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STATUTORY VICTIM COMPENSATION SCHEMES: ACCESSIBILITY, QUANTUM, AND ENFORCEMENT

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ABSTRACT :

Victim compensation is an essential component of a justice system that recognises the physical, psychological, social and economic consequences of crime. Traditionally, criminal proceedings have concentrated on the prosecution and punishment of offenders, often leaving victims with inadequate financial assistance, rehabilitation and institutional support. In India, statutory victim compensation schemes seek to address this imbalance through Section 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), which provides for victim compensation schemes, together with related provisions concerning medical treatment and compensation for victims of crime. These provisions must be understood alongside the constitutional guarantees of equality, dignity and access to justice, judicial precedents and state-specific compensation rules. This paper critically examines the accessibility, quantum and enforcement of statutory victim compensation in India. It argues that the effectiveness of compensation depends not merely on the existence of legislation but also on public awareness, simplified application procedures, uniform minimum standards, timely disbursement and effective administrative accountability. It concludes that a victim-centred compensation framework must combine financial relief with rehabilitation, transparency and enforceable procedural safeguards.

Keywords: Victim compensation, BNSS, criminal justice, access to justice, quantum of compensation, legal enforcement, rehabilitation.

INTRODUCTION

The administration of criminal justice cannot be considered complete merely because an accused person has been prosecuted or punished. Crime may cause physical injury, psychological trauma, loss of livelihood, medical expenditure, social stigma and permanent disability. The family members of deceased victims may also experience severe financial hardship. Consequently, a modern criminal justice system must recognise victims as independent rights-holders who require protection, participation, financial assistance and rehabilitation. Victim compensation represents an important mechanism for translating these principles into practical legal entitlements.[1]

In India, the development of victim compensation reflects a gradual transition from an offender-centred model towards a more victim-oriented approach. The Code of Criminal Procedure, 1973, introduced a statutory framework for compensation through Sections 357 and 357A. With the commencement of the Bharatiya Nagarik Suraksha Sanhita, 2023, the corresponding framework is principally found in Sections 395 and 396, respectively. The latter provides for state victim compensation schemes administered through the prescribed legal and institutional machinery. The effectiveness of this framework depends on whether victims can obtain assistance without prohibitive procedural burdens, arbitrary variation in compensation amounts or unnecessary delays.[2]

This research paper examines three interconnected dimensions: accessibility, quantum and enforcement. Accessibility concerns whether victims know about compensation and can successfully apply for it. Quantum concerns the adequacy, consistency and fairness of the amount awarded. Enforcement concerns whether compensation orders and approved claims result in actual and timely payments. These dimensions must be evaluated together because a generous statutory scheme is of limited value if victims cannot access it, while an accessible scheme remains inadequate if awards are insufficient or payments are indefinitely delayed.[3]

[1] Andrew Ashworth, Principles of Criminal Law, 7th edn., Oxford University Press, Oxford, 2013.
[2] The Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), ss. 395–396; The Code of Criminal Procedure, 1973 (Act 2 of 1974), ss. 357 and 357A.
[3] The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396; National Legal Services Authority, NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes—2018.

Aim of the Study

The principal aim of this research is to critically evaluate statutory victim compensation schemes in India with particular reference to their accessibility, adequacy of compensation, and effective enforcement. The study seeks to determine whether the existing statutory framework provides timely and meaningful financial assistance and rehabilitation to victims of crime, while identifying legal, procedural, institutional, and financial obstacles that may prevent the realisation of their rights.

Research Objectives

The proposed study will pursue the following objectives:

1. To examine the constitutional, statutory, and judicial foundations of victim compensation in India, with particular emphasis on Section 396 of the BNSS and its relationship with the earlier framework under Section 357A of the Code of Criminal Procedure, 1973.
2. To analyse the accessibility of statutory victim compensation schemes and identify procedural, economic, social, and informational barriers that may prevent eligible victims from obtaining compensation.
3. To evaluate the adequacy and consistency of compensation amounts awarded under different schemes, taking into account the nature of the offence, the severity of injury, medical expenses, loss of income, disability, dependency, and rehabilitation requirements.
4. To examine the enforcement of compensation awards, including the responsibilities of courts, State Legal Services Authorities, District Legal Services Authorities, and government departments in processing applications and disbursing funds.
5. To recommend legal, administrative, and policy reforms aimed at improving awareness, simplifying procedures, ensuring timely payment, establishing transparent assessment criteria, and strengthening accountability within the victim compensation system.

