,00,000/-</td>
</tr>
<tr>
<td></td>
<td>(e) Using child for pornographic purposes</td>
<td>Rs. 1,00,000/-</td>
</tr>
</tbody>
</table>

Note: The following expenses shall be payable as interim relief:
(i) Funeral expenses: Rs. 10,000/-
(ii) Medical expenses up to Rs. 25,000/-
(iii) Interim relief in case of child 50% of maximum limit of compensation.
(iv) Interim relief in case of adult person 25% of maximum limit of compensation.

Substituted vide Notification No. F. 17 (154) Home-10/2010 dated 06.04.2015 which came into force w.e.f. 08.04.2015
NOTIFICATION

In exercise of the powers conferred by section 357 A of the Code of Criminal Procedure, 1973 (2 of 1974), the Governor of Sikkim is hereby pleased to frame the following Scheme for providing funds for the purpose of compensation to the victims or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:

1. (1) This Scheme may be called the Sikkim Compensation to Victims or his Dependants Schemes, 2011.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In this Scheme, unless the context otherwise requires,
   (a) "Code" means the Code of Criminal Procedure, 1973;
   (b) "Schedule" means the Schedule appended to this Scheme;
   (c) "State" means the State of Sikkim;
   (d) "Victim" means a person who himself has suffered loss or injury as a result of crime and require rehabilitation and includes dependent family members.

3. A Victim Compensation Fund shall be provided by the State Government to the State Legal Services Authority whenever verified claims arise. A provision for the same shall be made every year in the State Budget.

4. The victim or his dependent satisfying the following criteria shall be eligible for the grant of compensation namely:
   (i) he/she should not have been compensated for the loss or injury under any other scheme of the Central or State Government or Insurance Company or any other Institution.
(ii) loss or injury sustained by the victim or his dependent should have caused substantial loss to the income of the family making it difficult to meet the ends of life without the financial assistance to spend beyond this means on medical treatment of mental and physical injury.

(iii) where the perpetrator of the intentional crime is not traceable or goes into concealment, the victim or his dependent may apply for compensation on the basis of expenses for physical and mental rehabilitation of such victim or his dependent.

5. Procedure for grant of compensation.

(1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent under subsection (4) of Section 357 AA of the Code of the District Legal Service Authority, the District Legal Service Authority shall examine the case and shall verify the contents of the claim with regard to the loss or injury caused to the claimant and also may call for any other relevant information necessary for consideration of the claim from the concerned applicant. After verifying the claim, the District Legal Service Authority will make recommendations for compensation.

(2) The State Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum subsistence amount required for rehabilitation, including incidental charges, as funeral expenses etc. The compensation may vary from case to case depending on the facts of each case.

(3) The quantum of compensation to be awarded to the victim or his dependents shall not exceed the maximum limits as prescribed in Schedule.

(4) The amount of compensation as decided by the State Legal Service Authority shall be disbursed to the victim or his dependents, as the case may be, from the Victim Compensation Fund.

6. Recovery of compensation awarded to the victim or his dependents.

(1) The State Legal Service Authority, if deemed fit, may institute proceedings before the competent Court of Law in consultation with the concerned public prosecutor for recovery of the compensation granted to the victim or his dependents from the person responsible for causing loss or injury as a result of the crime committed by him.

(2) The amount so recovered shall be deposited in the Victim Compensation Fund.

7. Limitation.

Under this Scheme the claim made by a victim or his dependent under subsection (4) of Section 357 AA of the Code shall be entertained after a period of three years from the date of the crime.
<table>
<thead>
<tr>
<th>S.No.</th>
<th>Particular of Loss or Injury</th>
<th>Maximum Limit of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of life</td>
<td>₹1,00,000</td>
</tr>
<tr>
<td>2</td>
<td>Loss of any limb or part of body resulting more than 90% handicap</td>
<td>₹50,000</td>
</tr>
<tr>
<td>3</td>
<td>Loss of any limb or part of body resulting 70% &amp; below 90% handicap</td>
<td>₹30,000</td>
</tr>
<tr>
<td>4</td>
<td>Assault on women及 her face or any part of body by acid or any other weapon</td>
<td>₹20,000</td>
</tr>
<tr>
<td>5</td>
<td>Rehabilitation</td>
<td>₹10,000</td>
</tr>
<tr>
<td>6</td>
<td>Loss of any limb or part of body resulting below 40% handicap</td>
<td>₹5,000</td>
</tr>
<tr>
<td>7</td>
<td>Loss of injury causing severe mental agony to women &amp; child victim.</td>
<td>₹25,000</td>
</tr>
<tr>
<td>8</td>
<td>Simple loss of injury to child victim.</td>
<td>₹20,000</td>
</tr>
</tbody>
</table>

N.D. CHINGAPA, IAS,
CHIEF SECRETARY
F.No.Home/Confld./1988/01/Vol-II.
GOVERNMENT OF TELANGANA

ABSTRACT


LAW (LA, LA&J-HOME-COURTS.B) DEPARTMENT

G.O.MS.No. 9 Dated: 07.03.2015

Read the following:-

2. From the Inspector General of Police (FAC), Addl. DGP, CID, Telangana, Hyderabad, letters dated, 24.10.2014 and 07.01.2015.

ORDER:

Whereas, according to section 357A of the Code of Criminal Procedure, 1973 inserted by Criminal Procedure Code (Amendment) Act, 2008, every State Government is required to prepare a Scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, in co-ordination with the Central Government;

And whereas, the Ministry of Home Affairs, Government of India has been requesting the State Governments for preparation of the Scheme as required under section 357A of the Code of Criminal Procedure, 1973 and intimation of the same to them, so as to appraise the same to the Hon’ble Supreme Court of India in compliance with the directions issued by the Hon’ble Supreme Court of India.

And whereas, in pursuance of the Central Act first read above the State of Telangana has come to be formed w.e.f. 02.06.2014;

And whereas, the Inspector General of Police (FAC) in the letters second read above having taken into consideration the number of cases registered within the ten
districts of the Telangana State during the last three years and for the reasons stated therein, submitted the proposals for the Victim Compensation Scheme;

After careful examination, the Government have decided to frame a Scheme namely the Telangana Victim Compensation Scheme as contemplated under section 357A of the Code of Criminal Procedure, 1973 and in compliance with the directions and the orders of the Hon'ble Supreme Court of India;

Accordingly the following notification will be published in an Extra-ordinary Issue of the Telangana State Gazette.

**NOTIFICATION**

In exercise of the powers conferred by section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Telangana hereby frames the following Scheme for providing funds for the purpose of compensation to the victims or their dependents who have suffered loss or injury as a result of the crime and who require rehabilitation :-

1. **Short title, extent and commencement :-**

   (1) This Scheme may be called the Telangana Victim Compensation Scheme, 2015.

   (2) It extends to the whole of the State of Telangana.

   (3) It shall come into force with effect from 01.04.2015.

2. **Definitions :-**

   In this Scheme, unless the context otherwise requires,

   (a) "Applicant" means a victim or the dependent of a victim who applies for compensation;

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

   (c) "Crime" means illegal act of commission or omission or an offence committed against the human body of the victim;

   (d) "Dependent" includes wife, husband, father, mother, unmarried daughter and minor children of victim as determined by the authority empowered to issue dependency certificate or any other authority authorized by the Government in this regard and found fully dependent on the victim by the District Legal Services Authority;
(e) "Family" means parents, children and includes all blood relations living in the same household;

(f) "Fund" means the Victim Compensation Fund constituted under paragraph 3;

(g) "Government" means the State Government of Telangana;

(h) "Legal Services Authority" means the State Legal Services Authority or the District Legal Services Authority in the State;

(i) "Schedule" means Schedule appended to this Scheme;

(j) "State" means the State of Telangana;

(k) "Victim" means a person who has suffered any loss or injury caused by reason of the act or omission on the part of the accused and who requires rehabilitation under this Scheme and includes the guardian or legal heir of such person.

3. Victim Compensation Fund:

(1) There shall be constituted a Fund in the State by the Government namely the Victim Compensation Fund, under a separate Head of Account.

(2) There shall be credited to the Fund:

(a) the separate budget allotment made by the Government every year, for the purpose of the Scheme duly taking into account the expenses incurred during the previous year or the probable expenditure requested by the State Legal Services Authority;

(b) all grants, subventions, donations, gifts, contributions made by the State / Central Government, any local authority, Charitable Institutions, Organisations, National or International Philanthropists, or individuals.

(c) all other sums received by or on behalf of the Victim Compensation Fund from any other source whatsoever.

(3) Except or otherwise directed by the Government all the moneys credited to the Victim Compensation Fund shall be invested in any Scheduled Bank.

4. Operation, Audit etc., of the Victim Compensation Fund:

(1) The Victim Compensation Fund shall be applied in carrying out the purposes of the Scheme.

(2) The Victim Compensation Fund shall be operated by the Member Secretary, State Legal Services Authority.
(3) The State Legal Services Authority shall, in respect of the Victim Compensation Fund be accountable for its functions, furnishing of periodical returns to the Government.

(4) The accounts etc. of the Victim Compensation Fund shall be got audited every year and a report shall be sent to the Government.

5. Application of the Scheme:

(1) The crime on account of which the compensation which is to be paid under the Scheme should have occurred within the State of Telangana.

(2) The crime should have been reported by the victim or his dependants to the officer incharge of the Police Station or any senior police officer or Executive Magistrate or Judicial Magistrate of the area within 48 hours of the occurrence of crime:

Provided that the Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone any delay in reporting the crime.

(3) The Scheme shall be applicable to family whose income does not exceed Rs 4.50 lakhs per annum.

(4) The employees of State/ Central Government, Boards, Corporations and Public Undertakings and Income Tax Payees shall not be eligible under this Scheme.

6. Eligibility for compensation under the Scheme, shall be:

(a) on a recommendation made by the Court under sub-section (2) of section 357A of the Code;

(b) on a recommendation by the trial Court under sub-section (3) of section 357A of the Act for compensation at the conclusion of the trial, on satisfaction, that the compensation awarded under section 357 is not adequate for such rehabilitation, or where the cases end in acquittal or discharge and the victim has to be rehabilitated;

(c) on an application made by the victim or his dependents to the Legal Services Authority for award of compensation under sub-section (4) of section 357A of the Act, where the offender is not traced or identified, and where no trial takes place;

(d) the victim or his dependents shall co-operate with the police and prosecution during the investigation and trial of the case.
7. Procedure for grant of compensation:

(1) Whenever a recommendation is made by the Court under sub-section (2); or a recommendation is made by the court under sub-section (3); or an application is made by any victim or his dependent under sub-section(4), of section 357-A of the Act to the District Legal Services Authority, the District Legal Services Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness of the claim. After verifying the claim and by conducting due enquiry, the District Legal Services Authority shall award compensation within two months, in accordance with provisions of this Scheme.

(2) The District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on facts of each cases.

(3) While granting compensation under this Scheme an undertaking from the victim or the claimants shall be obtained to the effect that in case of granting subsequent compensation by the Court under sub-section (3) of section 357 of the Act or under any other law, he shall remit the excess amount received as compensation under section 357(A) of the Act.

(4) Compensation received by the victim from the State in relation to the crime in question, namely, Insurance, ex-gratia and/or payment received under this Scheme or G.Os. passed to this effect shall be considered as part of the compensation amount under this Scheme. The victim/claimant who has received compensation amount from collateral sources mentioned above shall be deemed to be compensated under this Scheme and shall not be entitled to separate compensation under this Scheme. If the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount only shall be paid out of the Fund.

(5) The State/District Legal Services Authority shall take into consideration the trauma undergone by a Victim of Commercial Sexual Exploitation and Trafficking (VOCSET) and the aspects of rehabilitation, reintegration and restoration of the VOCSET.

(6) The cases covered under Motor Vehicles Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, and cases covered under existing G.Os and G.Os. issued by the Government from time to time shall not be covered under this Scheme.

(7) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer now below the rank of the officer-In-
charge of the police station or Magistrate of the area concerned, or any other
interim relief as it may deem fit.

(6) The amount of compensation decided and awarded / granted under this Scheme
shall be as per the Schedule and shall be disbursed to the victim or his
dependants from the Fund.

(9) The District Legal Services Authority shall, while making payment of amount
towards compensation, ensure that all the provisions of this Scheme are strictly
complied with.

8. Disbursement of Compensation:

(1) Disbursement of compensation shall be through a Scheduled Bank.

(2) In the case of a victim who is a minor, the amount of compensation awarded shall
be deposited in the account of the minor as fixed deposit, to be withdrawn only
on attainment of his majority.

Provided that the amount of compensation kept in fixed deposits in
exceptional cases may be withdrawn for educational or medical needs of the
beneficiary by the competent person as decided by the District Legal Services
Authority/Appellate Authorities.

9. Recovery From the Wrong-doer:

(1) The District Legal Services Authority may, if it consider proper, institute
proceeding before the competent court of law for recovery of the compensation
granted and paid to the victim or his dependants from the person responsible for
obtaining an order sanctioning compensation under this Scheme based on false,
vexatious, fabricated complaint which is so held by the court, and the
compensation paid shall be recovered with 12% interest per annum.

(2) The District Collector shall implement the said order/award and collect the
amount as arrears of land revenue and credit the same to the Victim
Compensation Fund account of the respective District Legal Services Authority.

