

PROCEEDINGS OF GOVERNMENT OF KARNATAKA

Sub: **Victim Compensation Scheme, 2011 - Revision of quantum of compensation to Women Victims/ Survivors of Sexual Assault/other Crimes -reg.**

Read:

- 1) Government Notification No.HD 1 PCB 2011 dated 22.02.2012 and 19.09.2013.
- 2) Judgement of the Hon'ble Supreme Court of India dated 18.07.2013 in Writ Petition (Crl) 129/2006.
- 3) Government Order No.HD 1 PCB 2011 dated 31.03.2015.
- 4) Judgement of Hon'ble Supreme Court of India dated 11.05.2018 in Writ Petition (C) 565/2012.

Preamble:

Government in it's vide Notification (1) and (3) complying Hon'ble Supreme Court Judgment read at (2) above formulated and revised a scheme in co-ordination with the Government of India for providing necessary compensation to the victims or his/her dependents who have suffered loss or injury as a result of the offence committed and who would require rehabilitation.

2. Hon'ble Supreme Court of India in W.P (Civil) No.565/2012 - Nipun Saxena V/s Union of India in its judgment dated 11.05.2018 cited (4) at above passed an order to implement the Model Victim Compensation Scheme incorporating guidelines and suggestions from NALSA(National Legal Services Authority) and other Stake Holders after due consideration and framed a comprehensive scheme to be implemented and directed all the State Governments/UTs Administrations to implement the same in their respective states/UTs.

In view of the above complying with the orders of Hon'ble Supreme Court the Government examined the proposal in detail and hence orders as fallows.

Government Order No: HD 42 PCB 2018, Bengaluru, dated: 25/09/2018.

Government is pleased to substitute and revise the compensation as per the scheduled Model Victim Compensation Scheme guidelines framed by the NALSA and as accepted and considered by Hon'ble Supreme Court of India

vide it's judgment dated: 11.05.2018 read at (4) cited above with the following modified schedule:

SCHEDULE APPLICABLE TO WOMEN VICTIM OF CRIMES

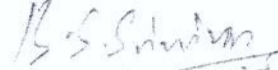
Sl. No.	Particulars of loss or injury	Minimum limit of compensation (Rs. in lakhs)	Upper limit of compensation (Rs. in lakhs)
1.	Loss of Life	5.00	10.00
2.	Gang Rape	5.00	10.00
3.	Rape	4.00	7.00
4.	Unnatural Sexual Assault	4.00	7.00
5.	Loss of any Limb or part of body resulting in 80% permanent disability or above.	2.00	5.00
6.	Loss of any Limb or part of body resulting in 40% and below 80% permanent disability	2.00	4.00
7.	Loss of any Limb or part of body resulting in 20% and below 40% permanent disability	1.00	3.00
8.	Loss of any Limb or part of body resulting in below 20% permanent disability	1.00	2.00
9.	Grievous physical injury or any mental injury requiring rehabilitation	1.00	2.00
10.	Loss of Fetus i.e., miscarriage as a result of Assault or loss of fertility	2.00	3.00
11.	In case of pregnancy on account of rape.	3.00	4.00
12.	Victims of Burning:		
a.	In case of disfigurement of case.	7.00	8.00
b.	In case of more than 50%	5.00	8.00
c.	In case of injury less than 50%	3.00	7.00
d.	In case of less than 20%	2.00	3.00
13.	Victims of Acid Attack:		
a.	In case of disfigurement of face.	7.00	8.00
b.	In case of more than 50%	5.00	8.00
c.	In case of injury less than 50%	3.00	5.00
d.	In case of less than 20%	3.00	4.00

NALSA's Model Compensation guidelines scheduled must be followed and considered while awarding compensation for women victim and rest continued as is prescribed in the victim compensation scheme, 2011 shall continue to be in effect.

The scheme of above revised compensation shall come into force from the date of issue of this orders, with immediate effect.

This Government Order has been issued as concurred by the Finance Department vide it's Note No. FD 286 Exp-11/18, dated 03/07/2018.

By Order and in the name of the
Governor of Karnataka


(B.S.SRINIVASA)

Deputy Secretary to Government,
Home Department (Crimes, Prisons & Cinema)

To:-

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2. The Secretary (CS Division) to the Government of India, Ministry of Home Affairs, North Block, New Delhi.
3. The Additional Chief Secretary to Government, Finance Department, Vidhana Soudha, Bengaluru.
4. The Director General and Inspector General of Police, Nrupathunga Road, Bengaluru.
5. The Principal Secretary to Government, Women & Child Development Department, Bengaluru.
6. The Secretary, Karnataka State Legal Services Authority, "Nyaya Degula", H.Sidaiah, Road, Bengaluru - 560 027.
7. The Director, Women & Child Development Department, Bengaluru.
8. The Project Director, Integrated Child Protection Scheme, Bengaluru.
9. The Director, Department of Prosecutions & Government Litigation, Cauvery Bhavan, Bengaluru - 560 009.