

**Role played by the Karnataka State Legal Services Authority under Victim Compensation Scheme-2011 and further steps to be taken for providing compensation to the victims of sexual abuse including rape and for their rehabilitation and support**

As per the Karnataka Victim Compensation Scheme, 2011 the State Government has to grant to the fund of a sum equivalent to the expenses of the previous year or the probable expenditure requested by the State Legal Services Authority. The fund allotted under the Scheme has to be disbursed to the victims or their dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

The victims shall apply for grant of compensation to the District Legal Services Authority. 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.

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 sub-section (3) of section 357 of the Act.

As per the Government Order No.HD 1 PCB 2011, dated 19-09-2013 the payment of compensation to the victims under the Victim Compensation Scheme is revised. The revised schedule is as under:

## SCHEDULE

Sl No	Particulars of Loss or Injury due to crime	Compensation to be paid
<b>1</b>	Loss of Life	
	a) 40 Years of age or below	Rs.3.00 lakhs to the next of kin
	b) 40 Years to 60 years	Rs.2.00 lakhs to the next of kin
	c) 60 Years and above	Rs.1.00 lakhs to the next of kin
	<b>Note:-</b> In case of death of a victim, expenses incurred for actual medical treatment, before death, upto a maximum of Rs 25,000/- and a maximum of Rs. 20,000/- may be given as funeral expenses, to the next kin of the victim in case of victim's death.	
<b>2</b>	Loss of any limb or part of body resulting 80% or above handicap due to any crime including Acid Attack.	Rs. 3.00 lacs
<b>3</b>	Loss of any limb or part of body resulting 40% & below 80% handicap due to any crime including Acid Attack.	Rs. 2.00 lacs
<b>4</b>	Loss of any limb or part of body resulting below 40% handicap due to any crime including Acid Attack.	Rs. 1.00 lacs.
<b>5</b>	Acid Attack (Loss of life/injured)	<u>Rs.3.00 lacs</u>
<b>6</b>	Rape of Minor	Rs. 3.00 lacs
<b>7</b>	Rape other than minor	Rs. 1.5 lacs
<b>8</b>	(a)Rehabilitation necessitated due to damage to house etc. 80% or more	Rs. 50,000/-
	(b) Rehabilitation necessitated due to damage to house etc, less than 80%	Rs 25,000/-
<b>9</b>	Grievous injuries other than the injuries mentioned above	Rs.20,000/-
<b>10</b>	Women and Child victims in cases like human trafficking, who themselves or their dependents have suffered separation, dislocation and disturbance.	Rs. 1.00 lakhs

During the year 2013-14, Rs.1 Crore was sanctioned and only a sum of Rs.25 Lakhs was released. Out of the said amount in 15 cases belongs to different districts compensation were paid.

During the year 2014-15, Rs.1 crore was released. Out of the said amount, in 62 cases belonging to different Districts compensation to the tune of Rs.1,00,36,000/- was paid.

As on 4-05-2015, 27 claims are received for payment of compensation to the tune of Rs.13,97,685/-.

In order to create awareness about the Victim Compensation Scheme, the legal literacy programmes are held by District Legal Services Authorities and Taluka Legal Services Committees in the State. The Presiding Officers of all Criminal Trial Courts are also sensitized for providing compensation to the victims as provided under the Scheme.

To educate the Investigating Agency as well as the Trial Court Judges about the need to provide access to justice to victims of crime and to create mechanisms for rehabilitation measures by way of medical and financial aid to the victims, the training programmes and workshop will be held at all Talukas and Districts in the State.

The Scheme specify maximum limit of compensation and subject to the maximum limit, the discretion to decide the quantum of compensation has been left with District Legal Services Authorities. Thus, it is necessary to issue guidelines for taking cognizance of criminal offence, to ascertain whether there is tangible material to show commission of crime and whether the victim of crime needs immediate financial relief of being satisfied on a

application or on its own motion, the courts may direct to grant interim compensation subject to final compensation being determined later.

The Director General of Police had issued a circular to all police stations in the State to send a copy of the FIR pertaining to crimes of sexual offences to the Karnataka State Legal Services Authority. Hence a request was made to the Director General of Police to issue direction to all police stations to send the copy of FIRs of such crimes to the District Legal Services Authority instead of Karnataka State Legal Services Authority for taking immediate action and to grant interim compensation for necessary.

Recently the State Government has established “Special Treatment Cell for Women” in all District Government Hospitals to attend the victims of sexual harassment and 2 advocates are proposed to be appointed in these Cells. Karnataka State Legal Services Authority has taken steps to issue guidelines to all District Legal Services Authorities for appointment of 2 advocates on rotation basis to assist the victims and approach the above cell and to give information to them regarding the Victim Compensation Scheme available to them.

The Karnataka State Legal Services Authority has made sincere efforts to create awareness about the Victim Compensation Scheme through legal literacy programmes in the entire State.

**MEMBER SECRETARY  
K.S.L.S.A, BENGALURU**