10. Dependency Certificate:

The Tahsildar concerned or the Authority designated as competent authority by
the Government in this behalf, from time to time, shall issue dependency certificate
within a period of fifteen days from the date of application.

11. Order to be placed on record:

(1) A Copy of the order of compensation passed under this Scheme shall be placed
on record of the concerned Court to enable the court to pass an order of
compensation under sub-section (2) of section 357 of the Act in the event of
awarding compensation even before disposal of criminal case.
(2) Copy of order of compensation shall be placed on the record of the concerned court even after passing of final order.

(3) The State/District Legal Services Authority shall maintain the record as well as the copies of the awards passed, year wise, for the purpose of future verification and auditing.

12. Limitation:—

No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Act shall be entertained after a period of twelve months of the crime:

Provided that the District Legal Services Authority is satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim.

13. Appeal:—

(a) Any victim aggrieved of the denial of compensation/ insufficiency of the award by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days from the date of award:

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

(b) The State Legal Services Authority shall dispose of the appeal within a period of 90 days after the service of notices to the parties.

(By Order and in the Name of the Governor of Telangana)

A.SANTHOSH REDDY
SECRETARY TO GOVERNMENT
LEGAL AFFAIRS, LEGISLATIVE AFFAIRS AND JUSTICE

To
The Registrar (General), High Court of Judicature at Hyderabad.
The Member Secretary, Telangana State Legal Services Authority.
The Secretary, Home Department, Telangana Secretariat, Hyderabad.
All the Principal Secretaries / Secretaries in the Secretariat.
The Director General of Police, Telangana, Hyderabad.
The Accountant General, Telangana, Hyderabad.
All the District Collectors in the State of Telangana.
All the District judges, concerned.
The Addl. Director General of Police, CID, Telangana, Hyderabad.
The Deputy Inspector General of Police In State.
The Superintendent of Police, In the State.
The Commissioner of Police, concerned.
The Pay & Account Officer, Telangana, Hyderabad.
The District treasury Officers, concerned.
The Joint Secretary (CS), Ministry of Home Affairs, Government of India, New Delhi.
The Advocate-on-Record, New Delhi.

P.T.O
Copy To:
The Commissioner of Printing Stationery &
Stores Purchase (Plg.Wing) Department.
P.S to Chief Minister, Government of Telangana, Hyderabad.
P.S to Minister for Home, Government of Telangana, Hyderabad.
P.S to Minister for Law, Government of Telangana, Hyderabad.
P.S to Chief Secretary, Government of Telangana, Hyderabad.
P.S to Secretary Law, Government of Telangana, Hyderabad.
Law (C) Department.
SF/SC

//FORWARDED :: BY ORDER //

SECTION OFFICER
NOTIFICATION

In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Tripura hereby frames the following scheme for providing fund for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:

1] Short title & Commencement

(i) This scheme may be called the Tripura Victim Compensation Scheme, 2012
(ii) It shall come into effect from 15th August, 2012.

2] Definition

(i) In this scheme, unless the context otherwise required,

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

b) "Schedule" means Schedule appended to this Scheme;

c) "State" means State of Tripura;

d) "Dependent" means any of spouse, dependent children upto age of 21 years (including legally adopted children) and dependent parents

e) "Victim" means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression ‘victim’ includes his or her guardian or legal heir.

(ii) All other words and expressions used herein and not defined but defined in the Scheme shall have the same meaning assigned to them in the Scheme.

3] Victim Compensation Fund

(i) There shall be constituted a fund namely “Victim Compensation Fund” from which amount of compensation under this scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.
ii) The scheme shall be implemented through the Inspector General of Prisons.

○ The balance fund in Victim Compensation Fund created under the “Victim Compensation Rules, 2007” shall form the initial corpus under the present scheme.

iv) The Victim Compensation Fund shall be credited with 20% of the wages deducted from the convicted prisoners and such other contribution and or grants as the State or Central Government or any other organization or individual may make from time to time.

v) The fund deducted from wages of convicted persons shall be credited into the Personal Deposit Account (PDA) opened at District Level by the Superintendent of Prison and a separate Personal Deposit Account at the State Level by the Inspector General of Prisons.

vi) The fund collected in the PDA at district level will be transferred by the Superintendent of Prison to PDA maintained by Inspector general of Prisons at the end of every month.

4) Eligibility for compensation

i) Victim shall be eligible for the grant of compensation if ordered by the Court,

ii) Victim shall be eligible for the grant of compensation if;

a) The offender is not traced or identified, but the victim is identified and the victim has to incur a lot of expenses on physical and mental rehabilitation, such victim may also apply grant of compensation under sub-section (4) of section 357 A of the Act provided they satisfy the conditions laid down in clause (b) to (j);

b) The victim or claimant must report the crime to the officer-in-charge of the local Police Station under whose jurisdiction the offence was committed or to the Judicial Magistrate having jurisdiction before making claim for compensation;

c) The victim or claimant (in the case of death of victim) cooperates with the Police and prosecution during the investigation and trial of the case. Turning hostile, refusing to depose or turn up during trial shall be considered to be non cooperation.

d) The crime must be one in which the victim sustains mental or bodily injury or dies.
The death or permanent incapacitation of the victim was not the result of victim's own wrong doing or own substantial provocation.

The victim suffers substantial loss of income as a result of the crime or is unable to take care of expenses of medical treatment for injury caused on account of crime.

Due to death of the victim as a result of the crime, dependents may claim compensation if the family becomes destitute and there is no earning member in the family who will support the dependents.

The compensation would be admissible to the victim in the event of loss of property worth Rs.1.0 lakh or more and in the event of death or permanent incapacitation of the victim because of act of crime.

Perpetrators of crime or his/her dependent will not be eligible to any compensation under the scheme.

5) Procedure for grant of compensation

Wherever a recommendation is made by the Court or an application is made by any victim or his dependent under sub section (2) of section 357 A of the Cr. P.C, 1973, to the District Legal Services Authority, it shall then examine the claim and verify the contents of the same with regard to the loss or injury caused to victim arising out of the reported criminal activity and may call for medical report, FIR and related papers, copy of charge sheet/final report of the investigating officer or any other relevant information necessary in order to determine genuineness of the claim. After due inquiry and being satisfied of the commission of the offence, District Legal Services Authority shall determine compensation within two months, in accordance with provisions of this Scheme appended in the schedule and forward it to the Inspector General of Prisons for payment.

The quantum of compensation to be determined under the Scheme shall be disbursed by Inspector General of Prisons to the victim or his dependents as directed by the Court or the Legal Services Authority, as the case may be, either on personal appearance of the victim in the Office of the Inspector General of Prisons or by other mode of payment, but the payment must be made on an urgent basis.
Compensation under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at later date, orders the accused persons to pay any amount by way of compensation under sub-section (3) of section 357 of the code, the victim or claimant (in the case of death of victim) shall remit an amount ordered equal to the amount of compensation, or the amount ordered to be paid under the said sub-section (3) of section 357 of the code, whichever is less. An undertaking to this effect shall be given by the victim/claimant (in the case of death of victim) before the disbursement of the compensation amount.

6] Quantum of compensation

i) The District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case, but shall not exceed the amount specified in the schedule.

ii) Compensation received by the victim or dependent from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or State-run scheme, shall be considered as part of the compensation amount under these scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Fund.

iii) The case covered under Motor Vehicle Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal and cases covered under existing schemes/facilities e.g. extremist violence scheme, die-in-harness scheme etc., shall not be covered under the scheme.

iv) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical treatment to be made available free of cost on the certificate of the Police officer not below the rank of the officer-in-charge of the Police Station or Magistrate of the area concerned, or any other interim relief as it may deem fit.

v) In case employment is given to any family member of victim of crime, the family would not be eligible to assistance under the scheme. However, in case such employment is given after release of compensation under the scheme, the assistance would not be withdrawn.
Order to be placed on record

Any of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial Court to enable the court to pass order of compensation under sub-section (3) of section 357 of the code.

8] Limitation

No claim made by the victim or his dependents under sub-section (4) of section 357 – A of the code shall be entertained after a period of six months of the crime.

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim for another six months.

9] Appeal

Any victim aggrieved of the denial of compensation by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days:

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

10] Power to remove difficulties

If any difficulty arises in giving effect to provisions of this scheme, the Government may, as occasion arises, by order, do anything not inconsistent with the provisions of this scheme, which appears to be necessary to remove difficulty.

11] Repeal


Notwithstanding such repeal, any order issued, action taken or anything whatsoever done under the Rules so repealed shall be deemed to have been made, issued, taken or done under corresponding provisions of these scheme and the provision of Tripura General Clauses Act, 1966 will apply in determining the effect of such repeal.

By order of the Governor,

(R.P. Datta)
Deputy Secretary to the
Government of Tripura
In pursuance of the provisions of clause (3) of Article 348 of "the Constitution of the India", the Governor is pleased to order the publication of the following English translation of Notification No. 4520 /XX(3)-05(09)/2011 Dated: 16 July, 2013 for general information.

Government of Uttarakhand
Home Section-3
No. 4520 /XX-3-2012-05(09)2011

Notification

In exercise of the powers conferred by Section 357-A of the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974), the Governor in co-ordination with the Central Government hereby is pleased to frame the following scheme for providing funds for the purpose of assistance and rehabilitation to the victim or his dependents who have suffered loss or injury as a result of the crime.

The Uttarakhand Victim from Crime Assistance Scheme, 2013

Short title and commencement 1.(1) This scheme may be called the Uttarakhand Victim from Crime Assistance Scheme, 2013.

(2) It shall be deemed to have come into force from 31 December 2009.

Definitions 2. In this scheme, unless the context otherwise requires,-

(a) "Act" means the Code of Criminal Procedure, 1973 (Act No. 2 of 1974);

(b) "Schedule" means Schedule appended to this Scheme;

(c) "State" means State of Uttarakhand;

(d) "Victim" means a person, who himself has suffered loss or injury as a result of crime, Acid attack, Human trafficking, Serious accident etc and require rehabilitation and includes dependent family members.

Victim from crime assistance Fund 3. (1) The State Government shall establish a Victim from crime assistance Fund. Under this scheme shall be paid given amount in Schedule-1 as per manner to the victim person or his dependents, who have suffered loss or injury as a result of the crime, Acid attack, Human trafficking, Serious accident etc and who require rehabilitation.
(2) The State Government shall allot a separate Assistance amount for this scheme which shall be deposited in a corpus fund established for this purpose. The amount of this fund shall be deposited in fixed deposit account of any Nationalised Bank.

(3) Donation, Gift and Grant in aid received from government or non-government sources shall be acceptable for Assistance Fund excluding allotted budget.

(4) The Fund shall be operated by the Director General of Police and the assistance shall be paid by account payee cheque with the joint signatures of the Principal Secretary/Secretary Home Department Government of Uttarakhand and Director General of Police. The payment in the District shall be made by the account payee cheque with the joint signature of the District Magistrate and Senior Superintendent of Police/Superintendent of Police.

Eligibility for assistance

A Victim or the dependant of victim shall be eligible for the grant of assistance if:-

(a) the offender is not traced or identified, but the victim is identified, and where no trial takes place, such victim may also apply grant of compensation under sub section (4) of section 357-A of the Act;

(b) the victim/claimant report the crime to the Magistrate in charge or Judicial Magistrate of the area;

Provided that the District Legal Service Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in reporting;

(c) the victim/claimant cooperate with the police and prosecution during the investigation and trial of the case.

Procedure for grant of assistance

(1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent under sub-section (2) of section 357-A of the Act to the District Legal Service Authority, the District Legal Service Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness. After verifying the claim, the District Legal
Service Authority after due enquiry shall decide the amount of assistance within two months, in accordance with provisions of this Scheme.

(2) Assistance under this Scheme shall be paid subject to the condition that if the trial court while passing judgment at later date, orders the accused persons to pay any amount by way of assistance under sub-section (3) of section 357 of the Act, the victim/claimant shall remit an amount ordered equal to the amount of assistance, or the amount ordered to be paid under the said sub-section (3) of section 357 of the Act, whichever is less. An undertaking to this effect shall be given by the victim/claimant before the disbursal of the assistance amount.

(3) The District Legal Service Authority shall decide the quantum of assistance to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on medical treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The assistance may vary from case to case depending on fact of each case.

(4) The quantum of assistance to be awarded to the Scheme shall be disbursed to the victim or his dependents, as the case may be, from the Fund.

(5) Assistance received by the victim from the State in relation to the crime in question, namely, insurance, ex-gratia and/or payment received under any other Act or State-run scheme, shall be considered as part of the assistance amount under these rules and if the eligible assistance amount exceeds or is equivalent to the payments received by the victim from collateral sources mentioned above, then no assistance amount shall be acceptable by this scheme.

(6) The cases covered under Motor Vehicle Act, 1988 (Act No. 59 of 1988) wherein assistance is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under the Scheme.

(7) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of...
the officer-in-charge of the police station or Magistrate of the
area concerned, or any other interim relief as it may deem fit.

Order to be 6. Copy of the order of assistance passed under this Scheme
placed on record shall be mandatorily placed before the trial Court to enable the
court to pass order of assistance under sub-section (3) of section
357 of the Act.

Limitation 7. No claim made by the victim or his dependents under sub-
section (4) of section 357-A of the Act shall be entertained
after a period of six months of the crime by the State or
District Legal Service Authority;
Provided that the State or District Legal Service
Authority, if satisfied, for the reasons to be recorded in
writing, may condone the delay in filing the claim.