Research Questions

The research will be guided by the following questions:

1. What are the constitutional, statutory, and judicial principles governing victim compensation in India, and how has the transition from Section 357A of the Code of Criminal Procedure, 1973, to Section 396 of the BNSS affected the legal framework?
2. To what extent are statutory victim compensation schemes accessible to eligible victims, particularly those belonging to economically disadvantaged and socially vulnerable groups?
3. Are the compensation amounts prescribed or awarded under the existing schemes adequate, consistent, and proportionate to the actual physical, psychological, economic, and social consequences of crime?
4. How effectively do the competent authorities implement compensation decisions, and what legal or administrative factors contribute to delays, inadequate disbursement, or difficulties in enforcing awards?
5. What reforms are necessary to ensure that victim compensation schemes operate as transparent, timely, equitable, and enforceable mechanisms of rehabilitation and restorative justice?

Research Hypotheses

- H1: Greater awareness of statutory victim compensation schemes is positively associated with the ability of eligible victims to access compensation.
- H2: Procedural complexity and inadequate legal assistance are significant barriers to accessing victim compensation schemes.
- H3: Differences in the applicable compensation schedules and assessment practices may contribute to variations in the adequacy of compensation awarded to similarly situated victims.
- H4: Delays in administrative processing and fund disbursement reduce the practical effectiveness of victim compensation as a mechanism for rehabilitation.
- H5: Simplified application procedures, transparent assessment standards, effective monitoring, and stronger institutional accountability can improve the accessibility and enforcement of victim compensation schemes.

Research Methodology

The study will primarily adopt a doctrinal and analytical legal research methodology. Doctrinal research will be used to interpret statutory provisions, constitutional principles, judicial decisions, legal rules, and institutional frameworks governing victim compensation in India. Analytical research will evaluate the effectiveness, consistency, and limitations of these rules in addressing victims' requirements for financial assistance and rehabilitation.[27]

The principal objective of this research is to critically evaluate the legal and practical operation of statutory victim compensation schemes in India. The paper examines the statutory framework, constitutional foundations and judicial interpretation of compensation; identifies barriers faced by eligible victims; evaluates the principles governing the determination of compensation; and analyses weaknesses in implementation and enforcement. It also proposes reforms directed towards greater accessibility, procedural uniformity, financial adequacy and administrative accountability.

The study adopts a doctrinal research methodology based on the examination of statutory provisions, constitutional principles, judicial decisions and relevant legal literature. It primarily focuses on the Indian legal framework, particularly the BNSS, 2023, and the jurisprudence developed under the earlier Code of Criminal Procedure, 1973. Since compensation schedules and administrative procedures may differ across states and Union Territories, the paper distinguishes between the national statutory framework and its state-level implementation. The analysis is qualitative and does not claim to establish empirical rates of application, rejection or disbursement in the absence of verified administrative data.

Statutory and Constitutional Framework

Section 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023

Section 396 of the BNSS constitutes the principal statutory foundation for victim compensation schemes in India. It requires every State Government, in coordination with the Central Government, to establish a scheme providing funds for victims or their dependants who have suffered crime-related loss or injury and require rehabilitation. The provision places responsibility on the State to develop an institutional mechanism through which financial assistance can be granted independently of the offender's ability to pay. It also authorises the District Legal Services Authority (DLSA) or State Legal Services Authority (SLSA) to determine the quantum of compensation following a court recommendation.[4]

Section 396(3) permits a trial court to recommend compensation where the amount awarded under Section 395 is inadequate for rehabilitation or where the case ends in acquittal or discharge but the victim still requires rehabilitation. Under Section 396(4), compensation may also be sought directly from the competent legal services authority where the offender has not been traced or identified and no trial takes place. Section 396(5) requires the competent authority to complete its enquiry within two months. Section 396(6) further permits immediate first aid, free medical benefits or other interim relief to alleviate the victim's suffering. These provisions recognise that rehabilitation should not depend exclusively on conviction or successful recovery from the offender.

