



## ABSTRACT

Welfare of Differently Abled Persons Department - Welfare of Differently Abled – Creation of “Tamil Nadu Victim Assistance Fund for Differently Abled Persons – Orders – Issued.

Welfare of Differently Abled Persons (DAP 2) Department

G.O.Ms. No.08

Dated: 14-05- 2010

சித்திரை 31, திருவள்ளூர் ஆண்டு 2041

Read:

1. Direction of High Court of Madras, dated 30.11.2009 in W.P. No. 5802/2006.
2. Letter No. 76904/Pol.12/2009-10, dated 8.1.2010 from the Deputy Secretary to Government , Home (Pol.12) Department.
3. Minutes of the meeting chaired by the Principal Secretary to Government, Home, Prohibition and Excise Department, dated 9.2.2010.

Read Also:

4. From the State Commissioner for the Differently Abled Letter No. 0457/RD II(4)/ 2010, dated 26.2.2010.

## ORDER:

As per the directions of the Hon'ble High Court of Madras given in the reference first read above, the Government of Tamil Nadu has to frame a Scheme for providing compensation to Differently Abled victims and publish the same in the Tamil Nadu Government Gazette.

2. As per the minutes of the meeting chaired by the Principal Secretary to Government, Home, Prohibition & Excise Department, on 9.2.2010, the Principal Secretary to Government, Social Welfare and Nutritious Meal Programme Department was asked to draw up a scheme for payment of compensation to be given to differently abled persons when they become victims of major crimes, like rape, grievous injury etc to be implemented by the District Collector.

3. At present, a Victim Assistance Fund is in operation as per G.O.(Ms.) No. 1258, Home (POL-XII) Department, dated 21.08.1995 and modified by G.O.(Ms) No. 89, Home (POL-XII) Department, dated 24.1.1997, for providing financial assistance to the victims of major crimes as detailed below:

Sl. No.	Event	Amount of cash to be paid (not exceeding)	To whom it should be paid
1.	Murder	Rs.10,000/-	To the legal heir

2.	Grievous injuries	Rs. 5,000/-	To the victim
3.	Rape	Rs.5,000/-	To the victim

4. The City Victims Assistance Committee under the Chairmanship of Police Commissioner and District Victims Assistance Committee under the Chairmanship of District Collectors are empowered to sanction relief from the Victim Assistance Fund. The Committee has to meet at least once in a month to consider and decide the cases of granting relief. The other condition is that the legal heir/victims should not have obtained relief from any other scheme such as Hon'ble Chief Minister's Public Relief Fund etc.

5. Based on the lines of the above scheme and as per the directions of the Hon'ble Court and the minutes of the meeting chaired by the Principal Secretary to Government, Home, Prohibition & Excise Department, on 9.2.2010, the State Commissioner for the Differently Abled has sent a proposal for sanction of Rs. 1.00 lakh for each district under "Tamil Nadu Victim Assistance Fund for Differently Abled Persons" so that the fund could be utilized for providing compensation to the differently abled persons in the event of their becoming victims of major crimes like rape and grievous injury, to legal heir of differently abled persons in the case of murder, trial allowances to them and also expenditure relating to providing allowances to advocates and sign language interpreter.

6. The Government have examined the proposal of the State Commissioner for the Differently Abled and decided to accept the proposal. Accordingly the Government pass the following orders:-

- i. Government accord sanction for creation of a new fund namely "Tamil Nadu Victim Assistance Fund for Differently Abled Persons".
- ii. Government also accord sanction for a sum of Rs.1,00,000/- (Rupees one lakh only) for each district under the new fund stated above so that the fund could be utilized for providing compensation to differently abled persons when become victims of major crimes like rape and grievous injury, to legal heir of differently abled persons in case of murder, trial allowances to them and also expenditure relating to providing allowances to advocates and sign language interpreter. The District Collector will administer the Fund.
- iii. The Government permit the State Commissioner for the Differently Abled to create District Level Committee namely, "District Victims Assistance Committee for Differently Abled Persons". This Committee will be headed by the District Collector with District Superintendent of Police / City Police Commissioner and District Differently Abled Welfare Officer as Members.
- iv. From the said Fund the following items of compensation, allowance and assistance shall be sanctioned"
  - a) To pay the amount of assistance to the differently abled persons when become victims of major crimes like rape and grievous injury legal heir of the victim in the case of murder, as detailed below:

Sl. No.	Event	Amount of cash to be paid (not exceeding)	To whom it should be paid
1.	Murder	Rs.10,000/-	To the legal heir
2.	Grievous injuries	Rs. 5,000/-	To the victim
3.	Rape	Rs.5,000/-	To the victim