Appeal 8. Any victim aggrieved of the denial of assistance by the District
Legal Service Authority may file an appeal before the State
Legal Service Authority within a period of ninety days;
Provided that the State Legal Service Authority, if
satisfied, for the reasons to be recorded in writing, may
condone the delay in filing the appeal.

By Order,

(Om prakash)
Principal Secretary.
The Governor is pleased to order the publication of the following English translation of notification No. 653/VI-P-9-2014-31(90)/2010 dated: April 9, 2014.

No. 653/VI-P-9-2014-31(90)/2010.
Lucknow: Dated: April 9, 2014.

NOTIFICATION

In exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Uttar Pradesh, in co-ordination with the Central Government, hereby frames the following scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely:

THE UTTAR PRADESH VICTIM COMPENSATION SCHEME

1. This Scheme may be called the Uttar Pradesh Victim Compensation Scheme, 2014

2. In this Scheme, unless the context otherwise requires,
   (a) "Act", means the Code of Criminal Procedure, 1973 (Act No. 2 of 1974);
   (b) "Schedule" means the Schedule appended to this Scheme;
   (c) "State" means the State of Uttar Pradesh;
   (d) "Victim" means a person who himself has suffered loss or injury as a result of the crime and requires rehabilitation, and includes his dependent family members;
   (e) "District Legal Services Authority" means the District Authority constituted under Section 9 of the Legal Services Authorities Act, 1987.
   (f) "State Legal Services Authority" means the State Authority constituted under section 6 of the Legal Services Authorities Act, 1987.

3. (1) There shall be established a fund namely Victim Compensation Fund from which amount of compensation under this Scheme shall be paid to the victim or his dependents who have suffered loss or injury as result of the crime and who require rehabilitation.
   (2) The State Government shall allot a separate budget for the purpose of the Scheme every year.
   (3) The Fund shall be operated by the Secretary, State Legal Services Authority.

4. A victim shall be eligible for the grant of compensation if:
compensation

(a) the offender is not traced or identified, but the victim is identified and where no trial takes place; such victim may also apply for grant of compensation under sub-section (4) of section 357-A of the Act;
(b) the victim/claimant reports the crime to the officer-in-charge of the police station within 48 hours of the occurrence or any senior police officer or Executive Magistrate or Judicial Magistrate of the area provided that the District Legal Services Authority, if satisfied for the reasons to be recorded in writing, may condone the delay in reporting;
(c) the victim/claimant cooperates with the police and the prosecution during the investigation and trial of the case.

Procedure for grant of compensation

5. (1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent under sub-section (2) of section 357-A of the Act to the District Legal Services Authority, the District Legal Services Authority shall examine the case and verify the contents of the claim with regard to the loss or injury caused to the victim and arising out of the reported criminal activity and may call for any other relevant information necessary in order to determine genuineness of the claim. After verifying the claim, the District Legal Services Authority shall, after due enquiry, award compensation within two months from the date of receipt of the recommendation of the court of the receipt of application under sub-section (4) of section 357-A of the Act in accordance with the provisions of this Scheme.

(2) Compensation under this Scheme shall be paid subject to the condition that if the trial court, while passing judgment at later date, orders the accused person to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, the victim/claimant shall remit an amount ordered equal to the amount of compensation or the amount ordered to be paid under the said sub-section (3) whichever is less. An undertaking to this effect shall be given by the victim/claimant before the distribution of the compensation amount.

(3) The District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on the facts of each case.

(4) Keeping in view the particular vulnerabilities and special needs of the affected person in certain cases, the District Legal Services Authority or the State Legal Services Authority, as the case may be, will have the power to provide additional assistance of Rs.
25,000/- subject to maximum of Rs. 1,00,000/-, in the cases where:
(a) The affected person is a minor girl requiring specialized treatment and care;
(b) The person is mentally challenged requiring specialized treatment and care;
(c) Any other case as may be deemed fit by the Legal Services Authority concerned.

(5) The quantum of compensation to be awarded to the victim or his dependents shall not exceed the maximum limit as per Schedule-1.

(6) The amount of compensation decided under the Scheme shall be disbursed to the victim or his dependents, as the case may be, from the Fund. The interim or final financial assistance, as the case may be, shall be remitted to the bank account of the applicant preferably within a week. In cases where the person affected is a minor, the amount shall be remitted to the bank account of his parent or guardian after the Authority concerned is satisfied about the proper utilization of the amount of compensation.

(7) Compensation received by the victim from the State in relation to the crime in question, namely, insurance, ex gratia and/or payment received under any other Act or State-run Scheme, shall be considered as part of the compensation amount under this Scheme and if the due compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of the Fund.

(8) The cases covered under the Motor Vehicles Act, 1988 (Act no.-59 of 1988), wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under this Scheme.

(9) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or the Magistrate of the area concerned. The district Legal Services Authority may order for any other interim relief as it may deem fit.

6. While determining the compensation and rehabilitation services to be provided on the basis of the restorative needs of the affected person, the Authority shall be guided by the following factors:

(a) Type and severity of the bodily injury suffered by the affected person and expenditure incurred or likely to be incurred on victim’s medical treatment and psychological counseling.

(b) Age and financial condition of the affected person so as to determine the need for his education or professional or vocational training, as the case may be.
(c) Non-pecuniary loss entailing suffering, mental or emotional trauma or humiliation faced.

(d) Expenses incurred in connection with provision of any alternate accommodation in cases where the affected person resides in a place other than where the offence was committed and the FIR has been recorded and/or criminal trial initiated.

7. Copy of the order of compensation passed under this Scheme shall be mandatorily placed on record of the trial court to enable the court to pass order of compensation under sub-section (3) of section 357 of the Act.

8. No claim made by the victim or his dependents under sub-section (4) of section 357-A of the Act shall be entertained after a period of six months of the crime:

Provided that the District Legal Services Authority, if satisfied for the reasons to be recorded in writing, may condone the delay in filing any claim.

9. Any victim aggrieved of the denial of compensation by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days:

Provided that the State Legal Services Authority, if satisfied for the reasons to be recorded in writing, may condone the delay in filing the appeal.

S.K. Ragnuvanshi
Sachiv.
GOVERNMENT OF WEST BENGAL
Home Department

NOTIFICATION

No. 5299–PL dated 1st November, 2012.—In exercise of the powers conferred by section 357A by the Code of Criminal Procedure 1973 (2 of 1974) the Governor is pleased to declare the following Scheme for providing compensation to those victims of crimes or his/her dependents who have suffered loss or injury and who require rehabilitation, namely:—

Scheme

1. (1) These Scheme may be called the West Bengal Victim Compensation Scheme, 2012;
   (2) This may come into force at once.

2. In these Scheme, unless the context otherwise required
   (a) “Act” means the Code of Criminal Procedure, 1973 (2 of 1974);
   (b) “Dependents” mean a person who fully depends on the earnings of the victim;
   (c) “Schedule” means Schedule appended to these Scheme;
   (d) “State” means State of West Bengal;
   (e) “Victim” means a person who himself has suffered loss or injury as a result of crime and requires rehabilitation and includes dependent.

3. (1) There shall be constituted a fund namely Victim Compensation Fund from which amount of compensation under these Scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation,
(2) The State Government shall allot a separate budget for the purpose of the Scheme every year,

(3) The Fund shall be operated by the Secretary, State Legal Services Authority or the District Legal Services Authority, as the case may be,

(4) The Fund will be maintained and audited as per existing Government rules.

Eligibility for Compensation

4. A victim of acid attack and sexual offences including rape and human trafficking shall be eligible for the grant of compensation if:—

(a) a recommendation is made by the Court for compensation under sub-section (2) of Section 357A of the Act;

(b) the Trial Court, at the conclusion of the trial, is satisfied, that the compensation awarded under 357 is not adequate for such rehabilitation, or where the cases end in acquittal or discharge and the victim has been rehabilitated, makes recommendation for compensation under sub-section (3) of section 357(A) of the Act;

(c) the offender is not traced or identified, but the victim is identified and where no trial takes place, such victim or his dependent may apply for award of compensation under sub-section (4) of section 357A of the Act;

(d) they should not have been compensated for the loss or injury under any other scheme of the Central or State Government, Insurance Company or any other institutions.

Procedure for Grant Compensation

5. (1) Whenever a recommendation is made by the Court of Compensation or an application is made by any victim or his dependent under sub-section (4) of section 357A of the Act to the State or the District Legal Services Authority, the State or the District Legal Services Authority shall examine the case and shall verify the contents of the claim with regard to the loss or injury caused to the claimant and also may call for any other relevant information necessary for consideration of the claim from the concerned victim or his dependent. After verifying the claim and after due enquiry the State or the District Legal Services Authority shall award compensation under sub-section (5) of section 357A of the Act.

(2) The State or the District Legal Services Authority, as the case may be, shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges, as funeral expenses etc.

(3) The quantum of compensation to be awarded to the victim or his dependents shall not exceed from the maximum limit as per Schedule-I.

(4) The amount of compensation as appended to these scheme by the State or the District Legal Services Authority shall be disbursed to the victim or his dependents, as the case may be, from the Victim Compensation Fund.

(5) The cases covered under Motor Vehicles Act, 1988 (59 of 1988) wherein compensation is to be awarded by the Motor Accident Claims Tribunal, shall not be covered under these Scheme.

(6) The State or the District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer-in-charge of the police station or Magistrate of the area concern, or any other interim relief as it may deem fit.
Limitations

6. Under these Scheme, no claim made by the victim or his dependents under sub-section (4) of section 357A of the Act shall be entertained after a period of six months of the Crime.

Provided that, the State or the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing may condone the delay in filing the claim.

This Notification is issued with concurrence of Finance Department (Group D), vide their U.O. No. D 182/3 dated 07.03.2012 and with the approval of Cabinet held on 06.09.2012.

Schedule-I

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Particular of Loss or Injury</th>
<th>Maximum Limit of Compensation</th>
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<tr>
<td>✔</td>
<td>Loss of Life</td>
<td>Rs. 2.00 lacs</td>
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<tr>
<td>2.</td>
<td>Loss of any limb or part of body resulting 80% or above handicap</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>✔</td>
<td>Loss of any limb or part of body resulting 40% &amp; below 80% handicap</td>
<td>Rs. 20,000/-</td>
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<td>✔</td>
<td>Rape</td>
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<td>Rape</td>
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<td>Rehabilitation</td>
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<tr>
<td>✔</td>
<td>Loss of any limb or part of body resulting below 40% handicap</td>
<td>Rs. 10,000/-</td>
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<tr>
<td>✔</td>
<td>Loss or injury causing severe mental agony to women and child victims in cases of Human Trafficking</td>
<td>Rs. 10,000/-</td>
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<tr>
<td>✔</td>
<td>Loss or injury to Child victims</td>
<td>Rs. 10,000/-</td>
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</tbody>
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By order of the Governor,

B. BANERJEE

Principal Secretary to the Government of West Bengal.
NOTIFICATION

Port Blair, dated the 29th September, 2012.

No. 212/2012/F.No.16-120/2010-Home.— In exercise of the powers conferred by Section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974) read with Notification No. U-15039/64/2010-Plg./UTL dated 13/08/2012, issued by Government of India, Ministry of Home Affairs, New Delhi, the Lieutenant Governor (Administrator), Union Territory of Andaman and Nicobar Islands hereby makes the following scheme for providing funds for the purpose of Assistance to be given to the victim or his dependents who have suffered loss or injury or both as a result of the crime and who require rehabilitation.

1. **Short title and commencement** :-
   
   (1) This scheme may be called the Andaman and Nicobar Islands Victim Assistance Scheme, 2012.

   (2) This shall come into force on the date of its publication in the Official Gazette of Union Territory of Andaman and Nicobar Islands.

2. **Definitions** :- In this scheme, unless the context otherwise requires.—

   (a) "Victim" means as defined in Clause (wa) of Section 2 of Code of Criminal Procedure, 1973;

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

   (c) "Collector" means the Collector/Deputy Commissioner of a District of the Union Territory of Andaman and Nicobar Islands or any person authorized in this behalf;

   (d) "dependent" means wife or husband, father, mother, unmarried daughter and minor children of the victims as determined by the authority empowered to issue dependency certificate;

   (e) "Schedule" means the Schedule appended to the scheme;

   (f) "Union Territory" means a Union Territory of Andaman and Nicobar Islands; and

   (g) "Union Territory Legal Services Authority" and "District Legal Services Authority" means Union Territory/State Legal Services Authority or District Legal Services Authority of Union Territory of Andaman and Nicobar Islands as defined in Legal Services Authority Act, 1987.

3(1). Victim Assistance Scheme will be funded from the Consolidated Fund of India, as per requirements of the Scheme. The funds for this Scheme will be made available to the Union Territory by the MHA by way of Grant under Grant No. '55' Other Expenditure of MHA.

3(2). Amounts of fines imposed under Section 357 Cr.P.C. and ordered to be deposited by the Courts in the Victim Compensation/Assistance fund will be deposited into the Consolidated Fund of India.
The cost of the Assistance shall be recovered from the wrongdoer/accused and shall be treated as Public Demand to be recovered in accordance with the relevant provisions of law.

3(4). The said Fund shall be operated by the Collector/Deputy Commissioner of the Union Territory of Andaman and Nicobar Islands.

