

**CENTRAL SCHEME FOR
ASSISTANCE TO CIVILIAN VICTIMS
OF TERRORIST / COMMUNAL / NAXAL
VIOLENCE**



**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
IS - II DIVISION**

NO 11044 / 11 / 2011 - VTV
Dated :- 29th June 2012

REVISED GUIDELINES OF 'CENTRAL SCHEME FOR ASSISTANCE TO CIVILIANS VICTIMS/FAMILY OF VICTIMS OF TERRORIST, COMMUNAL AND NAXAL VIOLENCE

1. Title of the Scheme

The Scheme will be called the 'Central Scheme for Assistance to civilian Victims of Terrorist, Communal and Naxal violence.

2. Introduction and Objectives

The broad aim of the Scheme is to assist "civilian victims of Terrorist violence including militancy, insurgency, Communal and Naxal violence'.

3. Definitions.

(a) **Terrorism:** For purposes of this scheme, the term terrorism includes militancy and insurgency related violence and refers to acts as defined in Section 15 of the UAPA, 1967, (as amended in 2004).

(b) **Communal violence** would refer to planned and organized acts of violence by members of one community against members of another community with the intent of creating or expressing ill-will or hatred and leading to loss of life or injuries to people.

(c) **Naxal Violence** would refer to planned and organized acts of violence by Members of the CPI (Maoists), all its formations and front organizations who have been declared a terrorist organization and banned under the Unlawful Activities (Prevention) Act, 1967 w.e.f. 22.06.2009.

(d) **Permanent incapacitation:** means a disability of 50% and above suffered by the victim which is of permanent nature and there are no chances of variation in the degree of disability and the injury/disability renders the victim unfit for normal life for the rest of his life.

(e) **Next of Kin** would be as certified by District Collector/Magistrate/Dy. Commissioner.

The Central Scheme for Assistance to Civilian victims of Terrorist and Communal Violence is effective from 1st April 2008 and from 22nd June 2009, in respect of the cases of Naxal violence.

4. Eligibility

- i) The financial assistance would be given to the family member(s) in the event of death or permanent incapacitation of the victim, in terrorist, communal or naxal violence.
- ii) Assistance would be given to the surviving spouse in case of death/ permanent incapacitation of the husband or the wife, as the case may be. However, if both the husband and the wife die in same incident of violence, the family would be entitled to get the assistance, in each case.
- iii) Families of the victims would be eligible to get assistance under the scheme even if they have received any other assistance, by way of payment of ex-gratia or any other type of relief from the Government or any other source except when a similar scheme is already being implemented by the Central Government.
- iv) Next of kin of employees of Central Government, CPSEs, Autonomous Institutions and other Government Organizations including State Governments / State PSEs and similar organizations of State Governments will also be eligible to receive financial assistance of Rs.3 lakhs in case of death/ permanent incapacitation (50% and above) on account of incidents of Terrorist/ communal/ naxalite violence.
- v) The total compensation amount, available in the SRE states/districts would be Rs.4 lakhs (Rs. 1 lakh from SRE and Rs.3 lakhs from the Central Scheme). In the other areas, the assistance would be limited to Rs.3 lakhs.
- vi) Foreign Nationals and NRIs shall also be eligible / covered under the scheme w.e.f. 1.4.08 i.e. the date from which this scheme has been made effective.
- vii) Those permanently incapacitated, and the members of the family of the victims killed/permanently incapacitated in the terrorist, communal or naxal violence would be given a health card by the District Health Society, functioning under the National Rural Health Mission. This card would entitle them to free medical treatment in respect of injuries due to violence and all other major illnesses. Medical care will also be provided to the beneficiaries of the scheme as a special case under the on-going schemes of the Ministry of Health and Family Welfare, viz., Rashtriya Arogya Nidhi and the National Trauma Care Project.
- viii) Children in the family would continue to be entitled for assistance

admissible under the project 'Assist', implemented by the National Foundation for Communal Harmony (NFCH) of the MHA.

- ix) No other criteria regarding income of the family would be considered for the eligibility under this scheme.
- x) The perpetrators of violence or their family will not be entitled to any assistance under the scheme.
- xi) The eligible claimants can file their claims in prescribed proforma (Annexure-I) within 3 years of the relevant incident of terrorist, communal or naxal violence through the concerned DM/State Government. The time limit however can be relaxed in deserving cases by the Central Government on the recommendations of the State Govt. or by the Central Government suo moto.

