

REVISED GUIDELINES OF 'CENTRAL SCHEME FOR ASSISTANCE TO CIVILIAN VICTIMS/FAMILY OF VICTIMS OF TERRORIST/ COMMUNAL/ LEFT WING EXTREMISM (LWE) VIOLENCE, CROSS BORDER FIRING AND MINE/IED BLASTS ON INDIAN TERRITORY, 2022.

1. Title of the Scheme:

The Scheme will be called the 'Central Scheme for Assistance to Civilian Victims /Family of Victims of Terrorist /Communal /Left Wing Extremism (LWE) Violence, Cross Border Firing and Mine/IED blasts on Indian Territory'.

2. Introduction and Objectives:

The broad aim of the Scheme is to assist "Civilian Victims of Terrorist Violence including Militancy, Insurgency, Communal/ LWE Violence and Cross Border Firing and Mine/IED blasts on Indian Territory".

3. Definitions

- a) **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.
- b) **Cross Border Firing:** Cross border firing includes firing/shelling from across the International Boundary (IB)/Line of Control (LoC)/Line of Actual Control (LAC) by the armed forces of neighbouring countries.
- c) **Left Wing Extremism (LWE) 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 (as amended from time to time).
- d) **Next of Kin (NoK):** would be the surviving spouse or dependent children or as certified by the District Collector/Magistrate/Deputy Commissioner.
- e) **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.
- f) **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 from time to time).
- g) **Victim:** means a civilian person, who has suffered loss or injury as a result of

the acts/omissions of Terrorist Violence including militancy, insurgency, Communal/Left Wing Extremism and Cross Border Firing and Mine/IED blasts on Indian Territory. In the case of his/her death, the expression 'civilian victim' shall mean to include his or her guardian or legal heir or Next of Kin (NoK).

The Central Scheme for Assistance to Civilian Victims of Terrorist and Communal Violence is effective from 1st April, 2008 and from 22nd June, 2009 for the cases of LWE Violence. It is effective for Cross Border Firing and Mine/IED blasts on Indian Territory with effect from the date of Cabinet's approval i.e. 24.08.2016.

4. Eligibility

- i) The financial assistance would be given to the family member(s) in the event of death or permanent incapacitation of the civilian victim, in Terrorist, Communal or LWE Violence and Cross Border Firing and Mine/IED blasts on Indian Territory.
- 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) Civilian victim/ Next of Kin (NoK) will be eligible to get financial assistance under the Central Scheme even if he/she or any other person in the family has been given a permanent Government job on compassionate grounds.
- v) Civilian Victim/NoK of the Security Related Expenditure (SRE) Districts/States will be eligible to get financial assistance under SRE Scheme also in addition to the financial assistance under this Central Scheme. In the case of Jammu & Kashmir, financial assistance will be governed by the letter No.16016/4/2017-K-V dated 14th June 2018 issued by Jammu and Kashmir Division (now Jammu, Kashmir & Ladakh Affairs Division), Ministry of Home Affairs.
- vi) Next of Kin (NoK) 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 Lakh/Rs.5 Lakh as the case may be, in case of death/ permanent

incapacitation (50% and above) on account of incidents of Terrorist/ Communal/ LWE Violence, Cross Border Firing and Mine/IED blasts on Indian Territory.

- vii) Foreign Nationals and NRIs shall also be eligible / covered under the Scheme w.e.f. 01.04.2008 i.e. the date from which this Scheme has been made effective.
- viii) Those permanently incapacitated, and the members of the family of the civilian victims killed/permanently incapacitated in the Terrorist, Communal or LWE Violence, Cross Border Firing and Mine / IED blasts on Indian Territory 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.
- ix) 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).
- x) No other criteria regarding income of the family would be considered for the eligibility under this scheme.
- xi) The perpetrators of violence or their family will not be entitled to any assistance under the scheme.
- xii) The State/District Authorities can file claims **within 1 years** of the relevant incident of Terrorist, Communal or LWE Violence, Cross Border Firing and Mine/IED blasts on Indian Territory through the DM/DC/State Government concerned. 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 (for incidents that occurred before 24.08.2016) and Rs.5 lakh (for incidents that occurred on or after 24.08.2016) would be given for each death or permanent incapacitation to the affected family under the Scheme.
- ii) The financial assistance of Rs.3 lakh or Rs.5 lakh as the case may be shall be made forthwith in the following manner:
 - a) 50% of financial assistance is to be made to the civilian victim's/beneficiary's Aadhar linked Savings Bank Account and

