

# **Tripura Lynching/Mob Violence Victim Compensation Scheme**

## **Details (Tripura Lynching/Mob Violence Victim Compensation Scheme)**

The "Tripura Lynching/Mob Violence Victim Compensation Scheme" was launched by the Home Department, Government of Tripura on 14th August 2018 for providing fund for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of lynching/mob violence and who require rehabilitation. This scheme was formulated in pursuance of the order issued by the Hon'ble Supreme Court on 17.07.2018 in disposing of Writ Petition (Civil) No.754 of 2016. Objective: To effectively implement this scheme notified under the provisions of Section 357A of Cr. and continue financial support to the victims under the lynching/mob violence Victim Compensation Scheme, 2018. Victim Compensation Fund: There shall be constituted a fund namely "Victim Compensation Fund for Lynching/Mob Violence" from which the amount of compensation under this scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of lynching/mob violence. The scheme shall be implemented through the District Magistrate & Collectors of the State.

## **Objectives (Tripura Lynching/Mob Violence Victim Compensation Scheme)**

- The "Tripura Lynching/Mob Violence Victim Compensation Scheme" was launched by the Home Department, Government of Tripura on 14th August 2018 for providing fund for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of lynching/mob violence and who require rehabilitation.
- Objective: To effectively implement this scheme notified under the provisions of Section 357A of Cr.

## **Important Features (Tripura Lynching/Mob Violence Victim Compensation Scheme)**

- and continue financial support to the victims under the lynching/mob violence Victim Compensation Scheme, 2018.

## **Benefits (Tripura Lynching/Mob Violence Victim Compensation Scheme)**

- Minimum amount of compensation for the victims of lynching/mob violence: Sl. No. Description of injuries/loss Quantum of compensation
- 1 Death ■4 Lakhs
- 2 Permanent Disability (80% or more) ■2 Lakhs
- 3 Partial disability (40% to 80%) ■1 Lakh
- 4 Fully damaged/destroyed house ■95,000/
- 5 (i) Pucca House/ Shop/Commercial Establishment. ■95,000/
- 6 (ii) Kutcha House / Shop/Commercial Establishment ■50,000/
- 7 Partially damaged/ destroyed house ■5,000/
- 8 (i) Pucca House/ Shop/ Commercial Establishment. ■5,000/
- 9 (ii) Kutcha House/ Shop/ Commercial Establishment. ■3,000/
- 10 Damaged/destroyed Huts ■4,000/
- per Hut (Hut means a temporary, makeshift unit, inferior to Kutcha House, made of thatch, mud, plastic sheets, etc. traditionally recognized as a hut by the State / District Authorities Quantum of compensation: The quantum of compensation to be awarded to the victim or his dependents based on the loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses, etc. subject to the limit as per schedule. The compensation may vary from case to case depending on the facts of each case, but shall not exceed the amount specified in the schedule. In case of death/permanent disability/loss of property and interim relief is to be provided to the victim or the next of kin within a period of 30 days of the incident of mob violence/lynching. Compensation received by the victim or dependent from the State in relation to the crime in question, namely, insurance, ex gratia, and/or payment received under any other Act or State
- run scheme, shall be considered as part of the compensation amount under this scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Fund. To alleviate the suffering of the victim, first aid facility or medical treatment is to be made available free of cost provided a maximum limit of

■ 1.00 lakh on the certificate of the Police officer not below the rank of the Officer

- in
- Charge of the Police Station or Magistrate of the area concerned, or any other interim relief as deem fit.

### **Eligibility (Tripura Lynching/Mob Violence Victim Compensation Scheme)**

- The victim should be a resident of Tripura. The victim or his dependents who have suffered loss or injury as a result of lynching/mob violence and who require rehabilitation are eligible for the grant of compensation. Victim shall be eligible for the grant of compensation if ordered by the Court. Victim shall be eligible for the grant of compensation if: The offender is not traced or identified, but the victim is identified and the victim has to incur a lot of expenses on physical and mental rehabilitation. The victim or claimant must report the crime to the Officer
- in
- Charge of the local Police Station under whose jurisdiction the offense was committed or to the Judicial Magistrate having jurisdiction before claiming compensation
- The victim or claimant (in the case of the death of the victim) cooperates with the Police and prosecution during the investigation and trial of the case. Turning hostile, refusing to depose, or turning up during trial shall be considered to be non
- cooperation. The death or permanent incapacitation of the victim was not the result of the victim's wrongdoing or substantial provocation. The victim suffers substantial loss of income as a result of the crime or is unable to take care of expenses of medical treatment for injury caused on account of the crime. Due to the death of the victim as a result of the crime, dependents may claim compensation if the family becomes destitute and there is no earning member in the family who will support the dependents. The compensation would be admissible to the victim in the event of loss of property and the event of death or permanent incapacitation of the victim because of the act of crime. Perpetrators of crime or his/her dependents will not be eligible for any compensation under the Scheme.

### **Application Process (Tripura Lynching/Mob Violence Victim Compensation Scheme)**

- Step 01: To get compensation under the scheme, the victim or his dependent may contact the office of the concerned District Magistrate & Collector/Sub Divisional Magistrate of the state.
- Step 02: An application along with the medical report, FIR and related papers, copy of the charge sheet/final report of the investigating officer, or any other relevant information is required to be submitted by the victim or his dependent to the office of the concerned District Magistrate & Collector/Sub Divisional Magistrate of the state.
- Step 03: On the basis of the approval accorded by the Home Department, the amount of compensation is to be paid to the victim or the dependent from the available fund by the concerned District Magistrate & Collector from the fund created for that purpose.

### **Documents Required (Tripura Lynching/Mob Violence Victim Compensation Scheme)**

- 1. Identity proof of applicant 2. Medical report of the victim 3. FIR and related papers 4. Copy of charge sheet/final report of the investigating officer 5. Any other relevant information