- b) In addition to the above assistance, irrespective of the judicial outcome of the trial, an assistance of Rs.200/- per day may be paid from this Fund to meet out the expenditure during the trial of the case, subject to a maximum of Rs.2,000/- per victim per case.
- c) To pay Conveyance Allowance of Rs.500/- and a Sitting Allowance of Rs.300/- per sitting to advocates who provide free legal services to Differently Abled persons.
- d) To pay Interpretation Allowance of Rs.300/- (apart from T.A and D.A) per sitting to the Teacher (interpreter) who assist differently abled persons with Speech and hearing impairment due to hard of hearing for the enquires to be held in the Police Station / Court, etc.,
- v. The compensation, allowance and assistance shall be sanctioned by adopting the following procedure:
- a) District Victims Assistance Committee for Differently Abled Persons under the Chairmanship of District Collector is empowered to sanction relief, allowances to Advocates and Interpreters.
- b) The District Level Committee ( DLC) has to meet at least once in a month to consider and decide the cases of granting relief;
- c) Differently Abled Persons / legal heir of Differently Abled Persons who seek assistance, should not have obtained relief from any other scheme, such as, Hon'ble Chief Ministers Public Relief Fund, Victim Assistance Fund (General) etc.,
- d) The District Differently Abled Welfare Officer will send necessary proposals through collector to the State Commissioner for the Differently Abled after due assessment for allotment of funds for the "Tamil Nadu Victim Assistance Fund for Differently Abled Persons".

7. The expenditure towards implementation of the Scheme sanctioned in para 6 above shall be debited to the following new heads of account to be opened under Demand No. 45-06

2235. Social Security and Welfare-60. Other Social Security and Welfare Programmes- 797. Transfer to the Reserve Fund/Deposit Account- I . Non-

Plan- AL. Amount-Transferred to the Tamil Nadu Victim Assistance Fund for the Differently Abled Persons-30. Inter-Account Transfer (DPC 2235 -60-79-AL-3009)

and credited to the following new fund account:-

J. Reserve Funds- (b)Reserve Funds not bearing interest-8229.00. Development and Welfare Fund-200. Other Development and Welfare Fund-I.Non-Plan- BA.Tamil Nadu Victim Assistance Fund for the Differently Abled Persons.  
(DPC 8229-00-200-BA-000G) (Receipt)

8. The expenditure to be sanctioned under this scheme shall be debited under the following new head of account to be opened under Demand No. 45-06.

2235. Social Security and Welfare-60. Other Social Security and Welfare Programmes-200. Other Programmes-I. Non-Plan- DJ. Payment of Compensation to the Differently Abled Victims- Expenditure met from the Tamil Nadu Victim Assistance Fund for the Differently Abled Persons-09.Grants –in-Aid-03. Grants for Specific Schemes.  
(DPC 2235 -60-200-DJ-0935)

9. The expenditure so incurred shall be adjusted by deducting under the following new head of account.

2235. Social Security and Welfare-60. Other Social Security and Welfare Programmes-902. Deduct-Amount met from the Tamil Nadu Victim Assistance Fund for the Differently Abled Persons- I . Non-Plan- AD. Deduct- Amount met from the Tamil Nadu Victim Assistance Fund for the Differently Abled Persons-30. Inter-Account Transfer  
(DPC 2235 -60-902-AD-3000)

by Contra-debiting from the following fund account:-

J. Reserve Funds- (b)Reserve Funds not bearing interest-8229.00. Development and Welfare Fund-200. Other Development and Welfare Fund-I. Non-Plan-BA. Tamil Nadu Victim Assistance Fund for the Differently Abled Persons-  
(DPC 8229-00-200-BA-0004) (Outgo)

10. The State Commissioner for the Differently Abled is the estimating, reconciling and controlling authority for the new heads of account opened above.

11. The Pay and Accounts Officer / Treasury Officer concerned is requested to open the above new heads of account in their accounts.

12. The State Commissioner for the Differently Abled is requested to furnish the particulars of the amount to be credited into the Tamil Nadu Victim Assistance Fund for the Differently Abled Persons and the statement of Expenditure to be met from the fund at the closure of each financial year to the Accountant-General (A&E), Chennai-18.

13. The adjustments required, ie., the creation of fund and for indicating in the books the fact of expenditure met from the Fund, will be made by the office of the Accountant General, Chennai, based on the Government Orders issued.

14. The expenditure sanctioned in para 6 (ii) above constitute an item of "New Service" and the approval of the Legislature will be obtained in due course. Pending approval of the Legislature the expenditure will be met from the contingency Fund initially, for which the orders will be issued by Finance (BG-I) Department. The State Commissioner for the Differently Abled is requested to send necessary proposal in the prescribed format to Finance (BG-I) Department for drawal of the C.F. Advance enclosing the copy of this order.

15. This order issues with concurrence of Finance Department vide its U.O. No.238/JS/APA/2010, dated 7.5.2010 and ASL No. 54 (Fifty four)

(By Order of the Governor)

S.S. Jawahar,  
Secretary to Government.

To

The State Commissioner for the Differently Abled, Chennai-6.

All District Collectors.

The Commissioner of Police, (Chennai, Chennai Suburban, Madurai, Coimbatore, Trichy, Salem and Tirunelveli.)

All Superintendent of Police.

All District Differently Abled Welfare Officers.

The Accountant-General, Chennai-9/18/35.

The Pay and Accounts Officer, Chennai.5/35

The Works Manager, Government Central Press, Mint (To notify in the Government Gazettee)

Copy to:

The Principal Secretary to Government, Home, Prohibition and Excise Department.

Finance (SW/BG-I/BG-II) Department.

// Forwarded by Order//

Section Officer.