4. Eligibility for Assistance:— The victim or his dependents satisfying the following criteria shall be eligible for the grant of Assistance, namely:

(1) he should not have received any Assistance for the loss or injury under any other scheme of the Central Government or Union Territory Administration of this nature.

5. Procedure for Grant of Assistance:—

(1) Wherever a recommendation is made by the Court for Assistance under Sub-Section 2 of Section 357A of the Act or an application is made by any victim or his dependents under Sub-Section 4 of Section 357A of the Act to the Union Territory/State Legal Services Authority, the Union Territory/State Legal Services Authority or the District Legal Services Authority as the case may be, shall examine the case and verify the contents of the claim with regard to the loss or injury or both and rehabilitation necessitated as a result of the crime and may also call for any other relevant information necessary for consideration of the claim from the concerned.

(2) The inquiry as contemplated under Sub-Section (5) of Section 357A of the Act shall be completed within a period of sixty days from the date of receipt of the recommendation or application.

(3) After completion of inquiry, the Union Territory/State Legal Services Authority or the District Legal Services Authority as the case may be, upon its satisfaction, shall decide the quantum of Assistance to be awarded to the victim or his dependents on the basis of loss or injury or both or for rehabilitation, medical expenses to be incurred on treatment and such incidental charges as funeral expenses etc.

Provided that the quantum of Assistance to be awarded to the victim or his dependents shall not be less or more than what is provided in Schedule attached to the scheme and if at a later date, compensation awarded by the Court is more than maximum limit, the amount of Assistance already paid shall be adjusted.

6. Order to be Placed on Record:— The copy of the order of Assistance shall be placed on record of the trial court to enable the court to pass order of compensation under Sub-Section (3) of Section 357A of the Act.

7. Method of Disbursement of Assistance:—

(1) The amount of Assistance so awarded shall be deposited in a nationalized bank or in scheduled bank where the branch of nationalized bank is not available in the single or joint name of the victim or the dependents and out of the amount so deposited, 75% of the same shall be in fixed deposit for a minimum period of three years and the remaining 25% shall be available for the utilization and initial expenses by the victim or the dependents or petitioners, as the case may be, and in exceptional circumstances, District or Union Territory/State Legal Services Authority after being satisfied, may allow withdrawal upto 50% for the welfare of the victim or the dependents or petitioners.

(2) In the case of a minor, 80% of the amount of Assistance so awarded shall be deposited in the fixed deposit account and shall be withdrawn only on attainment of the age of majority, however, exception can be made for educational or medical needs of the beneficiary at the discretion of Union Territory/State Legal Services Authority or the District Legal Services Authority.

(3) The interest on the amount of fixed deposit shall be credited directly by the bank in the saving account of the victim or the dependents on monthly basis.

8. Medical Aid to the Victim:— The Union Territory/State Legal Services Authority or the District Legal Services Authority of the Union Territory of Andaman and Nicobar Islands to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits or any other interim relief as deemed fit, to be made available free of cost to the victim, which shall not be adjustable against the amount of Assistance.
9. Dependency Certificate: The authority empowered to issue the Dependency Certificate shall issue the same within a period of fifteen days and in no case the period shall be extended and the Union Territory/State Legal Services Authority or the District Legal Services Authority as the case may be, in case of non-issuance of Dependency Certificate by the authority within the said period of fifteen days may proceed on the basis of an affidavit to be obtained from the claimant.

10. Limitation: No claim of Assistance shall be entertained after a period of three years from the date of commission of crime:

Provided that the Union Territory/State Legal Services Authority or the District Legal Services Authority as the case may be, if satisfied, for reasons to be recorded in writing, may entertain a claim after the said period of three years.

11. Appeal: Any victim aggrieved of the denial of Assistance by the District Legal Services Authority may file an appeal before the Union Territory/State Legal Services Authority within a period of ninety days:

Provided that the Union Territory/State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone delay in filing the appeal.

12. Quantum of Assistance: The Assistance shall be granted as per the Schedule annexed to the Scheme.

By order and in the name of the Lieutenant Governor,
Andaman and Nicobar Islands.

Sd./-
(K. Purushothaman Achari)
Assistant Secretary (Home)
CHANDIGARH ADMINISTRATION
HOME DEPARTMENT
NOTIFICATION

The 29th March 2012

No. HIII(2)-2012/

In exercise of the powers conferred by Section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Administrator of the Union Territory of Chandigarh, hereby makes the following scheme for providing funds for the purpose of Assistance to be given to the victim or his/her dependent(s) who have suffered loss or injury or both as a result of the crime and who require rehabilitation.

1. Short title and commencement.
   (i) This scheme may be called the Union Territory of Chandigarh Victim Assistance Scheme, 2012.
   (ii) This shall come into force on the date of its publication in the Official Gazette of Union Territory of Chandigarh.

2. Definitions.

   In this scheme, unless the context otherwise requires:-
   a) ‘Victim’ means as defined in clause (wa) of section 2 of the Code of Criminal Procedure 1973;
   c) ‘Collector’ means the Collector of District of the Union Territory of Chandigarh or any person authorized in this behalf.
   d) ‘Dependent’ means wife or husband, father, mother, unmarried daughter and minor children of the victim as determined by the authority empowered to issue dependency certificate;
   e) ‘Schedule’ means the Schedule appended to the scheme.
   f) ‘Union Territory’ means the Union Territory of Chandigarh;
   g) ‘State Legal Services Authority’, ‘Union Territory, Chandigarh’ and ‘District Legal Services Authority’, Chandigarh means State Legal Services Authority or District Legal Services Authority of Union Territory of Chandigarh as defined in Legal Services Authority Act, 1987;

3. (1) Victim Assistance Scheme will be funded from the Consolidated Fund of India, as per requirements of the Scheme. The funds for this Scheme will be made available to the Union Territory by the MHA by way of Grant under Grant No. ‘55’ Other Expenditure of MHA.

   (2) Amounts of fine imposed under Section 357, Cr. P.C. and ordered to be deposited by the Courts in the Victim Compensation/Assistance fund will be deposited in the Consolidated Fund of India.
(3) The cost of the Assistance shall be recovered from the wrongdoer/accused and shall be treated as Public Demand to be recovered in accordance with the relevant provisions of law.

(4) The said Fund shall be operated by the Collector/Deputy Commissioner of the Union Territory of Chandigarh.

4. Eligibility for Assistance:

The victim or his/her dependent(s) satisfying the following criteria shall be eligible for the grant of Assistance, namely:

(i) He/she should not have received any Assistance for the loss or injury under any other scheme of the Central Government or UT Administration of this nature.

5. Procedure for grant of Assistance:

i) Wherever a recommendation is made by the Court for Assistance under sub-section 2 of Section 357-A of the Code or an application is made by any victim or his/her dependent(s) under sub section 4 of section 357-A of the Code to the State Legal Services Authority or the District Legal Services Authority as the case may be, shall examine the case and verify the contents of the claim with regard to the loss or injury or both and rehabilitation necessitated as a result of the crime and may also call for any other relevant information necessary for consideration of the claim from the concerned.

ii) The inquiry as contemplated under sub-section (5) of Section 357-A of the Code shall be completed within a period of sixty days from the date of receipt of the recommendation or application.

iii) After completion of inquiry, the State Legal Services Authority or the District Legal Services Authority as the case may be, upon its satisfaction, shall decide the quantum of Assistance to be awarded to the victim or his/her dependent(s) on the basis of loss or injury or both or for rehabilitation, medical expenses to be incurred on treatment and such incidental charges as funeral expenses etc.

Provided that the quantum of Assistance to be awarded to the victim or his/her dependent(s) shall not be less or more than what is provided in Schedule attached to the scheme and if at a later date, compensation awarded by the Court is more than maximum limit, the amount of Assistance already paid shall be adjusted.

6. Order to be placed on record:

The copy of the order of Assistance shall be placed on record of the trial court to enable the court to pass order
of compensation under sub-section (3) of Section 357-A of the Code.

7. Method of disbursement of Assistance:-

(1) The amount of Assistance so awarded shall be deposited in a nationalized bank or in the scheduled bank where the branch of Nationalized bank is not available in the single or joint name of the victim or dependent(s) and out of the amount so deposited, 75% of the same shall be in fixed deposit for a minimum period of three years and the remaining 25% shall be available for the utilization and initial expenses by the victim or the dependent(s) or petitioner(s), as the case may be, and in exceptional circumstances, District or Union Territory Legal Services Authority after being satisfied may allow withdrawal upto 50% for the welfare of the victim or the dependent(s) or petitioner(s).

(2) In the case of a minor, 80% of the amount of Assistance so awarded shall be deposited in the fixed deposit account and shall be withdrawn only on attainment of the age of majority. However, exception can be made for educational or medical needs of the beneficiary at the discretion of State Legal Services Authority or the District Legal Services Authority.

(3) The interest on the amount of fixed deposit shall be credited directly by the bank in the saving account of the victim or the dependent(s) on monthly basis.

8. Medical aid to the victim:-

The State Legal Service Authority or District Legal Services Authority of the Union Territory of Chandigarh, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits or any other interim relief as deemed fit, to be made available free of cost to the victim, which shall not be adjustable against the amount of Assistance.

9. Dependency Certificate

The authority empowered to issue the dependency certificate shall issue the same within a period of 15 days and in no case the period shall be extended and the State Legal Services Authority or the District Legal Services Authority as the case may be, in case of non-issuance of dependency certificate by the authority within the said period of 15 days, may proceed on the basis of an affidavit to be obtained from the claimant.

10. Limitation :-

No claim of Assistance shall be entertained after a period of 3 years from the date of commission of crime.

Provided that the State Legal Services Authority or the District Legal Services Authority as the case may be, if
satisfied for reasons to be recorded in writing, may entertain a claim after the said period of three years.

11. Appeal:

Any victim aggrieved of the denial of Assistance by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days.

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone delay in filing the appeal.

12. Quantum of Assistance:

The Assistance shall be granted as per the Schedule annexed to the Scheme.

Anil Kumar, IAS
Home Secretary.
Chandigarh Administration.

Endst. No.HIII(2)-2012/1681
Chandigarh, dated the 29-12

A copy with a copy of its enclosure is forwarded to the Controller Printing & Stationery, U.T., Chandigarh for publication of the notification in the Chandigarh Administration Gazette (extraordinary) and to supply 20 copies to this department in due course for record.

Additional Secretary Home,
For Home Secretary,
Chandigarh Administration.

Endst. No.HIII(2)-2012/1681
Chandigarh, dated the 29-12

A copy with a copy of its enclosure is forwarded to the Under Secretary, Govt. of India, Ministry of Home Affairs, New Delhi w.r.t. his letter No.U.15/039/64/2010-InCell/UT dated 13.8.2012 for information.

Additional Secretary Home,
For Home Secretary,
Chandigarh Administration.

Endst. No.HIII(2)-2012/1681
Chandigarh, dated the 29-12

A copy with a copy of its enclosure is forwarded to the Director Public Relations, U.T., Chandigarh for giving wide publicity to the scheme through the print and electronic media.

Additional Secretary Home,
For Home Secretary,
Chandigarh Administration.
In pursuance to the Ministry of Home Affairs, letter No.24013/94/Misc/2014-CSR.III dated 14th October, 2015 and in exercise of the powers conferred by Section 357 A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Administrator of Union Territory of Daman & Diu is hereby pleased to amend the schedule appended to Victim Assistance Scheme Vide Notification No.1/DC/Home/VSA/30/2012-13/402 dated 05/10/2012 and No. 1/DC/Home/VSA/30/2012-13/587 dated 06/12/2013 regarding Assistance granted to the victim or his dependents who have suffered loss or injury or both as a result of the crime and who require rehabilitation as under:

Contd.:
## SCHEDULE

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Particulars of Loss or Injury</th>
<th>Minimum Limit of Compensation</th>
<th>Maximum Limit of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of life</td>
<td>₹ 3 lacs</td>
<td>₹ 5 lacs</td>
</tr>
<tr>
<td>2</td>
<td>Rape</td>
<td>₹ 3 lacs</td>
<td>₹ 4 lacs</td>
</tr>
<tr>
<td>3</td>
<td>Loss of any limb or part of body resulting in 80% permanent disability or above.</td>
<td>₹ 2 lacs</td>
<td>₹ 3 lacs</td>
</tr>
<tr>
<td>4</td>
<td>Loss of any limb or part of body resulting in above 40% and below 80% permanent disability</td>
<td>₹ 1 lacs</td>
<td>₹ 1.5 lacs</td>
</tr>
<tr>
<td>5</td>
<td>Loss of any limb or part of body resulting in 20% and below 40% permanent disability above</td>
<td>₹ 60,000/-</td>
<td>₹ 1 lacs</td>
</tr>
<tr>
<td>6</td>
<td>Loss of any limb or part of body resulting in below 20% permanent disability</td>
<td>₹ 50,000/-</td>
<td>₹ 50,000/-</td>
</tr>
<tr>
<td>7</td>
<td>Victim of human trafficking, child abuse and kidnapping.</td>
<td>₹ 50,000/-</td>
<td>₹ 50,000/-</td>
</tr>
<tr>
<td>8</td>
<td>Simple loss or injury to child Victim</td>
<td>₹ 10,000/-</td>
<td>₹ 10,000/-</td>
</tr>
<tr>
<td>9</td>
<td>Rehabilitation</td>
<td>₹ 20,000/-</td>
<td>₹ 20,000/-</td>
</tr>
<tr>
<td>10</td>
<td>Victim of acid attack</td>
<td>₹ 3 lacs</td>
<td>₹ 4 lacs</td>
</tr>
<tr>
<td>11</td>
<td>Physical abuse of minor</td>
<td>₹ 2 lacs</td>
<td>₹ 2.5 lacs</td>
</tr>
<tr>
<td>12</td>
<td>Rehabilitation of victim of Human Trafficking</td>
<td>₹ 1 lacs</td>
<td>₹ 1.5 lacs</td>
</tr>
<tr>
<td>13</td>
<td>Sexual assault (Excluding rape)</td>
<td>₹ 50,000/-</td>
<td>₹ 1 lacs</td>
</tr>
<tr>
<td>14</td>
<td>Burns affecting greater than 25% if the body</td>
<td>₹ 2 lacs</td>
<td>₹ 2.5 lacs</td>
</tr>
<tr>
<td>15</td>
<td>Loss of foetus</td>
<td>₹ 50,000/-</td>
<td>₹ 1 lacs</td>
</tr>
<tr>
<td>16</td>
<td>Loss of fertility</td>
<td>₹ 1.5 lacs</td>
<td>₹ 2 lacs</td>
</tr>
<tr>
<td>17</td>
<td>Women victims of cross border firing</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Death or Permanent Disability (80% or more)</td>
<td>₹ 2 lacs</td>
<td>₹ 2.5 lacs</td>
</tr>
<tr>
<td></td>
<td>(b) Partial Disability (40% to 80%)</td>
<td>₹ 1 lacs</td>
<td>₹ 1.5 lacs</td>
</tr>
</tbody>
</table>

Note: If the victim is less than 14 years of age, the compensation shall be increased by 50% over the amount specified above.

