

Sl. No.	Particulars	Subject
1	Victim Compensation (Provision of I.P.C & Cr.P.C regarding victim compensation)	Related Provisions
2	Bihar Victim ompensation Scheme 2014	Scheme Copy
3	W.P(Cr.) No.129/2006 Laxmi Vs UOI Judgement on 10-04-2016	Supreme Court of India Judgement Relating to Acid Attack victim (Crimina Injury Compensation Board)
4	W.P(Cr.) No.129/2006 Laxmi Vs UOI Judgement on 18-07-2016	Direction to the Secretaries of Govt. regulating sale of Acid and emhancement of compensation to Acid Attack victims
5	Circular of Health Department	Free Treatment of Acid Attack Victim Frome Chief Ministera Medical fund
6	Letter No 11592	SOP of Home (spcl.) Department to be followed by police and hospitals in case of report of Acid attack
7	Letter No.480/bslsa/acct/581 dt.17-02-2016	Letter to All D.J Regarding consideration of compensation claim in acid attack and all cases relating to Sec. 357 A of Cr. P.C.
8	Letter No.128/bslsa/acct/1917 dt.21-17-2015	Letter to All D.J regarding consideration of compensation claim by criminal injury compensation board in Acid Attack cases
9	Letter to All D.J retrospective application of Sec. 357 A of Cr.P.C.	Letter No.214/bslsa/acct/340 dt.04-02-2015
10	Letter No.16/bslsa/acct/1702 dt.03-05-2016	Letter to All D.J regarding quantum of compensation in Acid attack cases

Amendments in Cr.PC and IPC about Victims

Cr.PC amendment,2009

2. Amendment of section 2. — In section 2 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the principal Act), after clause (w), the following clause shall be inserted, namely:—

“(wa) “victim” means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression “victim” includes his or her guardian or legal heir;”.

3. Amendment of section 24. — In section 24 of the principal Act, in sub-section (8), the following proviso shall be inserted, namely:—

“Provided that the Court may permit the victim to engage an advocate of his choice to assist the prosecution under this sub-section.”.

11. Amendment of section 157. — In section 157 of the principal Act, in sub-section (7), after the proviso, the following proviso shall be inserted, namely:—

“Provided further that in relation to an offence of rape, the recording of statement of the victim shall be conducted at the residence of the victim or in the place of her choice and as far as practicable by a woman police officer in the presence of her parents or guardian or near relatives or social worker of the locality.”

12. Amendment of section 161. — In section 161 of the principal Act, in sub-section (3), the following provisos shall be inserted, namely:—

“Provided that statement made under this sub-section may also be recorded by audio-video electronic means.”.

13. Amendment of section 164. — In section 164 of the principal Act, in sub-section (7), for the proviso, the following provisos shall be substituted, namely:—

“Provided that any confession or statement made under this sub-section may also be recorded by audio-video electronic means in the presence of the advocate of the person accused of an offence: Provided further that no confession shall be recorded by a police officer on whom any power of a Magistrate has been conferred under any law for the time being in force.”.

16. Amendment of section 173. — In section 173 of the principal Act,—

(a) after sub-section (7), the following sub-section shall be inserted, namely:—

“(1A) The investigation in relation to rape of a child may be completed within three months from the date on which the information was recorded by the officer in charge of the police station.”;

(b) in sub-section (2), after clause (g), the following clause shall be inserted, namely:—

“(h) whether the report of medical examination of the woman has been attached where investigation relates to an offence under section 376, 376A, 376B, 376C or 376D of the Indian Penal Code.”.

Amendment of section 198. — In section 198 of the principal Act, in sub-section (6), for the words "fifteen years of age", the words "eighteen years of age" shall be substituted.

Insertion of new section 357A. — After section 357 of the principal Act, the following section shall be inserted, namely:—

Victim compensation scheme. — (7) Every State Government in co-ordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who, require rehabilitation.

