

THE TAMILNADU VICTIM COMPENSATION FUND RULES, 2009

1. Short title:- These Rules may be called Tamil Nadu Victim Compensation Fund Rules, 2009.

2. Definition- In these rules, unless the subject or context otherwise requires:-

- (i) 'Victim Compensation Fund' means the fund created from the 20 percent of wages deducted from the prisoners employed in Industries or maintenance work in a prison.
- (ii) 'Victim' means the person affected by the criminal act of the prisoner by loss of property, body offences like simple hurt, grievous hurt, physically challenged and murder etc.
- (iii) "Victim compensation" means the amount payable to the victim and in the case of death of the victim, to his legal heirs.

3. Payment:- All payment of victim compensation may be paid from the Tamil Nadu Victim Compensation fund.

4. Victim Compensation Fund:-

Tamil Nadu victim Compensation Fund shall be credited into the Government account as per G.O.Ms.No.904, Home (Pri.3) Department, dated.14.06.2007 as amended in G.O.Ms.No.459, Home (Pri.3) Department, dated.21.04.2008 (the fund in the Personal Deposit Account) and thereafter in the Reserve Fund Account.

5. District Level Committee:-

- (i) A District Level Committee shall be formed only in the District Headquarters where a Central Prison is functioning.
- (ii) The District Level Committee shall comprise of the following official members:-
 - (1) District Collector - Chairman
 - (2) Superintendent of Central Prisons - Member Secretary
 - (3) Superintendent of Police - Member
 - (4) Regional Probation Officer - Member

6. Functions of District Level Committee:-

- (i) The District Level Committee shall recommend the cases that are entitled for victim compensation to the Director General of Prisons/Additional Director General of Prisons with quantum of victim compensation recommended together with the reasons therefor.
- (ii) The Financial assistance from the Victim Compensation Fund be given to the victims or in the case of the death of the victim to his legal heirs only once based on the following aspects ;
 - (a) If the loss had taken place due to the murder, the victim shall be sanctioned with financial assistance of a minimum of Rs.25,000/- and upto a maximum of Rs.50,000/- for the livelihood of the family of the victim.
 - (b) For Body offences, a minimum of Rs.10,000/- and a maximum of Rs.20,000/- shall be sanctioned in respect of grievous hurt. A minimum of Rs.5,000/- and a maximum of Rs. 10,000/- shall be sanctioned in respect of simple hurt.

(c) Consequences of grievous hurt such as loss of employment, limb, physically challenged victims shall be sanctioned with a minimum of Rs.20,000/- and a maximum of Rs. 40,000/- for their livelihood.

(d) If it is loss of property and the victim comes under below poverty line, a minimum of Rs.10,000/- and maximum of Rs.20,000/- shall be sanctioned.

(e) Similarly the assistance shall be given for the High school / College Education of the children of the victim, at a minimum of Rs.5,000/- and a maximum up to Rs.10,000/- from the Victim Compensation Fund, in addition to other assistance noted supra.

7. Approval of Payment by the Director General of Prisons/Additional Director General of Prisons:-

(1) The Director General of Prisons/Additional Director General of Prisons shall examine the recommendations of the District Level Committee and increase or decrease the financial assistance and approve the amount within the quantum prescribed based on the loss taken place.

(2) The Director General of Prisons/Additional Director General of Prisons may send recommendations to the Government of Tamil Nadu to amend or modify or add rules for the proper maintenance of the Victim Compensation Fund.

8. Disbursement of Victim Compensation:- After approval of the quantum of victim compensation by the Director General of Prisons/Additional Director General of Prisons subject to budget provisions, he shall send the order for drawal and disbursement of the amount to the Superintendent of Prisons concerned, who shall disburse the Victim Compensation to the victim or in the case of death of the victim to his legal heirs by means of Demand Draft under proper acknowledgement.

9. Maintenance of accounts:- The Superintendent of Prisons concerned shall maintain on behalf of the District Level Committee, necessary accounts for receipts and expenditure as per the financial procedure of the State Government.

10. Audit of accounts:- The accounts of the District Level Committee shall be audited by the Internal Audit and by the Accountant General.