The BNSS came into force on 1 July 2024, replacing the former Code of Criminal Procedure framework in this area. Section 395 broadly corresponds to former Section 357 CrPC, while Section 396 carries forward the victim compensation scheme framework previously contained in Section 357A and the additional-compensation provision in Section 357B. Accordingly, earlier judicial decisions interpreting those provisions remain important for understanding the principles underlying the current scheme, subject to the wording of the new enactment and applicable precedent.[5]

Constitutional Foundations

Although victim compensation is primarily governed by statutory provisions and applicable schemes, its justification is closely connected with the Constitution of India. Article 14 guarantees equality before the law and equal protection of the laws, supporting the principle that similarly situated victims should not receive arbitrary or discriminatory treatment. Article 21 protects life and personal liberty and has been interpreted to include human dignity and meaningful access to justice. Where crime causes grave injury, disability or loss of livelihood, a compensation mechanism may contribute to restoring the victim's ability to live with dignity. However, the precise entitlement and amount payable must be determined under the applicable legal framework.

The Directive Principles of State Policy, particularly Article 38, which directs the State to promote social welfare, and Article 41, concerning public assistance in specified circumstances, provide additional normative support for rehabilitation-oriented policies. These principles do not independently establish an unlimited right to a predetermined compensation amount. Nevertheless, they reinforce the constitutional importance of designing schemes that respond to vulnerability, economic disadvantage and the practical consequences of criminal victimisation. A welfare-oriented interpretation of compensation should therefore focus on rehabilitation rather than treating payment as a purely symbolic gesture.[6]

Accessibility of Victim Compensation Schemes

Awareness and Availability of Legal Assistance

Accessibility is the first major challenge confronting statutory victim compensation schemes. Many victims are unfamiliar with the distinction between compensation ordered against an offender and financial assistance available under a state-funded scheme. Victims may also be unaware that compensation can be considered in cases involving an unidentified offender or where a trial does not take place. This lack of awareness is especially consequential for individuals who lack legal representation, have limited education or reside far from district-level institutions. The statutory availability of compensation does not guarantee practical access unless eligible victims receive clear information about their rights and the procedure for claiming assistance.[7]

The legal services authorities established under the Legal Services Authorities Act, 1987, can play an important role in addressing this gap. DLSAs and

[4] The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396(1)–(2).
[5] . The Code of Criminal Procedure, 1973, ss. 357, 357A and 357B; The Bharatiya Nagarik Suraksha Sanhita, 2023, ss. 395–396
[6] The Constitution of India, arts. 38 and 41.
[7] The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396(3)–(5)

SLSAs can provide legal guidance, assist with applications, explain evidentiary requirements and facilitate communication between victims and the relevant administrative authorities. Police stations, hospitals, prosecution offices, child protection institutions and women's support services should also inform eligible victims about compensation. The National Legal Services Authority (NALSA) has published a dedicated compensation scheme for women victims and survivors of sexual assault and other crimes, illustrating the importance of specialised guidance and coordinated institutional support.[8]

4.2 Procedural Barriers and Vulnerable Victims

Complex documentation requirements, repeated visits to government offices, delays in obtaining medical records and difficulties securing income or identity documents can discourage victims from applying. These burdens may be especially severe for survivors of sexual violence, acid attacks, trafficking, domestic violence-related offences and crimes resulting in permanent disability. Families of deceased victims may face additional problems concerning dependency, succession and proof of financial loss. A system that requires vulnerable applicants to navigate complicated procedures without assistance risks converting a statutory entitlement into a benefit accessible mainly to those with greater resources.

Accessibility should therefore be improved through standardised application forms, multilingual information, digital and physical submission options, designated victim-support officers and clear checklists of required documents. Digital systems can facilitate application tracking and reduce unnecessary visits, but they should not become the exclusive route to assistance because many victims lack reliable internet access or digital literacy. Authorities should adopt a facilitative approach, allowing reasonable opportunities to cure documentary deficiencies rather than rejecting claims mechanically. Confidentiality safeguards are particularly important in sexual-offence cases and cases involving children.[9]

Compensation Without Conviction

One of the significant strengths of the statutory framework is that compensation under Section 396 is not invariably dependent upon conviction. The provision expressly contemplates rehabilitation where proceedings end in acquittal or discharge, and it permits applications where an offender remains unidentified and no trial occurs. This approach recognises that the victim's injury and need for assistance do not necessarily disappear because criminal proceedings cannot establish the offender's guilt. Compensation is a rehabilitative measure and should not automatically be treated as a finding of criminal liability against an accused person.[10]

Nevertheless, administrative authorities must maintain a fair balance between accessibility and verification. Applications may require reasonable evidence of the incident, injury, loss and identity of the applicant, but enquiries should remain proportionate to the purpose of the scheme. Excessive demands for criminal-trial-level proof may defeat the statutory objective, while inadequate verification may lead to inconsistent or improper payments. Clear evidentiary guidelines, reasoned decisions and appropriate review mechanisms can reconcile effective assistance with procedural fairness.

