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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6734/2016

DURJAN SINGH

..... Petitioner

Through: Ms Sija Nair Pal, Advocate.

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Ms Swaty Singh Malik with Ms
yaashna Thakran and Mr Himanshu
Latwal, Advocates for GNCTD.
Mr S. K. Sethi and Ms Dolly Sharma,
Advocates for DSLSA.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.08.2017

1. The petitioner, a senior citizen aged 70 years and a victim of acid attack, has filed the present petition, *inter alia*, praying that the respondents be directed to release the interim compensation of at least ₹3 lakhs in view of the decision of the Supreme Court in ***Laxmi v Union of India & Ors.: (2014) 4 SCC 427***. The petitioner also claims to have incurred expenditure of ₹1 lakh on medical treatment and seeks reimbursement of the said amount.

2. It is stated that the petitioner was returning home after dropping his granddaughter to school on 27.08.2008. While crossing Bhorla Thalla, around 8:15 am, an unidentified man threw some unknown substance (later ascertained as acid) on his face and ran away after that. It is stated that the

acid attack rendered the victim blind and despite two rounds of surgery, he has not recovered his eyesight.

3. The learned counsel for GNCTD has drawn the attention of this Court to a notification dated 23.12.2016 notifying the "*Delhi Victims Compensation Scheme, 2015*". In terms of the said scheme, Delhi State Legal Services Authority (DSLSA) or District Legal Services Authority (DLSA) has been charged with examining and verifying claims with regard to loss/injury caused due to crimes and decide the compensation payable to the victim or his/her dependants. The relevant extract of the schedule providing for compensation payable to victims of acid attack under the said scheme is set out below:-

<i>S.No.</i>	<i>Particulars of loss or injury</i>	<i>Minimum Limit of compensation</i>	<i>Upper Limit of compensation</i>
14.	Victims of Acid Attack -		
a.	In case of disfigurement of face.	Rs. 3 Lakhs	Rs. 7 Lakhs
b.	In case of injury more than 50%	Rs. 5 Lakhs	Rs. 7 Lakhs
c.	In case of injury less than 50 %	Rs. 3 Lakhs	Rs. 5 Lakhs

4. The aforesaid compensation is to be disbursed as per the assessment by DSLSA or DLSA, as the case may be.

5. The learned counsel for GNCTD submits that the aforesaid scheme is a comprehensive scheme and the petitioner ought to approach the concerned authorities for fixing the amount of compensation. He further states that in addition to the above, Directorate of Health Services, GNCTD has issued

several circulars, in terms of which free medical treatment is available to victims of acid attacks. For the purposes of ensuring proper coordination with the hospitals, GNCTD has also appointed a Nodal Officer to ensure that directions are issued to hospitals for free treatment of victims.

6. The learned counsel has also drawn the attention to a letter dated 24.03.2017 issued by the GNCTD whereby the Department of Women and Child Development, GNCTD has also been asked to initiate process for developing "*new parameters and scope of assistance under the existing scheme of 'Financial Assistance to Persons with Special Needs Scheme, 2009'*".

7. In view of the above, DSLSA is directed to consider the petitioner's claim for compensation under the Delhi Victims Compensation Scheme, 2015 and if the petitioner's claim is verified, DSLSA shall ascertain the compensation in terms of the said scheme.

8. The petition is disposed of with the aforesaid directions.

VIBHU BAKHRU, J

AUGUST 17, 2017
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