ANNEXURE - III

Government of Punjab

Department of Home Affairs and Justice

(Home IV Branch)

Notification

The....................September 2010

In exercise of the powers conferred by Section 357A of the Code of Criminal Procedure 1973 (Act 2 of 1974) the Governor of Punjab is pleased to frame the scheme for providing funds for the purpose of compensation to the victims or his dependents who has suffered loss or injury as a result of the crime and who require rehabilitation as under:

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


   ii). “Schedule” means Schedule appended to this Scheme.


2. **Victims Compensation Fund:**

   i). Funds will be provided by the State Government to the State Legal Services Authority whenever, verified claims arise. A provision for the same will be made every year in the State Budget.

3. **Eligibility for Compensation:** The victim or his dependent satisfying the following criteria shall be eligible for the grant of compensation:

   i). He/She should not have been compensated for the loss of injury under any other scheme of the Central/State Government, 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 their
both ends without the financial aid or has to spend beyond his means on medical treatment or mental/physical injury.

iii). Where the perpetrator of a heinous crime is not traceable or goes unpunished after trial, but the victim is identifiable and the victims has to incur a lot of expenses on physical and mental rehabilitation, such victim may also apply for grant of compensation under Sub-section 4 of Section 357 A of the Act.

4. **Procedure for grant of Compensation:**

i). 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 the claimant and also may call for any other relevant information necessary for consideration of the claim from the concerned. After verifying the claim, District Legal Service Authority, will make recommendations for compensation.

ii). 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 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.

iii). The quantum of compensation to be awarded to the victim or his dependents shall not exceed from the maximum limit as per Schedule-I.

iv). The amount of compensation as decided by the State Legal Service Authority, shall be disbursed to the victim or dependents as the case may be from the Victim Compensation Fund.

5. **Recovery of Compensation Awarded to the Victim or his Dependents:**

i). The State legal Service Authority, If deemed fir shall institute proceedings before the competent Court of law in consultation with the office of concerned District Attorney 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.

ii). The amount so recovered shall be deposited in Victim Compensation Fund.

6. Limitation:

Under this 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 3 years of the crime.

(A.R. Talwar)
Principal Secretary to Government of Punjab
Department of Home Affairs & Justice.

Schedule I

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