Quantum of Compensation: Adequacy and Fairness

Meaning of Adequate Compensation

The quantum of compensation is central to the effectiveness of victim compensation schemes. An amount that is nominal in comparison with medical expenditure, permanent disability, loss of earning capacity or long-term rehabilitation requirements may offer little practical assistance. Adequacy should be assessed in relation to the nature and severity of injury, treatment costs, psychological consequences, loss of income, dependency obligations and future care needs. Compensation should not be understood as placing a monetary value on human suffering; rather, it provides financial resources to mitigate the consequences of crime and support rehabilitation.[11]

Section 396(2) assigns responsibility for determining the quantum, following a court recommendation, to the DLSA or SLSA under the applicable scheme. The statutory framework consequently requires decision-makers to consider the circumstances of the victim and the governing compensation schedule. A reasoned assessment should distinguish between immediate medical needs and long-term rehabilitation expenses, while accounting for permanent impairment and the victim's economic circumstances where relevant. A uniform amount for every case may simplify administration but can produce unjust outcomes when injuries and rehabilitation needs differ substantially.[12]

Variation Across States and Categories of Crime

A persistent structural concern is the potential variation in compensation amounts and procedures between states and Union Territories. Different financial capacities, notified schedules, categories of injury and administrative practices may result in unequal outcomes for victims suffering comparable harm. The Central Victim Compensation Fund was introduced to support and supplement state schemes and to reduce disparities in compensation for similar offences. NALSA's compensation scheme for women victims and survivors of sexual assault and other crimes also

[8] The Legal Services Authorities Act, 1987, ss. 12–13; National Legal Services Authority, NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes—2018.

[9] . The Legal Services Authorities Act, 1987; The Protection of Children from Sexual Offences Act, 2012 (Act 32 of 2012).

[10] The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396(3)–(5).

[11] . The Constitution of India, art. 21; The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396(1)

[12] . The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396(2)

demonstrates the role of national-level guidance in encouraging a more consistent approach.[13]

However, uniformity should not eliminate the flexibility necessary to respond to individual circumstances. National minimum standards could establish baseline compensation levels for specified categories of harm, while state schemes could provide higher amounts where justified by local costs or individual needs. Periodic revision should account for inflation, changing medical costs and the increasing expense of long-term care. Transparent schedules would reduce arbitrary decision-making, but exceptional cases should permit reasoned enhancement where the prescribed amount is plainly insufficient for rehabilitation.

Interim Relief and Long-Term Rehabilitation

Victims frequently incur expenses immediately after a crime, whereas administrative enquiries and criminal proceedings may continue for months or years. Section 396(6) addresses this problem by authorising immediate first aid, free medical benefits and other interim relief in appropriate cases. This provision is particularly important where urgent surgery, reconstructive treatment, medication, psychological counselling or temporary accommodation is required. Interim assistance should be responsive to the urgency of the victim's circumstances and should not be postponed merely because the final compensation amount has not been determined.

Compensation should also be connected with non-monetary rehabilitation. Medical treatment, psychological support, vocational training, educational assistance and help with livelihood restoration may be essential to recovery. In cases involving permanent disability, authorities should consider recurring expenses and the need for assistive devices or long-term care. A single lump-sum payment may be insufficient where the victim requires continuing support. Effective schemes should therefore coordinate financial assistance with relevant health, disability, social welfare and legal services, while avoiding unnecessary duplication of benefits.