Sd/-
(Rakesh Kumar)
Deputy Secretary (Home)
Secretariat, Daman

Page 2 of 3
UT ADMINISTRATION OF DAMAN AND DIU
HOME DEPARTMENT
NOTIFICATION

No. 1/DC/Home/VAS/30/2013-14/587 The 6th December, 2013

READ :- Notification No. 1/DC/Home/VAS/30/2012-13/402 dated 05/10/2012

NOTIFICATION

In compliance of the direction of the Hon'ble Supreme Court in WP (CRL) 129 of 2006 (Laxmi V/s. Union of India and others) regarding compensation to victims of acid attack, the entry at Serial No. 10 to the schedule annexed to para 12 of the Union Territory of Daman & Diu Victim Assistance Scheme 2012, is hereby amended as follows :-

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Particular of Loss of Injury</th>
<th>Minimum Limit (In ₹)</th>
<th>Maximum Limit of Assistance (In ₹)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Victim of acid attack :</td>
<td>Compensation of at least ₹ 3,00,000/- (Rupees Three Lakh) shall be paid to said attack victims as the after care and rehabilitation cost. Of this amount, :-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(a) A sum of ₹ 1 lakh shall be paid within 15 days on the occurrence of such incidence (or bring brought to the notice of the UT Administration of Daman &amp; Diu) to facilitate immediate medical attention and expenses in this regard.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(b) The balance sum of ₹ 2 lakhs shall be paid to the victims expeditiously as may be possible and positively within two months thereafter.</td>
<td></td>
</tr>
</tbody>
</table>

Sd/-

(S. K. Varma)
Deputy Secretary (Home)
Secretariat, Daman:

* * *

Government Printing Press, Daman - 12/2013 - 250,
[Price Rs. 2.00]
NOTIFICATION

No. 1/DC/Home/VAS/30/2012-13/402

In exercise of the powers, conferred by Section 357 A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Administrator of Union Territory of Daman & Diu hereby makes the following scheme for providing funds for the purpose of Assistance to be given to the victim or his dependents who have suffered loss or injury or both as a result of the crime and who require rehabilitation.

1. **Short title and Commencement**: (1) This scheme may be called the Union Territory of Daman & Diu Victim Assistance Scheme, 2012.

   (2) The scheme shall come into force on the date of its publication in the Official Gazette of Union Territory of Daman & Diu Administration.

2. **Definitions**.- In this scheme, unless the context otherwise requires:

   (i) "Victim" as defined in clause (wa) of section 2 of the Code of Criminal Procedure, 1973;

   (ii) "Act" means the Code of Criminal Procedure, 1973 (Act 2 of 1974);
(iii) "Collector" means the Collectors of a District of the Union Territory of Daman & Diu or any person authorized in this behalf;

(iv) "Dependent" means wife or husband, father, mother, unmarried daughter and minor children of the victim as determined by the authority empowered to issue dependency certificate;

(v) "Schedule" means the Schedule appended to this scheme;

(vi) "Union Territory" means the Union Territory of Daman & Diu; and

(vii) "Union Territory Legal Services Authority" and "District Legal Services Authority" means Union Territory Legal Services Authority or District Legal Service Authority of Union Territory of Daman & Diu as defined in Legal Services Authority Act, 1987;

3 (1) Victim Assistance Scheme will be funded from the Consolidated Funds of India, as per requirements of the Scheme. The funds for this Scheme will be made available to the Union Territory by the MHA, by the way of Grant under Grant No. '55' Other Expenditure of MHA.

3 (2) Amounts of fines imposed under Section 357 Cr. P.C. and ordered to be deposited by the Courts in the Victim Compensation/Assistance fund will be deposited into the Consolidated Fund of India.

3 (3) The cost of the Assistance shall be recovered from the wrongdoer/accused and shall be treated as Public Demand to be recovered in accordance with the relevant provision of law.

3 (4) The said Fund shall be operated by the Collector of the Union Territory of Daman & Diu.

4. **Eligibility for Assistance:** The victim or his dependents satisfying the following criteria shall be eligible for the grant of Assistance, namely:-

   (1) He should not have been received any Assistance for the loss or injury under any other scheme of the Central Government or Union Territory Administration of this nature.

5. **Procedure for grant of Assistance:**

   (i) Whenever a recommendation is made by the Court for Assistance under subsection 2 of section 357-A of the Act or an application is made by any victim or his dependents under subsection 4 of section 357-A of the Act to the Union Territory Legal Services Authority, the Union Territory Legal Services Authority or District Legal Service Authority, as the case may be, shall examine the case and verify the contents of the claim with regard to the loss or injury or both and rehabilitation necessitated as a result of the crime and may also call for any other relevant information necessary for consideration of the claim from the concerned.

   (ii) The inquiry as contemplated under subsection (5) of section 357-A of the Act shall be completed within a period of sixty days from the date of receipt of the recommendation or application.
(iii) After completion of inquiry, the Union Territory Legal Services Authority or District Legal Service Authority as the case may be, upon its satisfaction shall decide the quantum of Assistance to be awarded to the victim or his dependents on the basis of loss or injury or both or for rehabilitation, medical expenses to be incurred on treatment and such incidental charges as funeral expenses etc.

Provided that the quantum of Assistance to be awarded to the victim or his dependent shall not be less or more than what is provided in schedule attached to the scheme and if at a later date, compensation awarded by the Court is more than the maximum limit, the amount of Assistance already paid shall be adjusted.

6. **Order to be placed on record** :- The copy of the order of assistance shall be placed on record of the trial court to enable the court to pass order of compensation under sub section (3) of section 357-A of the Act.

7. **Method of disbursement of Assistance** :- (1) The amount of Assistance so awarded shall be deposited in a nationalized bank or in the Scheduled commercial bank where the branch of Nationalized banks is not available, in the joint or single name of the victim or the dependents and out of the amount so deposited, 75% of the same shall be put in a fixed deposit for a minimum period of three years and the remaining 25% shall be available for the utilization and initial expenses by the victim or the dependents or petitioners, as the case may be, and in exceptional circumstances, District or Union Territory Legal Service Authority after being satisfied may allow withdrawal upto 50 % for welfare of victim or dependents or petitioners.

(2) In the case of a minor, 80% of the amount of Assistance so awarded shall be deposited in the fixed deposit account and shall be withdrawn only on attainment of the age of majority, however, exception can be made, for educational or medical needs of the beneficiary at the discretion of Union Territory Legal Service Authority or District Legal Services Authority.

(3) The interest on the amount of fixed deposit shall be credited directly by the bank in the saving account of the victim or dependents on monthly basis.

8. **Medical aid to the victim** :- The Union Territory Legal Service Authority or District Legal Service Authority of Union Territory of Daman & Diu to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits or any other interim relief as deemed fit, to be made available free of cost to the victim, which shall not be adjustable against the amount of Assistance.

9. **Dependency Certificates** :- The authority empowered to issue the dependency certificate shall issue the same within a period of fifteen days and in no case this period shall be extended. The Union Territory Legal Services Authority or District Legal Services Authority as the case may be, in case of non-issuance of Dependency certificate, by the authority within the said period of fifteen days, may proceed on the basis of an affidavit to be obtained from the claimant.

10. **Limitation** :- No claim of Assistance shall be entertained after a period of three years from the date of commission of crime.

Provided that the Union Territory Legal Services Authority or the District Legal Services Authority as the case may be, if satisfied for reasons to be recorded in writing, may entertain a claim after the said period of three years.
11. **Appeal:** Any victim aggrieved of the denial of Assistance by the District Legal Services Authority may file an appeal before the Union Territory Legal Service Authority within a period of ninety days.

Provided that the Union Territory Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

12. **Quantum of Assistance:** The Assistance shall be granted as per the Schedule annexed to the Scheme.

### Schedule

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Particulars of Loss or Injury</th>
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</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Loss of life</td>
<td>₹ 3 lacs</td>
<td>₹ 5 lacs</td>
</tr>
<tr>
<td>2.</td>
<td>Rape</td>
<td>₹ 2 lacs</td>
<td>₹ 3 lacs</td>
</tr>
<tr>
<td>3.</td>
<td>Loss of any limb or part of body resulting in 80% permanent disability or above</td>
<td>₹ 2 lacs</td>
<td>₹ 3 lacs</td>
</tr>
<tr>
<td>4.</td>
<td>Loss of any limb or part of body resulting in above 40% and below 80% permanent disability</td>
<td>₹ 1 lacs</td>
<td>₹ 1.5 lacs</td>
</tr>
<tr>
<td>5.</td>
<td>Loss of any limb or part of body resulting in 20% and below 40% permanent disability above</td>
<td>₹ 60,000/-</td>
<td>₹ 1 lacs</td>
</tr>
<tr>
<td>6.</td>
<td>Loss of any limb or part of body resulting in below 20% permanent disability</td>
<td>₹ 50,000/-</td>
<td>₹ 50,000/-</td>
</tr>
<tr>
<td>7.</td>
<td>Victim of human trafficking, child abuse and kidnapping</td>
<td>₹ 50,000/-</td>
<td>₹ 50,000/-</td>
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<tr>
<td>8.</td>
<td>Simple loss or injury to child Victim</td>
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<td>9.</td>
<td>Rehabilitation</td>
<td>₹ 20,000/-</td>
<td>₹ 20,000/-</td>
</tr>
<tr>
<td>10.</td>
<td>Victim of acid attack</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. In case of disfigurement of face</td>
<td>₹ 2 lacs</td>
<td>₹ 3 lacs</td>
</tr>
<tr>
<td></td>
<td>b. Other cases of injury</td>
<td>₹ 50,000/-</td>
<td>₹ 50,000/-</td>
</tr>
</tbody>
</table>

This is issued in suppression of earlier Notification No. 1/DC/Home/VCS/30/2011-12/356 dated 25th July, 2011.

Sd/-
Deputy Secretary (Home)
Secretariat, Daman

*(Government Printing Press, Daman, 10/2012 – 235.)*

Page 4 of 4
Administration of
Dadra & Nagar Haveli (UT)
(Home Department)
Secretariat, Silvassa.

No. DNH/DS(Home)/Victim/2011/297


NOTIFICATION

In exercise of the powers conferred by Section 357 A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Administrator, Dadra and Nagar Haveli-Silvassa hereby makes the following scheme for providing funds for the purpose of Assistance to be given to the victim or his dependents who have suffered loss or injury or both as a result of the crime and who require rehabilitation.

1. Short title and commencement: (1) This scheme may be called the Union Territory of Dadra & Nagar Haveli Victim Assistance Scheme, 2012.

(2) This shall come into force on the date of its publication in the Official Gazette of the Union Territory of Dadra & Nagar Haveli.

2. Definitions: In this scheme, unless the context otherwise requires:-

(a) ‘Victim’ means as defined in clause (wa) of section 2 of the Code of Criminal Procedure 1973


(c) ‘Collector’ means the Collector of a District of the Union Territory of Dadra and Nagar Haveli or any person authorized in this behalf.

(d) ‘Dependent’ means wife or husband, father, mother, unmarried daughter and minor children of the victim as determined by the authority empowered to issue dependency certificate.

(e) ‘Schedule’ means the Schedule appended to the scheme.

(f) ‘Union Territory’ means the Union Territory of Dadra and Nagar Haveli.

(g) ‘Union Territory Legal Services Authority’ and “District Legal Services Authority” means Union Territory Legal Services Authority or District Legal Service Authority of Union Territory of Dadra and Nagar Haveli as defined in Legal Services Authority Act, 1987.
3(1) Victim Assistance Scheme will be funded from the Consolidated Fund of India, as per requirements of the Scheme. The funds for this Scheme will be made available to the Union Territory by the MHA by way of Grant under Grant No. '55' other Expenditure of MHA.

