



Maharashtra Victim Compensation Scheme, 2014

How compensation is funded:

- Victim Compensation Fund constituted by Maharashtra State Legal Services Authority (SLSA) and funded by budgetary allocation, court-imposed fines, compensation recovered from accused through District Legal Services Authority (DLSA) or SLSA lawsuits, and donations.

Eligibility for compensation:

- Victim (of any gender) or his/her dependent has sustained substantial loss of income as a result of loss or injury
- Must have reported crime to the Officer-in-Charge of concerned police station, executive magistrate or judicial magistrate within reasonable time
- Must cooperate with police and prosecution during investigation and trial of case
- Victims must not have received compensation from any other Central Government or State Government Scheme, insurance company or any other institution.
- Not covered: Cases under the Motor Vehicles Act where the claims of compensation are addressed by the Motor Vehicles Claims Tribunal are not covered under this scheme.

How to apply for compensation:

- Victim can make an application before the State or District Legal Services authority pursuant to CrPC Sec. 357A(4)
- Court can recommend compensation pursuant to CrPC Sec. 357A(2) and (3).

No requirement of accused being identified or trial:

- Victim of an offence entitled to compensation even if the accused / offender has not been identified and where no trial takes place.

Right to interim relief:

- The SLSA/DLSA can order immediate medical benefits free of cost to the victim or any other interim relief based on the certificate of police personnel not below the rank of officer-in-charge of the police station or local Magistrate.



Compensation procedure:

- Application for compensation under 357(A)(4) must be filed within 180 days from the commission of the crime. However, the S/DLSA can entertain applications after 180 days if satisfied that the victim had sufficient cause preventing filing application on time.
- Victim compensation granted by S/DLSA after verifying contents of the claims regarding the extent of loss and injury sustained by the victim.
- Inquiry for compensation should be completed within two months.
- Any order granting compensation to the victim must also be submitted before the trial court to enable the court to pass appropriate order of compensation under section 357(3) of CrPC upon conclusion of trial.

Amount of compensation:

- See Schedule below for maximum limits.

<u>Sl. No.</u>	<u>Description of Injuries/Loss</u>	<u>Maximum amount of compensation</u>
1.	Acid Attack	Rs. 3 Lakhs
2.	Death	Rs. 2 Lakhs
3.	Permanent Disability (80% or more)	Rs. 50,000
4.	Funeral expenses	Rs. 2,000
5.	Medical expenses	Up to Rs. 15,000

- The amount of compensation will be decided by S/DLSA on the basis of loss of income, medical expenses to be incurred based on treatment required, minimum amount for sustenance required for rehabilitation, and other incidental charges such as funeral expenses, etc.
- No compensation for loss of company/society.
- If compensation is granted to the victim before commencement of trial and again after trial by an order for monetary penalty upon the accused to be payable towards compensation for the victim, the victim or his/ her dependents will refund the lesser amount of compensation.
- Any compensation received by the victim or his/her dependent from any insurance company or under any other Central or State Government scheme or any other voluntary payment from any institution for the same crime, shall be treated as compensation given under the VC Scheme. If the amount from compensation received under any other scheme or insurance company is less than the amount of compensation stipulated under this scheme, then the extra amount will be paid to the victim from the victim compensation fund.



Right to appeal:

- If any victim or his/ her dependent is dissatisfied by the order of DLSA, can file an appeal before SLSA within 90 days from the date of such order.
- SLSA can admit appeal after expiry of 90 days if satisfied that applicant had sufficient cause preventing filing appeal on time.