Enforcement of Victim Compensation Schemes

Administrative Delays and Institutional Accountability

The enforcement of compensation schemes depends on the efficiency of the authorities responsible for receiving applications, conducting enquiries, determining eligibility and disbursing funds. Although Section 396(5) of the BNSS prescribes a two-month period for completing the enquiry, compliance with this requirement is essential to make the statutory protection effective. Delays may arise from incomplete documentation, inadequate staffing, interdepartmental communication failures, budgetary constraints and uncertainty about the competent authority. For a victim requiring urgent treatment or income support, delayed compensation may undermine the rehabilitative purpose of the law.[14]

Administrative accountability should be strengthened through time-bound processing, written acknowledgements, application-tracking systems and reasoned decisions. Each legal services authority should maintain records of applications received, amounts sanctioned, payments disbursed and reasons for rejection or delay. Periodic audits and publicly accessible, anonymised reports would help identify institutional weaknesses without compromising victims' privacy. Where an application remains pending beyond the prescribed period, the applicant should have access to a simple grievance mechanism and an appropriate review process.[15]

The Supreme Court of India has played a significant role in developing victim compensation jurisprudence. In Suresh v. State of Haryana, the Court emphasised the importance of considering compensation under the statutory scheme and ensuring that victims are not left without assistance merely because the offender cannot provide adequate compensation. The decision illustrates the complementary relationship between offender-funded compensation and state-funded rehabilitation. It also underscores that courts should actively consider the availability of compensation rather than treating it as an incidental matter after determining criminal liability.[16]

In Ankush Shivaji Gaikwad v. State of Maharashtra, the Supreme Court examined the obligation of criminal courts to apply their minds to compensation under Section 357 CrPC. The judgment stressed that courts should consider the question of compensation judicially and provide reasons for their decisions. Although the decision concerned the earlier procedural code, its reasoning remains relevant to the corresponding principles under Section 395 of the BNSS, subject to the applicable statutory language. Judicial consideration of compensation should be meaningful, informed by the victim's circumstances and connected with the wider statutory rehabilitation framework.[17]

The State's responsibility becomes particularly significant where an offender cannot be identified, has no resources or cannot satisfy a compensation order. In such situations, a victim-centred system should not make rehabilitation dependent entirely upon private recovery. Section 396 establishes a separate statutory mechanism for state-funded assistance. Effective enforcement therefore requires coordination between courts, police, hospitals, prosecution agencies and legal services authorities, together with adequate budgetary provision.

Enforcement of Orders and Effective Remedies

[13] Ministry of Home Affairs, Government of India, "Compensation to Acid Attack Victims," available at the Ministry's official website; National Legal Services Authority, NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes—201

[14] The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396(5).

[15] The Legal Services Authorities Act, 1987; The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396.

[16] Suresh v. State of Haryana, (2015) 2 SCC 227

[17] Ankush Shivaji Gaikwad v. State of Maharashtra, (2013) 6 SCC 770.

An order recommending or awarding compensation has limited practical value if the sanctioned amount is never transferred to the victim. Enforcement must therefore be evaluated by reference to actual disbursement, not merely the number of orders passed. Authorities should communicate the amount approved, the expected payment date and any outstanding requirements to the applicant. Payments should be made through secure and accessible methods, with reasonable alternatives where a victim cannot operate a bank account independently. Where a claim is rejected or an amount is reduced, the victim should receive written reasons and information about available remedies.

The statutory two-month enquiry period should be treated as a meaningful procedural safeguard rather than an administrative aspiration. Where delays are attributable to institutional failure, authorities should investigate the cause and take corrective action. Courts exercising appropriate jurisdiction may be approached where legally available remedies are necessary to address unlawful refusal, unreasonable delay or failure to perform a statutory duty. Clear review procedures would reduce uncertainty and help ensure that compensation schemes operate as enforceable legal mechanisms rather than discretionary welfare arrangements.[18]

Major Challenges and Critical Evaluation

Despite the statutory framework, several challenges affect the practical delivery of compensation. These include inadequate awareness, uneven administrative capacity, differences in state-level schedules, documentary barriers, delays in payment and insufficient integration between financial assistance and long-term rehabilitation. Another concern is the absence of easily accessible, consolidated information that enables victims to compare eligibility requirements, application procedures and payment timelines across jurisdictions. Without reliable monitoring data, it is also difficult to evaluate whether the scheme reaches the victims who need assistance most urgently[19]

A further difficulty concerns the relationship between criminal proceedings and administrative compensation. Victims may be required to engage with multiple institutions while coping with physical injury, grief or psychological trauma. If the process requires repeated appearances, extensive paperwork or unnecessary disclosure of sensitive information, it can intensify the burden already caused by the offence. Compensation authorities must consequently adopt a sensitive, confidential and proportionate approach, particularly for children, survivors of sexual violence and persons with disabilities.[20]

The central weakness is therefore not necessarily the absence of statutory authority but the potential gap between legal recognition and practical delivery. Section 396 provides a framework for rehabilitation, interim relief and compensation even in certain cases without a trial. However, the effectiveness of these protections depends on administrative capacity, consistent decision-making and timely funding. The success of the scheme must ultimately be measured by whether victims receive meaningful assistance when they need it, rather than by the formal existence of legislation or notified compensation schedules alone.