- b) Rest 50% of financial assistance 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 District Collector/District Magistrate/Deputy Commissioner, as the case may be, would make the payment in the Fixed Deposit account of the beneficiary, with instructions to the Bank that **the condition of lock-in period may be dispensed with under the following circumstances:-**
 - a) Higher studies of dependent children,
 - b) Construction of first house property,
 - c) Costly medical treatment, or as may be prescribed from time to time.
- iv) 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.
- v) In case of death or permanent incapacitation of the beneficiary, his or her Next of Kin (NoK) 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 State Level

- i) Every State Government/UT Administration will appoint a State Nodal Officer who shall coordinate with various District Magistrate/Collector within the State concerned and the Central Government with regards to payment to victim/beneficiary after occurrence of an incident, submission of proposal for reimbursement and reimbursement of funds from Central Government.
- ii) The State Government/UT Administration shall intimate details of dedicated permanent Bank Account in which reimbursement of funds shall be made by the Central Government. The said dedicated permanent bank account may also be used for disbursement of funds to District Authorities whenever any incident stipulated in the scheme occurs. If any State/UT Administration already have Bank Account from which funds are disbursed to the Districts

for rehabilitation or disaster relief etc, it may be used for purpose of this scheme also.

- iii) The State Governments shall undertake to widely disseminate information about the Scheme.

7. Procedure to be followed at the District Level

- i) A District Level Committee, under the chairmanship of District Magistrate/Collector/Deputy Commissioner, and having as its members, the District Superintendent of Police concerned in the District, District Medical Officer, District Social Welfare Officer, District Child and Women Development officer would identify beneficiaries and verify their eligibility for assistance under the Scheme.
- ii) While examining eligibility claims, the District Level 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/her life.
- iv) In choosing the beneficiary in the family, the NoK (Next of Kin) concept would be applied.
- v) The District Level Committee will satisfy itself that the victim has suffered / died due to Terrorist, Communal or LWE Violence, Cross Border Firing and Mine/IED blasts on Indian Territory, 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 DM/DC/State Government will release the financial assistance by way of electronic transfer/DBT to the victim's/NoK KYC compliant savings bank account in the ratio stipulated in the scheme i.e 50% of the amount to be paid in saving account of the beneficiary and 50% to be deposited in fixed deposit with a lock-in period of three years
- vii) After the DM/DC has made the payment to the victim/NoK of the civilian victims of Terrorist/Communal/LWE Violence and Cross Border Firing and Mine/IED blasts on Indian Territory under the Scheme, the proposal for reimbursement will be submitted through State Government to the Ministry of Home Affairs(MHA) along with all the documents as indicated in the appendix.

8. Procedure to be followed by the Ministry of Home Affairs (MHA)

- i) A proposal for reimbursement submitted shall be processed in the Ministry of Home Affairs by following the due procedure i.e. obtaining concurrence of the IFD and approval of the Competent Authority. The Ministry shall make reimbursement of payment made to victim/beneficiary by the State Government/ DM/DC in one go i.e. 100% in single installment.
- ii) It shall be the responsibility of District Authorities concerned to make available records of payment made to victim/beneficiary under the Scheme for audit as and when required by following the prescribed standard procedure as is being done in similar cases of fund received under Central Scheme.

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.

ANNEXURE-I

Recommendations of the District Level Committee and payment certificate

This is to certify that (Shri/Smt/ Kum.)(name of the victim) aged years, Male/Female, resident of..... S/o/W/o has been killed/ permanently incapacitated (50% and above) in the (Communal/ Terrorist/ LWE Violence and Cross Border Firing and Mine/IED blasts on Indian Territory) incident on (date) at(time). Shri/Smt/Kum (Name of the beneficiary)(relationship) of (name of the victim), agedyears, Male/Female has been found eligible to receive compensation of ₹ 3 lakh/5 lakh (tick whichever applicable) from the Central Scheme for assistance to civilian victims/family of victims of Terrorist/ Communal/ LWE Violence and Cross Border Firing and Mine/IED blasts on Indian Territory. His/her name has been recommended by the District Level Committee. It is certified that :-

- I. **the reimbursement in case of the above victim under the Central Scheme for Assistance to Civilian Victims/ Family of Victims of Terrorist/ Communal/ LWE Violence and Cross Border Firing and Mine/ IED Blasts on Indian Territory has not been claimed earlier.**
- II. The victim has not suffered due to any other criminal incident or natural factors.
- III. Victim/Beneficiary is NOT the perpetrator of violence.
- IV. The payment has been made to (Shri/Smt/Kum)(Name of Beneficiary) in the following manner(give details as applicable based on the date of incident):

(For incidents occurred after 24.08.2016)

- (a) Rs. 2,50,000/- in FD A/c No. (name of the Bank).
- (b) Rs. 2,50,000/- in Savings A/c No. (name of the Bank).