3(2) Amounts of fines imposed under Section 357 Cr. PC. Sent ordered to be deposited by the Courts in the Victim Compensation/Assistance fund will be deposited into the Consolidated Fund of India.

3(3) The cost of the Assistance shall be recovered from the wrongdoer/accused and shall be treated as Public Demand to be recovered in accordance with the relevant provisions of law.

3(4) The said Fund shall be operated by the Collector of the Union territory of Dádára and Nágár-Hávéli.

4. **Eligibility of Assistance:** The victim or his dependents satisfying the following criteria shall be eligible for the grant of Assistance, namely:-

(1) He should not have received any Assistance for the loss or injury under any other Scheme of the Central Government or Union territory Administration of this nature.

5. **Procedure for grant of Assistance:-**

(1) Whenever a recommendation is made by the Court for compensation under sub-section 2 of section 357 A of the Act or an application is made by any victim or his dependents under sub – section 4 of section 357 A of the Act to the Union Territory Legal Services Authority, the Union Territory Legal Services Authority or the District Legal Service Authority as the case may be, shall examine the case and verify the contents of the claim with regard to the loss or injury or both and rehabilitation necessitated as a result of the crime and may also call for any other relevant information necessary for consideration of the claim from the concerned.

(2) The inquiry as contemplated under sub – section (5) of section 357 A of the Act shall be completed within a period of sixty days from the date of receipt of the recommendation or application.

(3) After completion of inquiry, the Union Territory Legal Services Authority or District Legal Service Authority as the case may be, upon its satisfaction, shall decide the quantum of Assistance to be awarded to the victim or his dependents on the basis of loss or injury or both or for rehabilitation, medical expenses to be incurred on treatment and such incidental charges as funeral expenses etc.

Provided that the quantum of Assistance to be awarded to the victim or his dependents shall not be less or more than what is provided in Schedule attached to the scheme and if at a later date, compensation awarded by the Court is more than maximum limit, the amount of Assistance already paid shall be adjusted.
6. **Order to be placed on record:** The copy of the order of Assistance shall be placed on record of the trial court to enable the court to pass order of compensation under sub section (3) of section 357 A of the Act.

7. **Method of disbursement of Assistance:**
   - (1) The amount of Assistance so awarded shall be deposited in a nationalized bank or in the scheduled bank where the branch of Nationalized bank is not available, in the joint name of the victim or the dependents and out of the amount so deposited, 75% of the same shall be put in a fixed deposit for a minimum period of three years and the remaining 25% shall be available for the utilization and initial expenses by the victim or the dependents or petitioners as the case may be and in exceptional circumstances, District or Union Territory Legal Authority after being satisfied may allow withdrawal upto 50% for welfare of the victim or the dependents or petitioners.

   (2) In the case of a minor, 80% of the amount of Assistance so awarded shall be deposited in the fixed deposit account and shall be withdrawn only on attainment of the age of majority, however, exception can be made for educational or medical needs of the beneficiary at the discretion of Union Territory Legal Service Authority or District Legal Services Authority.

   (3) The interest on the amount of fixed deposit shall be credited directly by the bank in the saving account of the victim or the dependents on monthly basis.

8. **Medical aid to the victim:** The Union Territory Legal Service Authority or the District Legal Service Authority of Union Territory of Dadra and Nagar Haveli to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits or any other interim relief as deemed fit, to be made available free of cost to the victim, which shall not be adjustable against the amount of Assistance.

9. **Dependency Certificate:** The authority empowered to issue the dependency certificate shall issue the same within a period of fifteen days and in no case the period shall be extended and the Union Territory Legal Services Authority or the District Legal Services Authority as the case may be, in case of non-issuance of Dependency Certificate by the authority within the said period of fifteen days, may proceed on the basis of an affidavit to be obtained from the claimant.

10. **Limitation:** No claim of Assistance shall be entertained after a period of three years from the date of commission of crime.

    Provided that the Union Territory Legal Services Authority or the District Legal Services Authority as the case may be, if satisfied for reasons to be recorded in writing, may entertain a claim after the said period of three years.

11. **Appeal:** Any victim aggrieved of the denial of Assistance by the District Legal Services Authority may file an appeal before the Union Territory Legal Service Authority within a period of ninety days.

    Provided that the Union Territory Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.
12. **Quantum of Assistance:** The Assistance shall be granted as per the Schedule annexed to the Scheme.

For and on Behalf of the
Administrador, Dadra and Nagar
Haveli, Silvassa.

[Signature]

Deputy Secretary (Home)
DNH, Silvassa.

Copy fd. to:
(1) The Collector, DNH Silvassa.
(2) The Superintendent of Police, DNH Silvassa.
(3) The Director of Social Welfare
(To be published in Part IV Delhi Gazette Extra-Ordinary)

Government of National Capital Territory of Delhi

Home (Police II) Department Notification

Dated the 02.02.2012

F.No.11/35/2010/HP II.- In exercise of the powers conferred by section 357 A of the Code of Criminal Procedure, 1973, (2 of 1974), the Lt. Governor of National Capital Territory of Delhi is pleased to approve the following Scheme for the purpose of providing compensation to the victims or their dependent(s) who have suffered loss or injury or require rehabilitation as a result of the offence.

1. **Short Title and commencement and application** :- (1) This Scheme may be called the Delhi Victims Compensation Scheme, 2011.

(2) It shall come into force on the date of its publication in the Delhi Gazette.

(3) It shall apply to the victims and their dependent(s) who have suffered loss, injury or require rehabilitation, as the case may be, as a result of the offence committed.

2. **Definitions** :- In this Scheme, unless the context otherwise requires

(a) “Code” means the Code of Criminal Procedure, 1973 (2 of 1974);

(b) “Collector” means the Divisional Commissioner of the Government, or any person authorized in this behalf;

(c) “Dependent” includes wife, husband, father, mother, unmarried daughter and minor children of the victim as determined by the authority empowered to issue dependency certificate that is to say the Collector, or any other authority authorized by the Government in this regard;
(d) “Government” means the Government of National Capital Territory of Delhi;

(a) “Schedule” means the Schedule appended to this Scheme;

(b) “State Legal Services Authority” means the Delhi Legal Services Authority, as defined in the Legal Services Authorities Act, 1987 (39 of 1987);

(c) “victims” means a person as defined in clause(wa) of section 2 of the Code of Criminal Procedure, 1973(2 of 1974).

3. **Victims Compensation Fund.**

(1) There shall be a Fund, namely, the Victim Compensation Fund from which the amount of compensation, as decided by the Delhi Legal Services Authority, shall be paid to the victims and their dependent(s) who have suffered loss or injury or require rehabilitation as a result of the crime or require rehabilitation.

(2) The ‘Victim Compensation Fund’ shall comprise the following:

(a) Budgetary allocation for which necessary provision shall be made in the Annual Budget by the Government.

(b) Receipt of amount of fines imposed under section 357 of the Code of Criminal Procedure, 1973 (2 of 1974) and ordered to be deposited by the courts in the Victim Compensation Fund.

(c) Amount of compensation recovered from the wrongdoer/accused under clause 9 of the Scheme;

(d) Donations/contributions from International/National/Philanthropist/Charitable Institutions/Organizations and individuals.

(3) The said Fund shall be operated by the Divisional Commissioner, Government of National Capital Territory of Delhi (herein after referred to as “Divisional Commissioner”).
4. **Eligibility for Compensation.** The victim or his/her dependent(s) shall be eligible for the grant of compensation after satisfying the criteria that he/she should not have been compensated for the loss or injury under any other scheme of the Central Government or the Government of National Capital Territory of Delhi.

5. **Procedure for grant of compensation.**-(1) Wherever, a recommendation is made by the court for compensation under sub-sections (2) and (3) of section 357A of the Code, or an application is made by any victim or his/her dependent(s), under sub-section 4 of section 357A of the Code, 1973 to the Delhi Legal Services Authority, it shall examine the case and verify the contents of the claim with regard to the loss or injury or rehabilitation as a result of the crime and may also call for any other relevant information necessary for consideration of the claim from the concerned.

(2) The inquiry as contemplated under sub-section(5) of section 357A of the Code, 1973 shall be completed expeditiously and the period in no case shall exceed beyond sixty days from the receipt of the claim/petition.

(3) After consideration of the matter, the Delhi Legal Services Authority, upon its satisfaction, shall decide the quantum of compensation to be awarded to the victim or his/her dependent(s) on the basis of loss or injury or requirement for rehabilitation, medical expenses to be incurred on treatment and such incidental charges, such as funeral expenses etc.

Provided that -(1) the quantum of compensation to be awarded to the victim or his/her dependent(s) shall not be less or more than what is provided in the Schedule. (2), if at a later date, compensation awarded by the court is more than the maximum limit, the amount of compensation paid shall be adjusted.
6. **Order to be placed on record.** Copy of the order of compensation passed by the Delhi Legal Services Authority under this Scheme, shall be mandatorily placed on record of the trial court.

7. **Method of Disbursement of compensation.** (1) The amount of compensation so awarded shall be deposited in a Nationalized Bank or if the branch of a Nationalized Bank is not in existence, it shall be deposited in the branch of a scheduled commercial bank, in the joint or single name of the victim/dependent(s). Out of the amount so deposited, 75% (seventy five percent) of the same shall be put in a fixed deposit for a minimum period of three years and the remaining 25% (twenty five percent) shall be available for utilization and initial expenses by the victim/dependent(s), as the case may be.

(2) In the case of a minor, 80% of the amount of compensation so awarded, shall be deposited in the fixed deposit account and shall be drawn only on attainment of the age of majority, but not before three years of the deposit.

Provided that in exceptional cases, amounts may be withdrawn for educational or medical needs of the beneficiary at the discretion of the Delhi Legal Services Authority.

(3) The interest on the sum shall be credited directly by the bank in the savings account of the victim/dependent(s), on monthly basis.

8. **Medical aid to the victim.** The Delhi Legal Services Authority may order for immediate first-aid facility or medical benefits or any other interim relief, as deemed appropriate, to be made available free of cost, to alleviate the suffering of the victim on the certificate of a police officer, not below the rank of the officer-in-charge of the police station, or a Magistrate of the area concerned.

9. **Recovery of compensation awarded to the victim or his/her dependent(s).** Subject to the provisions of sub-section(3) of section 357A of the Code, the Delhi Legal Services Authority, in proper cases, may institute
proceedings before the competent court of law for recovery of the compensation granted to the victim or his/her dependent(s) from person(s) responsible for causing loss or injury as a result of the crime committed by him/her.

10. Dependency certificate.- The authority empowered to issue the dependency certificate shall issue the same within a period of fifteen days and, in no case, this period shall be extended.

Provided that the, Delhi Legal Service Authority, in case of non-issuance of Dependency Certificate, after expiry of 15 days, may proceed on the basis of an affidavit to be obtained from the claimant.

11. Limitation.- Under the Scheme, no claim made by the victim or his/her dependent(s), under sub-section (4) of section 357A of the Code, shall be entertained after a period of 3 years from the date of occurrence of the crime.

By order and in the Name
of Lt. Governor of
National Capital Territory of Delhi.

ADDITIONAL SECRETARY (HOME)

The Schedule
ADDITION OF THE
UNION TERRITORY OF LAKSHADWEEP
(HOME DEPARTMENT)
KAVARATTI – 682555.

NOTIFICATION

Dated the 16th November, 2012.

F.No.33/56/2008-CO

In exercise of the powers conferred by section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1973), the Administrator of the Union territory of Lakshadweep hereby makes the following scheme for providing funds for the purpose of Assistance to be given to the victim or his dependents who have suffered loss or injury or both as a result of the crime and who require rehabilitation.

1. Short title and commencement:– (1) This scheme may be called the Lakshadweep Victim Assistance Scheme, 2012.
   (2) This shall come into force on the date of its publication in the Official Gazette of the Union territory of Lakshadweep.

2. Definitions:– In this scheme, unless the context otherwise requires,

(a) “Victim” means as defined in clause (wa) of section 2 of the Code of Criminal Procedure 1973;
(b) “Act” means the Code of Criminal Procedure, 1973 (Act 2 of 1973);
(c) “Collector” means the Collector of a District of the Union Territory of Lakshadweep or any person authorized in this behalf;
(d) “Dependent” means wife or husband, father, mother, unmarried daughter and minor children to issue dependency certificate of the victim as determined by the authority empowered to issue dependency certificate.
(e) “Schedule” means the Schedule appended to the scheme;
(f) “Union territory” means a Union territory of Lakshadweep; and
(g) “Union territory Legal Services Authority” and “District Legal Services Authority” means Union territory Legal Services Authority or District Legal Services Authority of Union Territory of Lakshadweep as defined in Legal Services Authority Act, 1987;

3. (1) Victim Assistance Scheme will be funded from the Consolidated Fund of India, as per requirements of the Scheme. The funds for this scheme will be made available to the Union Territory by the MHA by way of Grant under Grant No. ‘55’ Other Expenditure of MHA/ Govt. of India.
3.(2) Amounts of fine imposed under Section 357 Cr.PC. and ordered to be deposited by the Courts in the Victim Compensation/ Assistance fund will be deposited into the Consolidated Fund of India.

3.(3) The cost of the Assistance shall be recovered from the wrongdoer/ accused and shall be treated as Public Demand to be recovered in accordance with the relevant provisions of law.