. Suggestions and Recommendations

First, the Central Government, State Governments and legal services authorities should strengthen public awareness through police stations, hospitals, district courts, educational institutions and community organisations. Information should be available in regional languages and accessible formats. Every victim reporting a serious offence should, where appropriate, receive a written explanation of possible compensation entitlements and information about the authority responsible for processing the claim. Legal aid providers should proactively assist applicants who face financial, physical or procedural barriers.

Second, states should adopt transparent compensation schedules with minimum standards for comparable categories of injury and loss. These schedules should be periodically reviewed to account for inflation, medical expenditure and rehabilitation costs. Authorities should retain the power to award higher amounts in exceptional cases where the standard schedule does not adequately address the victim's needs, provided that the decision is supported by relevant facts and reasons. A nationally coordinated framework could reduce arbitrary disparities without preventing states from offering more generous assistance.[21]

Third, administrative procedures should be simplified through standardised forms, clear evidentiary requirements, assisted digital applications and accessible offline alternatives. Authorities should track applications from submission to final disbursement and monitor compliance with the statutory two-month enquiry period. Emergency medical support should be considered promptly, and applicants should not be forced to await the conclusion of criminal proceedings where the applicable scheme permits earlier assistance. Confidentiality and protection against secondary victimisation must remain essential procedural safeguards.

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[18] Ibid., s. 396(5); The Constitution of India, arts. 32 and 226

[19] Ministry of Home Affairs, Government of India, "Compensation to Acid Attack Victims."

[20] The Protection of Children from Sexual Offences Act, 2012; The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396.

[21] he Bharatiya Nagarik Suraksha Sanhita, 2023, s. 396(1)–(2); National Legal Services Authority, NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes—2018.

Fourth, the government should ensure adequate and predictable funding for state compensation schemes. Independent audits, anonymised annual reports and structured performance indicators should be used to assess application volumes, processing times, rejection rates and actual payments. Victims should have access to a clear grievance mechanism and information about available review procedures. Finally, compensation should be linked, where appropriate, with medical care, psychological counselling, vocational rehabilitation, disability support and livelihood restoration. Such coordination would transform compensation from an isolated financial transaction into a comprehensive rehabilitative response.[22]

Conclusion

Statutory victim compensation schemes represent an important development in Indian criminal justice because they recognise that the consequences of crime extend beyond the prosecution and punishment of the offender. The framework under Sections 395 and 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023, provides mechanisms for offender-funded compensation, state-funded rehabilitation, interim relief and assistance in specified circumstances where criminal proceedings do not result in conviction or cannot proceed because the offender remains unidentified. These provisions reflect a broader understanding of justice that includes the victim's dignity, recovery and social reintegration. Nevertheless, the effectiveness of compensation depends on three essential conditions. Accessibility requires awareness, legal assistance and simple procedures. Adequacy requires fair compensation amounts that reflect the nature of the injury and the actual costs of rehabilitation. Enforcement requires timely decisions, reliable funding, transparent disbursement and effective remedies against administrative failure. Weakness in any one of these areas can substantially diminish the value of the statutory framework.

Ultimately, victim compensation should be treated as an integral component of a fair and humane criminal justice system. A genuinely victim-centred approach must ensure that financial assistance is not defeated by procedural complexity, inconsistent standards or avoidable delays. Through harmonised minimum standards, accountable administration, effective legal aid and sustained rehabilitation support, India can strengthen the practical realisation of victim rights. The true measure of statutory compensation is not simply the amount promised by law, but whether that promise results in timely, dignified and meaningful assistance to those affected by crime.

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[22] Ministry of Home Affairs, Government of India, "Compensation to Acid Attack Victims"; The Legal Services Authorities Act, 1987

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