

**PART III**  
**GOVERNMENT OF PUNJAB**  
DEPARTMENT OF HOME AFFAIRS AND JUSTICE  
(HOME-IV BRANCH)

**NOTIFICATION**

The 30th November, 2017

No. G.S.R. 59/C.A.2/1974/S.357-A/2017.-In supersession of all the Schemes prepared in this behalf and in exercise of the powers conferred by section 357-A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), and all other powers enabling him in this behalf, the Governor of Punjab, in co-ordination with the Central Government, is pleased to prepare 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 crime and who require rehabilitation, namely:-

**SCHEME**

1. **Short title and commencement.**- (1) This Scheme may be called the Punjab Victim Compensation Scheme, 2017.

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

(3) It shall apply to the victims and their dependent (s) who have suffered loss, injury and 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;
- (b) "Collector" means the Deputy Commissioner of the district concerned or any person authorized in this behalf by the Government;
- (c) "Dependent" includes wife, husband, father, mother, unmarried daughter, widowed/divorced daughter, widowed daughter-in-law and minor children of the victim as determined by the Collector, or any other authority authorized by the Collector in this regard ;
- (d) "District Legal Services Authority" means the District Legal Services Authority of the District concerned in the State;
- (e) "Fund" means the victim compensation fund constituted under clause 3 of this Scheme;
- (f) "Government" means the Government of Punjab in the Department of Home Affairs and Justice;

sub-section (3) of section 357-A of the Code :

- (b) where the offender is not traced, traceable or identified, but the victim is identified and where no trial takes place and the victim has to incur expenses on physical and mental rehabilitation, and the victim or his dependent makes an application to the Punjab Legal Services Authority or the District Legal Services Authority ;
  - (c) where the Punjab Legal Services Authority or the District Legal Service Authority, as the case may be, in order to alleviate the suffering of the victim, orders for immediate first-aid facility or medical aid to be made available to him, free of cost, on the certificate of the police officer concerned 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 the said authorities may deem fit.
- (2) The applications for the grant of compensation may be considered by the Punjab Legal Services Authority or the District Legal Services Authority, subject to the following-
- (a) the victim or his dependent should not have compensated for such loss or injury under any other Scheme of the Central Government or Punjab Government except where any relief has been granted under the following Schemes:-
    - (i) Prime Minister's National Relief Fund (PMNRF);
    - (ii) Central Victims Compensation Scheme (CVCS);
    - (iii) Chief Minister Relief Fund;
    - (iv) the Punjab Financial Assistance to Acid Victims Scheme 2017 of the Department of Social Security and Department of Development of Women and Child of the Government of Punjab; and
    - (v) any other scheme or funds which provides for relief in addition to the Victims Compensation Scheme under Section 357-A of the Code;
  - (b) The crime, on account of which the compensation is to be paid under this 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 shall be eligible for interim relief contemplated under sub-section (6) of section 357-A of the Code.

7. **Medical help and Legal Aid.**-To provide immediate medical help and legal aid to the victims, the Department of Health and Family Welfare shall setup "One Stop Centre and Legal Aid Clinics" within the premises of every District Civil Hospital in coordination with the Punjab Legal Services Authority. The Nodal Officers for each such centre

- 12. Rejection, withholding or reduction of compensation.-** The Punjab Legal Services Authority or the District Legal Services Authority, as the case may be, may reject, withhold or reduce the award of compensation where the Authority considers, that :
- the applicant has failed to inform the crime to the Police authorities concerned without a reasonable delay ;
  - the applicant has failed to co-operate with the Police authorities or any other authority concerned to bring the accused before justice ;
  - the applicant has failed to give all reasonable assistance to the Punjab Legal Services Authority or the District Legal Services Authority or other related authorities in connection with the consideration of the application ;
  - the eligibility of the victim as confirmed by the facts and circumstances of the case does not justify the award of compensation.
- 13. Dependency Certificate.-**The Victim or his dependent(s) shall make an application before the Collector for issuance of a dependency certificate. The collector or the authority authorized by the Collector shall issue the required dependency certificate to the victim within a period of fifteen days and, in no case, this period shall be extended:
- Provided that the Punjab Legal Services Authority or the District Legal Services Authority, as the case may be, in case of non-issuance of dependency certificate by the Collector for some reason, after expiry of 15 days, may proceed on the basis of an affidavit to be obtained from the claimant and would ensure the availability of the required dependency certificate before passing the final award.
- 14. Limitation.-** No claim made by the victim or his dependent(s) under sub-section (4) of section 357-A of the Code shall be entertained after a period of three years of the commission of crime:
- Provided that the Punjab Legal Services Authority or the District Legal Services Authority, as the case may be, if satisfied, for the reasons to be recorded, in writing, may condone the delay in filing the claim by one year.

#### SCHEDULE

[ See clause 2(g) and clause 8(2) ]

Sr. No.	Description of Injuries/loss	Amount of Compensation
1.	<b><u>Victim of acid attack</u></b>	
a.	Acid Attack	<b>Minimum Rs. 3 lakhs [Rs.25,000/- preferably within 5 working days, one lakh shall be paid within 15 days of</b>

occurrence of incident (or being brought to the notice of authority concerned) and the balance 1.75 lakhs shall be paid as expeditiously as may be possible and positively within two months thereafter]

b. Death due to acid attack

Rs. 5 lakhs

e. Medical Reimbursement to a victim of acid attack

100% medical treatment including medicine, food, bedding and plastic surgery/reconstructive surgery, if any, from amongst any of the Punjab Government hospitals/ Punjab Government approved hospitals

**2. Victim of Rape**

a. Rape

Rs. 3 lakhs

b. Murder with Rape

Rs. 4 lakhs

3. Physical abuse of minor

Rs. 2 lakhs

4. Rehabilitation of victim of Human Trafficking

Rs. 1 lakh

5. Sexual assault (excluding rape)

Rs. 50,000/-

6. Death

Rs. 2 lakhs

7. Permanent Disability (80% or more)

Rs. 2 lakhs

8. Partial Disability (40% to 80%)

Rs. 1 lakh

9. Burns affecting greater than 25% of the body (excluding acid attack cases)

Rs. 2 lakhs

10. Loss of foetus

Rs. 50,000/-

11. Loss of fertility

Rs. 1.5 lakhs

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

**NIRMALJIT SINGH KALSI,**

Additional Chief Secretary to Government of Punjab,  
Department of Home Affairs and Justice.