

**GOVERNMENT OF MIZORAM
HOME DEPARTMENT**

NOTIFICATION

Aizawl the....August,2022

No.C.17015/1/2021-HMJ : In pursuance of para 15.51 of the Mizoram Prison Manual,2017 and in compliance of National Human Right Commission Proceedings dated 9th February,2022, the Governor of Mizoram is pleased to fix the quantum of compensation payable to the victims/families of prisoners who met with accidents resulting in physical or mental disability, serious injury, death or loss of health due to occupational diseases as certified by the Chief Medical Officer at the following rates as per decision of the Council of Ministers taken in the meeting held on.....

- 1.1 : The Compensation will not be admissible in cases of natural deaths including illness.
- 1.2 : Compensation will also not be admissible in the following cases of unnatural deaths:
 - (a) If the death occurs during escape from jails or from lawful custody outside the jails.
 - (b) If the death occurs due to any natural disaster/calamity.
- 1.3 Compensation will be paid to the next of kin or legal heirs of prisoners/prisoners on account of unnatural deaths and accidents in the following categories with the amount indicated below:
 - (a) Death due to fight among prisoners -Rs. 7.5 lakh
 - (b) Death due to torture/beating by prison staff -Rs 7.5 lakh
 - (c) Death due to negligence in duty by Prisons/ Medical Staff -Rs. 5.00 lakh
 - (d) Accidents/serious injury(not self inflicted)resulting in physical or mental disability upto – 81%-100% -Rs. 3.00 lakh
 - a. Disability from accident not self inflicted upto 51%-80% -Rs. 2.00 lakh
 - b. Disability from accident not self inflicted upto 21% - 50% -Rs. 1.00 lakh
 - (e) Loss of health due to recognized occupational diseases -Rs. .50 lakh
- 1.4 The Superintendent of Jails concerned shall send detailed report alongwith copy of Magisterial enquiry report, postmortem report, final cause of death, medical history at the time of admission in Jail and detail of medical treatment, if any, given to the prisoners prior to his custodial death, to the Inspector General of Prisons, Mizoram for onward submission to the State Government for grant of appropriate compensation.

- 1.5 The Compensation shall be payable only on the following conditions:
- (a) The compensation in relation to death shall be made on the basis of Magisterial enquiry report, Death Certificate issued by Medical Authorities concerned, postmortem report, final cause of death, medical history at the time of admission in Jail and detail of medical treatment, if any, given to the prisoners prior to his custodial death.
 - (b) The compensation in relation to disability shall be made on the basis of authentic medical documents/certificates issued by the Medical Authorities concerned.
 - (c) The categories shall be done by Inspector General of Prisons as per para 1.3 above depending on the nature of disability.
 - (d) The claim for compensation shall be submitted to Inspector General of Prisons as per prescribed format appended at Appendix.
- 1.6 Secretary to the Government of Mizoram, Home Department shall be authorized to sanction the compensation.
- 1.7 This Order shall come into force with immediate effect and until further orders.
- 1.8 This is issued with the concurrence of Finance Department vide I.D No.FIN(E).....

(H.LALENGMAWIA)

Commissioner & Secretary to the Government of Mizoram
Home Department

Memo No.C.17015/1/2021-HMJ : Dated Aizawl, the.....,2022.

Copy to:

1. Secretary to Governor, Mizoram
2. Secretary to Chief Minister, Mizoram
3. P.S to Minster, Home Department, Mizoram
4. Sr.P.P.S to Chief Secretary, Government of Mizoram
5. P.S to Commissioner & Secretary, Home Department
6. All Administrative Heads of Department, Government of Mizoram
7. All Heads of Department, Government of Mizoram
8. Inspector General of Prisons, Mizoram
9. Controller, Printing & Stationery Department with 5(five) spare copies for publication in Mizoram Gazette.
- 10.All Superintendents of Jails, Mizoram
- 11.Guard File.

(ZAHMINGTHANGA)

Under Secretary to the Government of Mizoram
Home Department