Or

(For incidents occurred during the period 01.04.2008 to 23.08.2016)

- (c) Rs. 1,50,000/- in FD A/c in (name of the Bank).
- (d) Rs. 1,50,000/- in Savings A/c in (name of the Bank).

Date: _____

Place: _____

(Signature of the District Magistrate /Collector
or Deputy Commissioner)

Undertaking
(to be obtained on a plain paper)

I undertake to utilize the assistance for the welfare of all the members of the family failing which the assistance may be withdrawn at any time without notice.

Place :

Date :

(Signature of Beneficiary)

MANDATE FORM for STATE NODAL OFFICER
(all field are mandatory)

A. Details of Accounts Holders:-

Name of Account Holder	
Complete Contact Address	
Telephone Number/Fax	
E-mail I.D. (Parichay mail. I.D. to be given)	

B. Bank Account Details:-

Bank Name	
Branch Name with Complete Address, Telephone No. and E-mail	
IFSC Code	
MICR Code of Bank	
Type of Bank Account (SB/Current /Cash Credit)	

Government of India
Ministry of Home Affairs
IS – II Division (VTV Section)

List of documents to be attached while submitting proposal for reimbursement:

1. Documents required for Victim

- i) Photo ID proof of the victim - any one following documents:
 - a) Aadhaar Card, if he or she has enrolled, his or her Aadhaar Enrolment Identification slip; **OR**
 - b) Bank or Post office Passbook with Photo; **OR**
 - c) Voter Identification Card; **OR**
 - d) Permanent Account Number (PAN) Card; **OR**
 - e) Ration Card; **OR**
 - f) Passport; **OR**
 - g) Kisan Photo Passbook; **OR**
 - h) Driving License issued by Licensing Authority under the Motor Vehicles Act, 1988 (59 of 1988); **OR**
 - i) Certificate of Identification Proof having photo of the beneficiary issued by a Gazette Officer or a Tehsildar on an official letter head; **OR**
 - j) Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) Job Card;
- ii) Copy of FIR
- iii) Copy Death Certificate
- iv) Medical Certificate - in case of permanent incapacitation

2. Documents required for beneficiary

- i) Photo ID proof of the beneficiary - any one of following documents:
 - a) Aadhaar Card, if he or she has enrolled, his or her Aadhaar Enrolment Identification slip; **OR**
 - b) Bank or Post office Passbook with Photo; **OR**
 - c) Voter Identification Card; **OR**
 - d) Permanent Account Number (PAN) Card; **OR**
 - e) Ration Card; **OR**
 - f) Passport; **OR**
 - g) Kisan Photo Passbook; **OR**
 - h) Driving License issued by Licensing Authority under the Motor Vehicles Act, 1988 (59 of 1988); **OR**
 - i) Certificate of Identification Proof having photo of the beneficiary issued by a Gazette Officer or a Tehsildar on an official letter head; **OR**

- j) Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) Job Card;
- ii) Proof of relationship with the victim – any one of the documents mentioned at S.No. 2(i) above.
- iii) Date of Birth certificate, in case of minor
- iv) Proof of payment, i.e. copy of SB account details indicating payment of 50% amounts
- v) Proof of payment, i.e. copy of Fixed deposit indicating fixed deposit of 50% amount
- vi) Undertaking to the effect that the assistance will be utilized for welfare of all the members of the bereaved family in Annexure II.

3. Certificates required from District Authority

- i) Recommendation of District Level Committee and payment Certificate in format prescribed in Annexure I.
- ii) Certificate to the effect that no permanent job has been given to any member of the family – if the incident occurred before 03/10/2019.

4. At State Nodal Officer (SNO) Level

- i) Details of Designated Bank Account for making payment as per Annexure III.