Whenever a recommendation is made by the Court for compensation, the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall decide the quantum of compensation to be awarded under the scheme referred to in sub-section (1).

If the trial Court, at the conclusion of the trial, is satisfied, that the compensation awarded under section 357 is not adequate for such rehabilitation, or where the cases end in acquittal or discharge and the victim has to be rehabilitated, it may make recommendation for compensation.

Where the offender is not traced or identified, but the victim is identified, and where no trial takes place, the victim or his dependents may make an application to the State or the District Legal Service Authority for award of compensation.

On receipt of such recommendations or on the application under sub-section (4), the State or the District Legal Services Authority shall, after due enquiry award adequate compensation by completing the award within two months.

The State or the District Legal Services Authority, as the case may be, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer in charge of the police station or a Magistrate of the area concerned, or any other interim relief as the appropriate authority may think fit."

2 amendment, 2013

3. After section 166 of the Penal Code, the following sections shall be inserted, namely:—

“166A. Whoever, being a public servant,—

(a) knowingly disobeys any direction of the law which prohibits him from requiring the attendance at any place of any person for the purpose of investigation into an offence or any other matter, or

(b) knowingly disobeys, to the prejudice of any person, any other direction of the law regulating the manner in which he shall conduct such investigation, or

(c) fails to record any information given to him under sub-section (1) of section 154 of the Code of Criminal Procedure, 1973, in relation to cognizable offence punishable under section 326A, section 326B, section 354, section 354B, section 370, section 370A, section 376, section 376A, section 376B, section 376C, section 376D, section 376E or section 509,

shall be punished with rigorous imprisonment for a term which shall not be less than six months but which may extend to two years, and shall also be liable to fine.

166B. Whoever, being in charge of a hospital, public or private, whether run by the Central Government, the State Government, local bodies or any other person, contravenes the provisions of section 357C of the Code of Criminal Procedure, 1973, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.”.

18. In section 197 of the Code of Criminal Procedure, after sub-section (1), the following *Explanation* shall be inserted, namely:—

“*Explanation.*—For the removal of doubts it is hereby declared that no sanction shall be required in case of a public servant accused of any offence alleged to have been committed under section 166A, section 166B, section 354, section 354A, section 354B, section 354C, section 354D, section 370, section 375, section 376, section 376A, section 376C, section 376D or section 509 of the Indian Penal Code.”.

20. In section 273 of the Code of Criminal Procedure, before the *Explanation*, the following proviso shall be inserted, namely:—

“Provided that where the evidence of a woman below the age of eighteen years who is alleged to have been subjected to rape or any other sexual offence, is to be recorded, the court may take appropriate measures to ensure that such woman is not confronted by the accused while at the same time ensuring the right of cross-examination of the accused.”.

23. After section 357A of the Code of Criminal Procedure, the following sections shall be inserted, namely:—

"357B. The compensation payable by the State Government under section 357A shall be in addition to the payment of fine to the victim under section 326A or section 376D of the Indian Penal Code.

357C. All hospitals, public or private, whether run by the Central Government, the State Government, local bodies or any other person, shall immediately, provide the first-aid or medical treatment, free of cost, to the victims of any offence covered under section 326A, 376, 376A, 376B, 376C, 376D or section 376E of the Indian Penal Code, and shall immediately inform the police of such incident."

24. In the First Schedule to the Code of Criminal Procedure, under the heading "I.-OFFENCES UNDER THE INDIAN PENAL CODE",—

(a) after the entries relating to section 166, the following entries shall be inserted, namely:—

1	2	3	4	5	6
"166A	Public servant disobeying direction under law.	Imprisonment for minimum 6 months which may extend to 2 years and fine.	Cognizable	Bailable	Magistrate of the first class.
166B	Non-treatment of victim by hospital.	Imprisonment for 1 year or fine or both.	Non-cognizable	Bailable	Magistrate of the first class."