



# drishti

## Poor Compensation Rate for Trafficking Survivors

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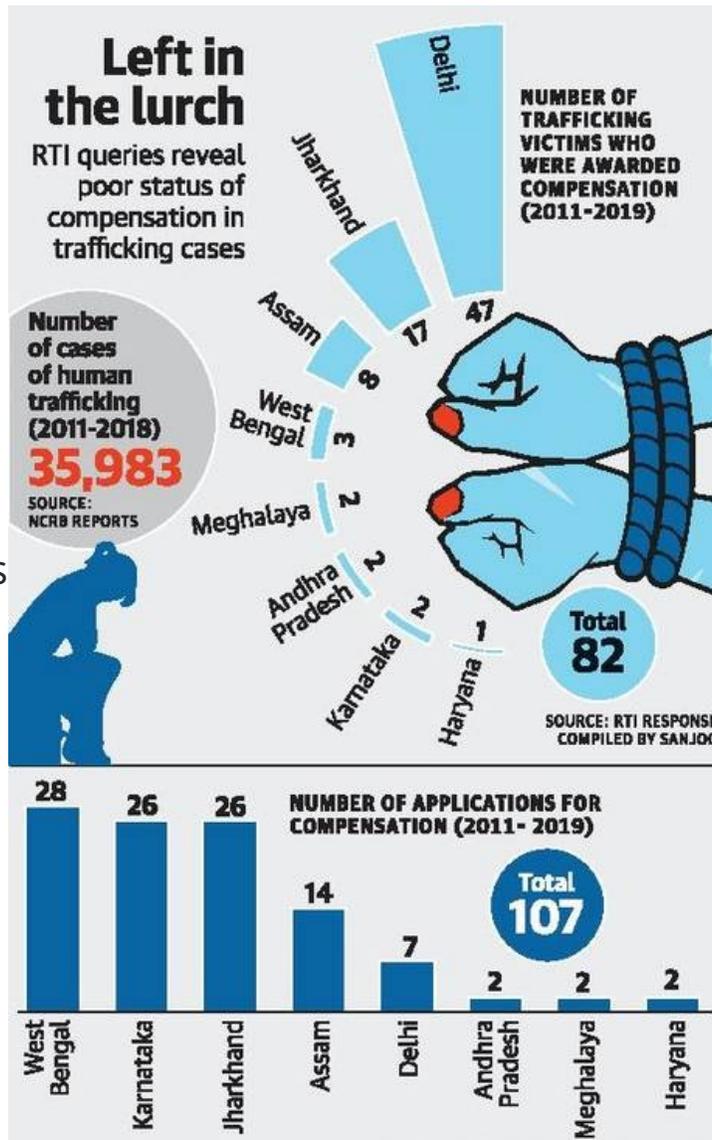
### Why in News

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Based on the data of the **NCRB**, a non-profit organisation released a report on compensation awarded to survivors of trafficking the country, which highlighted the poor status of compensation awarded during 2011- 2019.

NCRB reports put the total number of cases of human trafficking at 35,983, but only 82 (0.2%) victims were awarded compensation.

## Key Points



- The report titled '**UNCOMPENSATE VICTIMS**' was released by Sanjog, a technical resource organisation that works to combat trafficking and gender-based violence.
- Following the national outrage over the Nirbhaya gang-rape case (2012), the government had announced ₹1,000 crore fund to be used to combat sexual violence against persons – children or adults.
- The amount of compensation to victims of trafficking varied from State to State, hence the **Supreme Court** had directed the **National Legal Services Authority (NALSA)** to frame a standardised **victim compensation scheme**.
- The study also reflects the number of trafficking survivors who applied for the victim compensation scheme to their respective legal services authority.
- While 107 individuals applied under the scheme, in 102 cases between 2011 and 2019, courts directed the authorities to release compensation.

## Reasons Behind the Low Rate of Compensation

- Lack of awareness
- A lack of information provided to survivors on victim compensation.
- Low investment on part of legal aid
- **Role of Legal Services Authorities:** The study suggests grave **inconsistencies** on the part of legal services authorities, which have provided the data.
  - There is a lack of initiative on the part of legal services authorities.
  - Manipur's 2019 victim compensation scheme does **not** even have an entry in the schedule corresponding to human trafficking.
  - Survivors were able to apply only when they were informed and a private lawyer was involved in assisting them in filing the application for victim compensation.
  - **Multiple Agencies:** From their rescue till rehabilitation, the survivors are in touch with multiple agencies but none of them takes any steps to help them get compensation.
  - District Legal Service Authority(DLSA) and State Legal Services Authority (SLSA)'s response to the claims has been slow, and they hold the survivors' claims with suspicion – often putting the burden of proof on the survivors themselves.

### **Central Victim Compensation Fund scheme**

- The **Section 357-A of Code of Criminal Procedure (CrPC)** has provisions to compensate victims who suffered because of a crime.
  - Section 357A:** Every State Government in coordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim of crime.
- The government introduced the **Central Victim Compensation Fund (CVCF)** scheme to enable support to **victims of rape, acid attacks, human trafficking and women killed or injured** in the **cross border firing**.
  - Compensation for Civilian victims of cross border firing, shelling or IED explosion, terrorism and Maoist violence
- It is also known as the Victim Compensation Scheme.
- So far 24 states and 7 UTs have formulated the Victim Compensation Scheme.

### **Nirbhaya Fund**

- The **Nirbhaya Fund** Framework provides for a **non-lapsable** corpus fund for the **safety and security of women**.
- It is administered by the Department of Economic Affairs (DEA) of the **Ministry of Finance**.
- It can be utilized for projects and initiatives related to women safety.
- Nirbhaya fund is being used in the **Central Victim Compensation Fund (CVCF)**.

**Source: TH**