



GOVERNMENT OF GOA

**The Code of Criminal Procedure
(Goa Amendment) Bill, 2014**

(Bill No. 5 of 2014)

A

BILL

(To be introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
MARCH, 2014**

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(Goa Amendment) Bill, 2014**

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*further to amend the Code of Criminal Procedure,
1973 (Central Act 2 of 1974), as in force in the
5 State of Goa.*

BE it enacted by the Legislative Assembly of
Goa in the Sixty-fifth Year of the Republic of
India, as follows:—

1. Short title and commencement.— (1) This
10 Act may be called the Code of Criminal Procedure
(Goa Amendment) Act, 2014.

(2) It shall come in force at once.

2. Amendment of section 357A.— In section
357 A of the Code of Criminal Procedure, 1973
15 (Central Act 2 of 1974), as in force in the State of
Goa,—

(i) in sub-section (2), for the expression
“District Legal Service Authority or the State
Legal Service Authority, as the case may be”,
20 the words “State Government” shall be
substituted;

(ii) in sub-section (4), for the words “State
or the District Legal Services Authority”, the
words “State Government” shall be substituted;

(iii) in sub-section (5), for the words "State or the District Legal Services Authority", the words "State Government" shall be substituted;

(iv) in sub-section (6), for the expression "State or the District Legal Services Authority, as the case may be", the words "State Government" shall be substituted. 5

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend section 357A of the code of Criminal Procedure, 1973 (Central Act 2 of 1974), as in force, in the State of Goa (hereinafter referred to as the "said Act") so as to enable the State Government to decide the quantum of compensation to be awarded to the victim or his dependants who have suffered loss or injury as a result of the crime and who require rehabilitation, under the scheme prepared by the State Government in terms of sub-section (1) of said section 357A of the said Act.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is envisaged in this Bill.

Porvorim, Goa.
3rd March, 2014

(MANOHAR PARRIKAR)
Chief Minister

Assembly Hall,
Porvorim, Goa.
3rd March, 2014

(N. B. SUBHEDAR)
Secretary to the Legislative
Assembly of Goa.

ANNEXURE

**Extract of Section 357A, Code of Criminal
Procedure, Act, 1973 (Central Act 2 of 1974)**

357A. Victim compensation scheme.— (1) Every State Government in co-ordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

(2) Whenever a recommendation is made by the Court for compensation, the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall decide the quantum of compensation to be awarded under the scheme referred to in sub-section (1).

(3) If the trial Court, at the conclusion of the trial, is satisfied that the compensation awarded under section 357 is not adequate for such rehabilitation, or where the cases end in acquittal or discharge and the Victim has to be rehabilitated, it may make recommendation for compensation.

(4) Where the offender is not traced or identified, but the victim is identified, and where no trial takes place, the victim or his dependents may make an application to the State or the District Legal Services Authority for award of compensation.

(5) On receipt of such recommendations or on the application under sub-section (4), the State or the District Legal Services Authority shall, after due enquiry award adequate compensation by completing the enquiry within two months.

(6) The State or the District Legal Services Authority, as the case may be, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical

benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer in charge of the police station or a Magistrate of the area concerned, or any other interim relief as the appropriate authority deems fit.

Assembly Hall
Porvorim-Goa
3rd March, 2014

N. B. SUBHEDAR
Secretary to the Legislative
Assembly of Goa