3.(4) The said Fund shall be operated by the Collector/ Deputy Commissioner of the Union Territory of Lakshadweep.

4. Eligibility for assistance:- The victim or his/ her dependents, satisfying the following criteria, shall be eligible for the grant of Assistance, namely:-

(1) He/ she should not have received any Assistance for the loss or injury under any other scheme of the Central Government or Union Territory Administration of this nature.

5. Procedure for grant of Assistance:-

(1) Wherever a recommendation is made by the Court for Assistance under sub-section 2 of section 357 A of the Act or an application is made by any victim or his dependents under sub-section 4 of section 357 A of the Act to the Union territory Legal Services Authority, the Union Territory Legal Services Authority or the District Legal Services Authority as the case may be, shall examine the case and verify the contents of the claim with regard to the loss or injury or both and rehabilitation necessitated as a result of the crime and may also call for any other relevant information necessary for consideration of the claim from the concerned.

(2) The inquiry as contemplated under sub-section (5) of section 357 A of the Act shall be completed within a period of sixty days from the date of receipt of the recommendation or application.

(3) After completion of inquiry, the Union Territory Legal Services Authority or the District Legal Services Authority as the case may be, upon its satisfaction, shall decide the quantum of Assistance to be awarded to the victim or his/ her dependents on the basis of loss or injury or both or for rehabilitation, medical expenses to be incurred on treatment and such incidental charges as funeral expenses etc.
Provided that the quantum of Assistance to be awarded to the victim or his dependents shall not be less or more than what is provided in schedule attached to the scheme and if at a later date, compensation awarded by the Court is more than maximum limit, the amount of Assistance already paid shall be adjusted.

6. Order to be placed on record:— The copy of the order of Assistance shall be placed on record of the trial court to enable the court to pass order of compensation under subsection (3) of section 357 A of the Act.

7. Method of disbursement of Assistance:— (1) The amount of Assistance so awarded shall be deposited in a nationalized bank or in Scheduled bank where the branch of Nationalized bank is not available in the single or joint name of the victim or the dependents and out of the amount so deposited, 75% of the same shall be in fixed deposit for a minimum period of three years and the remaining 25% shall be available for the utilization and initial expenses by the victim or the dependents or petitioners, as the case may be, and in exceptional circumstances, District or Union territory Legal Services Authority after being satisfied may allow withdrawal upto 50% for the welfare of the victim or the dependents or petitioners.

(2) In the case of a minor, 80% of the amount of Assistance so awarded shall be deposited in the fixed deposit account and shall be withdrawn only on attainment of the age of majority, however, exception can be made for educational or medical needs of the beneficiary at the discretion of Union territory Legal Services Authority or the District Legal Services Authority.

(3) The interest on the amount of fixed deposit shall be credited directly by the bank in the saving account of the victim or the dependents on monthly basis.

8. Medical aid to the victim:— The Union territory Legal Services Authority or the District Legal Services Authority or the Union territory of Lakshadweep to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits or any other interim relief as deemed fit, to be made available free of cost to the victim, which shall not be adjustable against the amount of Assistance.

9. Dependency certificate:— The authority empowered to issue the dependency certificate shall issue the same within a period of fifteen days and in no case the period shall be extended and the Union territory Legal Services Authority or the District Legal Services Authority as the case may be, in case of non-issuance of Dependency certificate by the authority within the said period of fifteen days, may proceeded on the basis of an affidavit to be obtained from the claimant.

10. Limitation:— No claim of Assistance shall be entertained after a period of three years from the date of commission of crime;
Provided that the Union territory Legal Services Authority or the District Legal Services Authority as the case may be, if satisfied for reasons to be recorded in writing, may entertain a claim after the said period of three years.

11. Appeal:- Any victim aggrieved of the denial of Assistance by the District Legal Services Authority may file an appeal before the Union territory Legal Services Authority within a period of ninety days:

Provided that the Union territory Legal Services Authority, if satisfied, for the reasons to be recorded in within, may condone delay in filing the appeal.

12. Quantum of Assistance:- The Assistance shall be granted as per the Schedule annexed to the Scheme.

H.Rajesh Prasad, IAS
Administrator
U.T of Lakshadweep
GOVERNMENT OF PUDUCHERRY


HOME DEPARTMENT

G.O.Ms.No.8

Pondicherry, dated 04.02.2013.


ORDER:

The following notification shall be published in the next issue of the extraordinary official gazette:

NOTIFICATION

In exercise of the powers conferred by section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Lieutenant-Governor of the Union territory of Puducherry hereby makes the following scheme for providing funds for the purpose of assistance to be given to the victim or his/her dependents who have suffered loss or injury or both as a result of the crime and who require rehabilitation.

1. Short title and commencement.

(1) This scheme may be called the Union territory of Puducherry Victim Assistance Scheme, 2012.

(2) This shall come into force on the date of its publication in the Official Gazette of the Union territory of Puducherry.

2. Definitions.- In this scheme, unless the context otherwise requires.

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

(b) "Collector" means the Collector of the Union territory of Puducherry or any person authorized in this behalf;

(c) "dependent" means wife or husband, father, mother, unmarried daughter and minor children of the victim as determined by the authority empowered to issue dependency certificate;

(d) "District Legal Services Authority" means the District Legal Services Authority for Pondicherry Region and the Taluk Legal Services Committee, Karaikal/Mahé/Yanam as defined in Legal Services Authorities Act, 1987.

(e) "Schedule" means the schedule appended to the scheme;

(f) "Union territory" means the Union territory of Puducherry and

(g) "Union territory Legal Services Authority" means Union Territory of Puducherry Legal Services Authority as defined in Legal Services Authorities Act, 1987.

(h) "Victim" means as defined in I clause(wa) of section 2 of the Code of Criminal Procedure, 1973.

3. Fund of the Scheme

(1) Victim Assistance Scheme will be funded from the Consolidated Fund of India, as per requirements of the scheme. The funds for this scheme will be made available to the Union Territory
by the Ministry of Home Affairs by way of Grant under Grant No. 55/ Other Expenditure of Ministry of Home Affairs.

(2) Amounts of fines imposed under section 357 of the Code of Criminal Procedure and ordered to be deposited by the Courts in the Victim Compensation/Assistance fund will be deposited into the Consolidated Fund of India.

(3) The cost of the Assistance shall be recovered from the wrongdoer/accused and shall be treated as Public Demand to be recovered in accordance with the relevant provisions of law.

(4) The said Fund shall be operated by the Collectors of the Union territory of Puducherry.  

4. Eligibility for Assistance.

The victim or his/her dependents satisfying the following criteria shall be eligible for the grant of Assistance, namely- he/she should not have received any Assistance for the loss or injury under any other scheme of the Central Government or Union territory Administration of this nature.

5. Procedure for grant of Assistance.

(1) Wherever a recommendation is made by the Court for Assistance under sub-section (2) of section 357 A of the Code or an application is made by any victim or his/her dependents under sub-section (4) of section 357 A of the Code to the Taluk Legal Services Committees Karaikal/Mahé/Yanam or Union territory of Puducherry State Legal Services Authority or the District Legal Services Authority for Puducherry Region or as the case may be, shall examine the case and verify the contents of the claim with regard to the loss or injury or both and rehabilitation necessitated as a result of the crime and may also call for any other relevant information necessary for consideration of the claim, from the concerned.

(2) The inquiry as contemplated under sub-section (5) of section 357 A of the Code shall be completed within a period of sixty days from the date of receipt of the recommendation or application.

(3) After completion of inquiry, the Union territory of Puducherry State Legal Services Authority or District Legal Services Authority for Puducherry Region or the Taluk Legal Services Committees Karaikal/Mahé/Yanam as the case may be, upon its satisfaction, shall decide the quantum of Assistance to be awarded to the victim or his dependents on the basis of loss or injury or both or for rehabilitation, medical expenses to be incurred on treatment and such incidental charges as funeral expenses etc.

Provided that the quantum of Assistance to be awarded to the victim or his dependents shall not be less or more than what is provided in schedule attached to the scheme and if at a later date, compensation awarded by the Court is more than maximum limit, the amount of Assistance already paid shall be adjusted.

6. Order to be placed on record.- The copy of the order of Assistance shall be placed on record of the trial court to enable the court to pass order of compensation under sub section (3) of section 357 A of the Code.

7. Method of disbursement of Assistance.- (1) The amount of Assistance so awarded shall be deposited in a Nationalized bank or in Scheduled bank where the branch of Nationalized bank is not available in the single or joint name of the victim or the dependents and out of the amount so deposited, 75% of the same shall be in fixed deposit for a minimum period of three years and the remaining 25% shall be
available for the utilization and initial expenses by the victim or the dependents or petitioners, as the case may be, and in exceptional circumstances, the Union territory of Puducherry State Legal Services Authority or District Legal Services Authority for Puducherry Region or the Taluk Legal Services Committees Karaikal/Mahe/Yanam after being satisfied may allow withdrawal upto 50% for the welfare of the victim or the dependents or petitioners.

(2) In the case of a minor, 80% of the amount of Assistance so awarded shall be deposited in the fixed deposit account and shall be withdrawn only on attainment of the age of majority, however, exception can be made for educational or medical needs of the beneficiary at the discretion of Union territory of Puducherry Legal Services Authority or the District Legal Services Authority for Puducherry Region or the Taluk Legal Services Committees Karaikal/Mahe/Yanam.

(3) The interest on the amount of fixed deposit shall be credited directly by the bank in the saving account of the victim or the dependents on monthly basis.

8. Medical aid to the victim.- The Union territory of Puducherry State Legal Services Authority or District Legal Services Authority for Puducherry Region or the Taluk Legal Services Committees Karaikal/Mahe/Yanam to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits or any other interim relief as deemed fit, to be made available free of cost to the victim, which shall not be adjustable against the amount of Assistance.

9. Dependency certificate.- The authority empowered to issue the dependency certificate shall issue the same within a period of fifteen days and in no case the period shall be extended and Union territory of Puducherry State Legal Services Authority or District Legal Services Authority for Puducherry Region or the Taluk Legal Services Committees, Karaikal/Mahe/Yanam as the case may be, in case of non-issuance of Dependency certificate by the authority within the said period of fifteen days, may proceed on the basis of an affidavit to be obtained from the claimant.

10. Limitation.- No claim of Assistance shall be entertained after a period of three years from the date of commission of crime.

Provided that the Union territory of Puducherry State Legal Services Authority or District Legal Services Authority for Puducherry Region or the Taluk Legal Services Committees, Karaikal/Mahe/Yanam as the case may be, if satisfied for reasons to be recorded in writing, may entertain a claim after the said period of three years.

11. Appeal.- Any victim aggrieved of the denial of Assistance by District Legal Services Authority for Puducherry Region or the Taluk Legal Services Committee, Karaikal/Mahe/Yanam may file an appeal before the Union territory of Puducherry State Legal Services Authority within a period of ninety days

Provided that the Union territory of Puducherry State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone delay in filing the appeal.

12. Quantum of Assistance.- The Assistance shall be granted as per the schedule annexed to the scheme.

SCHEDULE
<table>
<thead>
<tr>
<th>SL. No.</th>
<th>Particulars of loss or injury</th>
<th>Minimum limit of Assistance (In Rs.)</th>
<th>Maximum limit of Assistance (In Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of life</td>
<td>3 lakh</td>
<td>5 lakh</td>
</tr>
<tr>
<td>2</td>
<td>Rape</td>
<td>2 lakh</td>
<td>3 lakh</td>
</tr>
<tr>
<td>3</td>
<td>Loss of any limb or part of body resulting in 80% permanent disability or above</td>
<td>2 lakh</td>
<td>3 lakh</td>
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<tr>
<td>4</td>
<td>Loss of any limb or part of body resulting in above 40% and below 80% permanent disability</td>
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<td>1.5 lakh</td>
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<tr>
<td>5</td>
<td>Loss of any limb or part of body resulting in above 20% and below 40% permanent disability</td>
<td>60,000</td>
<td>1 lakh</td>
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<tr>
<td>6</td>
<td>Loss of any limb or part of body resulting in below 20% permanent disability</td>
<td>50,000</td>
<td>50,000</td>
</tr>
<tr>
<td>7</td>
<td>Victims of human trafficking, child abuse and kidnapping</td>
<td>50,000</td>
<td>50,000</td>
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<tr>
<td>8</td>
<td>Simple loss or injury to child victim</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>9</td>
<td>Rehabilitation</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td>10</td>
<td>Victim of acid attack:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) In case of disfigurement of face;</td>
<td>2 lakh</td>
<td>3 lakh</td>
</tr>
<tr>
<td></td>
<td>(b) Other cases of injury</td>
<td>30,000</td>
<td>50,000</td>
</tr>
</tbody>
</table>

// BY ORDER OF LIEUTENANT-GOVERNOR //

M. SATHIYAVATHY
CHIEF SECRETARY TO GOVERNMENT

To
The Director of Stationery and Printing, Puducherry - with a request to supply 20 copies of the above Notification to this Department.

Copy to:

1. The Chief Judge, Puducherry.
2. The Union Territory of Puducherry Legal Services Authority/District Legal Services Authority for Puducherry Region / the Taluk Legal Services Committee, Karaikal/Mahe/Yanam
3. All Secretaries to Government of Puducherry.
4. The Collector, Puducherry/Karaikal.
5. The Inspector General of Police, Puducherry.
7. The Regional Administrator, Mahe/Yanam.

