

Bihar Victims of The Offence Welfare Trust Rules, 2013

BIHAR

India

Bihar Victims of The Offence Welfare Trust Rules, 2013

Rule

BIHAR-VICTIMS-OF-THE-OFFENCE-WELFARE-TRUST-RULES-2013 of 2013

- Published on 29 May 2013
- Commenced on 29 May 2013
- [This is the version of this document from 29 May 2013.]
- [Note: The original publication document is not available and this content could not be verified.]

Bihar Victims of The Offence Welfare Trust Rules, 2013Published vide Notification No. 2758, dated 29.05.2013Last Updated 10th February, 2020No. 2758. - In Exercise of the powers under Article 39 of the constitution of India, the Governor of Bihar is here by please to make the following rules to provide provision for welfare of the victims of offence.

1. Short title and commencement.

(1)These rules may be called "Bihar Victims of The Offence Welfare Trust Rules, 2013"(2)It will extend to the whole of Bihar.(3)it shall come into force with immediate effect.

2. Interpretation-clause.

- (i) Government means State Government of Bihar,(ii)'Victims of the Offence Welfare Trust' means - Trust for the purpose of benefit of victims of the offence.(iii)'Settlement Chairman' means Principal Secretary/Secretary, Home Department.(iv)'Settlement Secretary' means Director, Probation Services.(v)'Trustee Treasurer' means Prison Welfare officer.(vi)'Trustee' means The person who accepts the confidence;(vii)'Trustee member' means Inspector General of Prisons; Internal Financial Adviser, Home Department; Representative of Social Welfare Department (not below the rank of the Joint Secretary); Central Jail Superintendent (yearly roster wise) and the senior most Probation Officer nominated by the I.G. Prison posted at Jail Inspectorate, Bihar, Patna ex- offico(viii)'Breach of Trust' means A breach of any duty imposed on a trustee as such by any law for the time being in force is called a breach of trust.(ix)'Assets of a Trust' means trust property, trust money or other material;(x)'Registered' means - registered under the Registration Act, 1908 (Act No 16 of 1908).(xi)'Saving Bank Account' means Saving Account of any Nationalized Bank.

3. Aims and object of the Victims of the offence welfare trust.

- There is a provision to give the wages to the convicted prisoner for rigorous imprisonment. Certain portion of the wages of the convicted prisoners shall be deducted and it is deposited in the Bank account of the trust for the benefit of the victims of the offence. To distribute such deposited amount among the victims of the offence, is the main aims and object of the victims of the offence welfare trust.

4. Property of the trust.

- The amount deducted from wages of the convicted prisoners of different jails of the State, shall be the property of the trust. Such amount shall be deposited in the Saving Account of the Nationalized bank, which will be in the joint name of the Principal Secretary/Secretary, Home Department-cum-Chairman Settler and Prisons Welfare Officer-cum-Trustee Treasurer. Deposited amount shall be withdrawn by joint signature of the settlement Chairman Settler and Trustee Treasurer.

5. Working System of the victims of the offence welfare trust.

(1)The meeting of the victims of the offence welfare trust shall generally be held twice in a year but in case of need an additional meeting also may be called up.(2)7 days prior notice will be necessary for the meeting of the victims of the offence welfare trust. But in special circumstances meeting may be called up at short notice.(3)The coram for the meeting of the victims of the offence welfare trust will be present with the five members in which the presence of the Chairman and the Secretary of the trust will be compulsory.(4)After receiving the proposal from the committee constituted at the district level for the welfare of the victims of the offence, victims of the offence welfare trust shall consider the proposal in its meeting and after due consideration shall take decision to give the benefit to the beneficiary.(5)The Limit of the the amount to be paid to victims of the offense's shall be within the limit to the portion of the wages deducted from the concerned convicted prisoners.(6)Payment to the beneficiary shall be made through account payee cheque.

6. Proposal to the victims of the offence welfare trust from committee constituted at the district level.

(1)District level victims of the offence welfare committee shall be in each district chairman of which will be District Magistrate and Central/District Jail Superintendent of the concerned district shall be the Member secretary of the district level committee and the District welfare Officer, District Account Officer, District Prosecution Officer and The Principal Probation Officer/Senior Most Probation Officer of concern district all nominated by District Magistrates, shall be members of committee.(2)The meeting of the Districts level Committee of the Victims of the offence welfare Trust shall be held at least once in every quarter.(3)Secretary-cum-Jail Superintendent shall get the victims of the offence identified shall get through the Principal Probation Officer/Senior Probation Officer, before the meeting of the committee, all proposals which has to be put up before the

committee in its meeting.(4)For this purpose, Secretary shall maintain the individual file of the each convicted prisoner and for identification of the victims of the offence, the principal probation officers shall be provided with a copy of Judgment of the Hon'ble Court.(5)The probation officer shall identify the victims of the offence in the light of the judgment of the court and submit the report whenever asked for, within a month. The probation officers shall also report about the where about of victims with their present address.(6)The proposal which is received from the probation officer shall be put up before the District level victims welfare committee by the Secretary and the aforesaid committee shall decide the beneficial amount to be given to the victims of the offence in light of the Succession Act.(7)The quorum of the meeting of the committee shall be present with of four members in which the presence of Chairman and Secretary is compulsory. In case of equal votes, will cast the chairman his casting vote final.

7.

The Settler Secretary-cum-Director Probation shall bring to the knowledge of the Chairman Settler-cum-Principal Secretary/Secretary, Home Department, when the proposal is received from the different jails.

8.

Beneficiary of the trust shall be the victims of the offence of the Prisoners.

9.

The trustee of victims of the offence welfare trust shall not be authorised to utilize the trust property for any personal benefit.

10.

The trustee shall be acquainted with the property of the trust.

11.

A trustee is bound to deal with the trust property as carefully as a man of ordinary prudence would deal with such property.

12.

The trustee must not for himself or another set up any aid or any title to the trust property adverse to the interest of the beneficiary.