5. **Assistance**

- i) An amount of Rs. 3 lakh would be given for each death or permanent incapacitation to the affected family under the scheme.
- ii) The amount of Rs. 3 lakh would be put in a fixed deposit account [Joint or Single in the name of the Family member(s)] in a Nationalized bank. (If there is no nationalized bank within the vicinity of the beneficiary, account may be opened in any scheduled commercial bank.) It would have a minimum lock-in period of 3 years or if there are only minor children in the family, till the eldest child attains the age of majority, whichever is later.
- iii) The interest on the above sum would be credited directly by the bank to the beneficiary's saving account on a quarterly basis.
- iv) At the end of the lock-in period, the principle amount of Rs. 3 lakh would be transferred directly to the saving account of the beneficiary, if the beneficiary is the spouse of the victim.
- v) In case of death or permanent incapacitation of the beneficiary, his or her Next of Kin would operate the account.
- vi) In case of permanent incapacitation, the victim himself/herself would be the beneficiary. However, if he/she is not in a position to operate the account, then his/her nominee would operate the account.

6. Procedure to be followed at the District level

- i) A District level Committee, under the chairmanship of District Magistrate/Collector/Dy. Commissioner, and having as its members the District Superintendent of Police, District Medical Officer, District Social Welfare Officer, District Child and Women Development Officer and an officer who may be nominated by the State Government would identify beneficiaries and verify their eligibility for assistance under the scheme.
- ii) While examining eligibility claims, the District Committee would look into the Police Report/FIR, Death-cum-Postmortem Certificate in the event of death, and Medical Certificate in the event of permanent incapacitation, birth certificate of the Claimant (if minor), and any other documents as considered necessary for determining the legitimate claimant.
- iii) In case of permanent incapacitation, a certificate from the District Medical Officer would be required to show that the victim has suffered 50% and above disability, which is of permanent nature and there are no chances of variation in the degree of disability, and the injury renders the victim unfit for normal life for the rest of his life.
- iv) In choosing the beneficiary in the family, the NOK (Next of Kin) concept would be applied.
- v) The District Committee will satisfy itself that the victim has suffered / died due to terrorist, communal or naxal violence, as the case may be, and the beneficiary has been identified as per the scheme. It would also verify that the victim has not suffered / died due to any incident of crime or natural reasons.
- vi) The District Committee would, so far as possible, make its recommendation in (Annexure-II) within 15 days of receipt of claim for assistance to victims/family of terrorist or communal violence.
- vii) The District Collector may, on his own, recommend assistance under the scheme with suitable justification.
- viii) The processing of the application, as per the provisions of the scheme, shall be completed within 3 weeks, including the recommendations of the District Committee.
- ix) The sanction order will be issued by the DM/DC on behalf of the State Government. A copy of the sample sanction order which is presently being issued by the MHA is at annexure-III. A copy of the Sanction letter will be

sent to the Home Department in the State. A copy of the sanction order will be endorsed to IS-II Division Ministry of Home Affairs New Delhi.

- x) The DM/DC will issue the cheque in the name of the beneficiary. Whenever feasible the assistance shall be disbursed by way of electronic transfer to the victim's/NOK bank account.
- xi) The State Governments shall undertake to widely disseminate information about the scheme, and to undertake its publicity.

7. Procedure to be followed after the issue of cheque

- i) The District Collector/District Magistrate/Dy. Commissioner, as the case may be, would deposit the cheque in the FD account of the beneficiary, with instructions to the Bank that no premature withdrawal may be allowed.
- ii) Standing instructions would be given to the Bank to credit the quarterly interest during the lock-in period and the principle amount after the lock-in period; directly into the account of beneficiary.

8. Procedure to be followed by Ministry of Home Affairs

- i) After the DM/DC has made the payment to the NoK of the victims of terrorist/communal/naxal violence under the Scheme, the State Government may submit the proposal to MHA for reimbursement in the prescribed proforma (Annexure-IV) on half-yearly basis (by 31st December & 30th June of each year).
- ii) The reimbursement will be considered on the basis of audited accounts in this regard. However, to ensure that the State does not suffer because of delay in audit of accounts, adhoc releases will be made on the basis of accounts furnished by the State Government and due scrutiny by IFD, MHA. These adhoc payments will be adjusted after final audited accounts are made available. The Central Government will make 70% payment immediately and balance 30% after receipt of audit verification report by the Internal Audit Wing of MHA.
- iii) The States shall ensure that the amount claimed under the 'Central Scheme for Assistance to civilian Victims of Terrorist, Communal and Naxal violence is not claimed under any other scheme of the Government of India i.e. there shall not be duplication of the claim. The States shall give an undertaking/certificate that no reimbursement has been claimed for these items under any other scheme.
- iv) The revised guidelines will be applicable from the financial year 2012-13.

- v) The State Government/UTs shall incur all expenditure (which will be reimbursed by MHA), with respect to proposals in connection with incidents which occur from April 2012 onwards. Proposals in respect of incidents which have taken place prior to April 2012 and which have not so far been sent by the State Governments to MHA will also be considered by the concerned State Governments for approval and reimbursement by MHA. The proposals which have been sent to MHA but are pending for want of complete documents from the State Government will also be considered by State Government for approval and subsequent reimbursement from MHA

9. **Saving Clause**

In case of any clarification required/ difficulty faced in implementation of the scheme, suitable orders / clarifications will be issued by the Internal Security- II Division of the MHA.

*