



Uttar Pradesh Victim Compensation Scheme, 2014

How compensation is funded:

- Compensation paid from the Victim Compensation Fund that is allocated budget each year by the state.

Who is eligible for compensation:

- Victim who sustains loss or injury as a result of crime and requires rehabilitation, including dependent family members
- Must have reported crime to the Officer-in-Charge of concerned police station, executive magistrate or judicial magistrate within 48 hours of crime
- Must cooperate with police and prosecution during investigation and trial of case
- *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).

No requirement of accused being identified or trial:

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

Right to interim relief:

- The State or District Legal Services Authority (S/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:

- Must file claim within six months of crime (unless DLSA condones delay)



- After verifying claim, DLSA will award compensation within two months from date of receipt of the court's recommendation

Amount of compensation:

- See Schedule below:

Sl. No.	Description of Injuries/Loss	Maximum compensation
1.	Rape	Rs. 2 Lakhs
2.	Loss or injury causing severe mental agony	Rs. 1 Lakh
3.	Acid attack	Rs. 3 Lakhs
4.	Death of non-earning member	Rs. 1,50,000
5.	Death of earning member	Rs. 2 Lakhs
6.	Victim of human trafficking	Rs. 2 Lakhs

- Amount of compensation decided by S/DLSA on the basis of loss caused to the victim, 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.
- Can provide additional assistance of Rs. 25,000 to Rs. 1,00,000 where
 - Victim is minor girl requiring specialized treatment and care
 - Victim is mentally challenged requiring specialized treatment and care
 - Any other case as determined by the DLSA/SLSA
- Factors considered in awarding compensation amount:
 - Type and severity of bodily injury suffered and medical expenditure incurred or likely to be incurred
 - Age and financial condition of victim
 - Nonpecuniary loss (suffering, mental or emotional trauma, humiliation)
 - Expenses incurred in connection with alternate accommodation required
- Compensation received by the victim under other schemes or sources considered in determining quantum
- Compensation deposited to bank account preferably within a week; for minor, deposited to bank account of parent or guardian upon satisfaction of proper utilization

Right to appeal:



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