//Forwarded / By Order //

(PANKAJ KUMAR JHA)
ADDL. SECRETARY TO GOVERNMENT
No. 24013/94/Misc./2014-CSR.III
Government of India/Bharat Sarkar
Ministry of Home Affairs

NDCC.II Building, Jai Singh road
New Delhi
Dated the 14th October, 2015

To
The Chief Secretaries
All State Governments/UT Administrations

Subject: Central Victim compensation Fund Scheme (CVCF) Guidelines- Regarding

Sir/Madam,

This is to inform you that the Ministry of Home Affairs has decided to set up a Central Victim Compensation Fund (CVCF) with the following key objectives:-

(i) To support and supplement the existing Victim Compensation Schemes notified by States/UT Administrations.

(ii) To reduce disparity in quantum of compensation amount notified by different States/UTs for victims of similar crimes.

(iii) To encourage States/UTs to effectively implement the Victim Compensation Schemes (VCS) notified by them under the provisions of section 357A of Cr.P.C. and continue financial support to victims of various crimes especially sexual offences including rape, acid attacks, crime against children, human trafficking etc.

2. A copy of the Central Victim Compensation Fund Scheme’s Guidelines is enclosed. You are requested to modify your State Victim Compensation Scheme (VCS) suitably. Implementation of State VCS may be speeded up, so that States can claim financial support from CVCF after closure of this financial year. A copy of the scheme is also available on the website of this Ministry viz www.mha.nic.in.

Yours faithfully,

(Kumar Alok)
Joint Secretary to the Govt. of India
Tel No. 23438100

Encl. As above
CENTRAL VICTIM COMPENSATION FUND (CVCF) GUIDELINES

1. **Short Title and Commencement:**

   These will be called as the Central Victim Compensation Fund (CVCF) Guidelines and will come into force with effect from 21st August 2015.

2. **Objective of Setting up of the CVCF:**

   (i) To support and supplement the existing Victim Compensation Schemes notified by States/UT Administrations.

   (ii) To reduce disparity in quantum of compensation amount notified by different States/UTs for victims of similar crimes.

   (iii) To encourage States/UTs to effectively implement the Victim Compensation Schemes (VCS) notified by them under the provisions of section 357A of Cr.P.C. and continue financial support to victims of various crimes especially sexual offences including rape, acid attacks, crime against children, human trafficking etc.

3. **Size of the CVCF:**

   The CVCF will be set up with an initial corpus of Rs.200.00 Crore to be sanctioned by the Ministry of Finance.

4. **Source of Corpus Funds for CVCF:**

   Out of the "Nirbhaya Fund", which is meant for tackling crime/violence against women, one-time Budgetary Grant of Rs. 200.00 crore as initial corpus fund for the CVCF has been sanctioned (to be sanctioned). The Corpus Fund shall also be supplemented with option of receiving contribution from Public.

5. **Empowered Committee and Composition:**

   (a) The CVCF shall be administered by an Empowered Committee chaired by the Additional Secretary (CS), MHA. The Empowered Committee shall consist of the following as Members:

   (i) Joint Secretary, Department of Expenditure, Ministry of Finance
   (ii) Joint Secretary, Ministry of Women and Child Development
   (iii) Joint Secretary, Ministry of Social Justice and Empowerment
   (iv) Chief Controller of Accounts, Home
   (v) Director (Finance), Ministry of Home Affairs
   (vi) Joint Secretary (UT Division) MHA.
   (vii) Joint Secretary (CS Division) of MHA, Convenor.

   (b) In case of any exigencies, the Member may depute an officer of suitable seniority to attend the Empowered Committee, subject to prior approval of the Chairman. There should be minimum quorum of 4 nominees including the Chairman to consider and approve the proposals. The Chairman will have the power to invite any additional person to attend the meeting.
6. **Secretariat:**

Joint Secretary (CS Division) MHA shall be designated as the Administrator of the Fund. The Empowered Committee shall be assisted by the CS Division of MHA.

7. **Essential Requirements to access funds from CVCF**

   a. The State/UT must notify the Victim Compensation Scheme as per provisions of Section 357A of CrPC

   b. The quantum of compensation notified should not be less than the amount mentioned in Annexure I.

   c. State/UT must first pay the compensation amount to the eligible victims of crime from its own Victim Compensation Fund and then seek reimbursement of funds from CVCF.

   d. Any expenditure incurred from the State Victim Compensation Fund to assist the victims will be treated to be first spent from the non-budgetary resource available in the State Fund. Budgetary grant received from the state Government/UT Administration will be used only after consuming the non-budgetary resource.

   e. Details of every victim compensated must be maintained electronically in ‘Victim Compensation Module’ in Citizen portal of CCTNS project

8. **Admissible Activities of CVCF:**

   a) To obtain a Corpus of funds in MHA.

   b) To supplement the Corpus in MHA through contributions from Corporates and the Public.

   c) To supplement and support the Victim Compensation Schemes notified by the States/UT Administrations on a matching share basis (to the extent of actual expenditure made from the State/UT Administrations’ Budget component to the State Victim Compensation Fund in that particular year).

   [Explanation: It is expected that the State Victim Compensation Fund will consist of fees, fines, compensation amount paid/recovered from the perpetrators of crime and also budgetary support from the State Government/UT Administration. Support from CVCF to the State/UT will be limited to the actual expenditure made from the State/UT Administration budget component of the State Victim Compensation Fund in the particular year and only if the victims of crime are being compensated as per the objectives of the state/UT victim compensation scheme. In case State/UT Budget Component is not fully spent in a particular year but carried forward and spent in the subsequent year, the State/UT will be eligible for recurring matching share from CVCF for this component of fund also subject to meeting other eligibility requirement]

   d) To provide special financial assistance up to Rs. 5.00 lakhs to the victims of Acid attack to meet treatment expenses over and above the compensation paid by the respective States/UT Administrations. Using this provision, a cashless treatment mechanism for victims of Acid Attack will be formulated in consultation with the states/UTs.
9. Approval and Release of Funds:

a) States/UTs will first implement the victim compensation schemes notified by them and first pay compensation to the eligible victims following the procedure and timeframe provided in their respective schemes.

b) The State Govts/UT Administrations shall submit proposals for seeking financial assistance from CVCF (preferably once a year after completion of the financial year) as per Annexure-II attached.

c) The Empowered Committee shall normally meet once in every quarter, or sooner, if required, to assess and approve the proposals as received in Annexure II.

d) UT Administrations shall route their proposals through UT Division, MHA.

e) The Empowered Committee shall have the power and the Authority to approve/reject/return the proposals.

f) In case a proposal is sanctioned, funds will be transferred electronically to the bank account of the State victim compensation fund as maintained either by the State Legal Services Authority (SLSA) or by the nodal department of the state Government

g) Utilisation Certificate from the State Governments/UT Administrations shall be furnished as per provisions of GFR 19(A).

10. Bank Account and Receipt of Contributions from the Public:

a) The Central Victim Compensation Fund (CVCF) will be created with an initial funding of Rs 200 crore to be provided by the Ministry of Finance through the Demand for Grants of the Ministry of Home Affairs. Further, funding would be done by the Ministry of Finance, if need arises.

b) Contributions from Corporates and Public shall be received through a single Bank Account opened in the State Bank of India, Central Secretariat Branch, North Block, New Delhi, favouring “The Central Victim Compensation Fund (CVCF)”. The Bank Account will be operated jointly by the Administrator of this Corpus Fund and the Chief Controller of Accounts, Ministry of Home Affairs.

c) Donations into the Corpus Fund of CVCF could be received through online payments through Net Banking, or by Debit/Credit Cards or Cheque or Demand Draft. In such cases, the Donor shall receive an automated, digitalised signed receipt from the State Bank of India, Central Secretariat Branch, North Block, New Delhi.

d) While efforts would be made to optimally utilise the funds available in the CVCF, any temporarily idle balance may be invested in fixed Deposits with the State Bank of India, with the prior approval of the Empowered Committee. Interest earned by the CVCF would be ploughed back and used for furthering its objectives.
11. Accounting and Auditing

a. To ensure financial accountability, internal Audit shall be carried out by the Chief Controller of Accounts, Ministry of Finance (Department of Economic Affairs) once in every six months. In addition, statutory Audit shall be carried out annually by an Independent Auditor from a Board of Auditors appointed by the CAG. The reports and observations will be brought to the notice of the Central Government.

b. The Chief Controller of Accounts, Ministry of Home Affairs, will maintain the accounts, including Receipts and Payments Accounts.

12. Information and Web Portal:

Information relating to all activities of the Corpus Fund along with the relevant FAQs will be uploaded on the Web site of the Ministry of Home Affairs and also by the State/UT Governments, in their respective Web sites. The respective Ministry/State Governments will answer RTI or other queries related to the implementation and utilization of funds made available to them for the activities under this scheme.

13. Monitoring:

The CS Division of the Union Home Ministry administratively concerned with the Corpus Fund shall monitor the utilization of funds received by the State Govt/UT Administrations and shall provide a Quarterly Report to the Empowered Committee headed by the Additional Secretary (CS).

14. Amendment of Guidelines:

After assessing the experience of administering the CVCF, the Empowered Committee may recommend amendment(s) in the guidelines, as and when required subject to approval of the Union Home Minister.
### Minimum Amount of Compensation

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Description of Injury / Loss</th>
<th>Minimum Amount of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Acid attack</td>
<td>Rs. 3 lakhs</td>
</tr>
<tr>
<td>2</td>
<td>Rape</td>
<td>Rs. 3 lakhs</td>
</tr>
<tr>
<td>3</td>
<td>Physical abuse of minor</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>4</td>
<td>Rehabilitation of victim of Human Trafficking</td>
<td>Rs. 1 lakh</td>
</tr>
<tr>
<td>5</td>
<td>Sexual assault (Excluding rape)</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>6</td>
<td>Death</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>7</td>
<td>Permanent Disability (80% or more)</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>8</td>
<td>Partial Disability (40% to 80%)</td>
<td>Rs. 1 lakh</td>
</tr>
<tr>
<td>9</td>
<td>Burns affecting greater than 25% of the body (excluding Acid Attack cases)</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td>10</td>
<td>Loss of foetus</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>11</td>
<td>Loss of fertility</td>
<td>Rs. 1.5 lakhs</td>
</tr>
<tr>
<td>12</td>
<td>Women victims of cross border firing:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Death or Permanent Disability (80% or more)</td>
<td>Rs. 2 lakhs</td>
</tr>
<tr>
<td></td>
<td>(b) Partial Disability (40% to 80%)</td>
<td>Rs. 1 lakh</td>
</tr>
</tbody>
</table>

**Note:** If the victim is less than 14 years of age, the compensation shall be increased by 50% over the amount specified above.
To,
The Joint Secretary
CS (Division)
Ministry of Home Affairs
Government of India

Dated the

Subject: Request for reimbursement of funds from Central Victim Compensation Fund to {Name of States/UT}

Sir

Kindly find enclosed herewith a proposal to seek financial assistance from the CVCF to the victim compensation fund of {name of State/UT}. During the financial {year}, we have disbursed {amount} to {number of victims}. The details of amount claimed, amount paid etc is given in the table below:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Formula</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Opening balance in the State victim compensation fund (A)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Amount received as fees/ fine (B)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Amount received as compensation from perpetrators of crime in the year (C)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Amount received from other sources (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Amount carried forward from previous year as budgetary grant component from State/UT (E)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Amount received as budgetary grant from State/UT (F)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Total non budgetary resource in State/UT VCF (G) = A+B+C+D-E</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Total Budgetary and Non budgetary resource in SVCF (H) = E+F+G</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Amount paid as compensation to the victims out of SVCF (I)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Amount claimed from the CVCF if (I-G)&gt;0 = (I-G)* or (E+F)*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Amount claimed from the CVCF if (I-G)&lt;0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Closing balance in the State Victim Compensation Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Total number of victims assisted</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Support restricted to (I-G) or (E+F) whichever is lower

Details of victims assisted is given in the enclosed sheet. Accordingly, the Ministry of Home Affairs may kindly sanction Rs. {Amount in lakh} from CVCF to the State victim compensation fund of {name of State}. Utilisation certificate for the amount sanctioned in the previous year {name of Year} is enclosed.

Yours faithfully,

{HOME SECRETARY}
GOVERNMENT OF {NAME OF STATE/UT}

Encl.: As above
<table>
<thead>
<tr>
<th>SI No.</th>
<th>Components of the Scheme</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of Cases reported/ No of Victims</td>
<td>No of Cases charge sheeted</td>
<td>No of cases Convicted</td>
<td>No of victims compensated by State Governments/ Courts/ Judicial Agencies/ Commissions/ Others</td>
<td>Amount recovered from perpetrators of crime</td>
<td>Amount released as compensation</td>
<td>Remarks</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Rape cases</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>2</td>
<td>Other sexual offence cases</td>
<td></td>
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<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>3</td>
<td>Acid attacks</td>
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</tr>
<tr>
<td>4</td>
<td>Crime against children cases (under POCSO Act)</td>
<td></td>
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</tr>
<tr>
<td>5</td>
<td>Human Trafficking Cases</td>
<td></td>
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<td></td>
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<tr>
<td>6</td>
<td>Victims of Cross border firing</td>
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<td></td>
<td><strong>Total</strong></td>
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</tbody>
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