

(20)

Government of Jammu and Kashmir
Home Department

Subject: Rehabilitation Policy
Reference : Cabinet Decision No.32/3 dated 31.01.2004.
Government Order No.Home-55/H of 2004.
Dated: 31.01-2004

Sanction is hereby accorded to the approval and adoption of the new Rehabilitation Policy as per the guidelines given hereunder:-

Objective:

1. The objective of this Rehabilitation Policy is to offer facility to those terrorists who undergo a change of heart and eschew the path of violence and who also accept the integrity of India and Indian Constitution to encourage them join the mainstream and lead a normal life and contribute towards prosperity and progress of the State as well as the Nation.

CATEGORIES ELIGIBLE FOR REHABILITATION

2. The following categories of terrorists from amongst residents of Jammu and Kashmir who surrender after issue of this order would be rehabilitated under this scheme:

- a) Known Militants who surrender with weapons.
- b) Hardcore militants even without weapons.

The authority accepting the surrender shall have reason to believe that the terrorist concerned has undergone a change of heart and wants to renounce violence.

EXCEPTIONS

- i) The surrenderee involved in heinous crimes like murder, rape, abduction etc. will be entitled to benefits only when legal action has been completed, court cases decided and the person has been pronounced innocent.
- ii) Surrenders without incentives will also be considered in cases of youth who went across for training but want to return and join the mainstream and against whom there are no heinous offence/s in consultation with MHA.
- iii) The surrenderee should not be a recycled terrorist or one who has already surrendered under an earlier surrender policy.

PLACE OF SURRENDER

3. Following places/authorities are authorized for accepting surrenders:

- Operational Units of Army/BSF/CRPF/ITBP throughout the State.
- Zonal Inspectors General of Police
- Range Dy. Inspectors General of Police
- District Magistrates and District Superintendents of Police or Superintendent of Police, CID

In case of surrender before the operational unit of Army, BSF, CRPF and ITBP the authority for accepting surrender will be designated in advance and shall not be below the rank of Commandant of the Unit.

ACTION ON SURRENDER

4. a) As soon as the surrenderee reports to any of the designated authority, immediate intimation shall be sent to Addl. DGP (CID) J&K with particulars of the individual in the prescribed proforma (Annexure A). The

rehabilitation package shall be released through Additional DGP, CID who shall keep a record of all the cases.

b) Addl. DGP(CID) J&K, will inform the authority accepting surrenderee as early as possible after receipt of intimation of surrender as to whether or not the individual is eligible for grant of rehabilitation package or is to be dealt with under the law.

c) The rehabilitation package of those eligible will be made available by Addl.DGP (CID) J&K to the following HQRs. Who will act as a nodal point for distribution of the benefit as also care-takers for the surrenderee:-

- Respective Corp. Hqrs.
- HQRS of concerned IG BSF, CRPF or ITBP
- District SPs for surrenders before the Zonal IsGP, Range DIsG, District Magistrates, District SsP.

d) In the event of any dispute regarding eligibility of a surrenderee for rehabilitation package, following Apex Committee is empowered to take a final decision:-

- Financial Commissioner(Home) – Chairman
- Addl. DGP (CID J&K
- Representative of HQRS 14, 15, 16 Corps. Or PMFs as the case may be.
- Representative of Intelligence Bureau.

e) The ammunition and other war store received from surrenderee shall be deposited with the J&K Police regardless whether surrendered to Army or other authorities. The receipt of the deposit from District Police concerned will be made available alongwith the prescribed proforma of the surrenderee to the State CID for records.

INCENTIVES FOR SURRENDERED WEAPONS

5. The following incentives will be provided for weapons etc.

S.No.	WEAPONS	INCENTIVES
1.	AK Rifle	Rs. 15,000/- per weapon
2.	UMG/GPMG/Pika/RPG/Sniper rifle	Rs. 25,000/- per weapon
3.	Pistol/Revolver	Rs. 3,000/- per weapon
4.	Grenades/hand Grenade/stick grenade	Rs. 500/- per grenade
5.	Rocket	Rs. 1,000/- per rocket
6.	Remote Control Device	Rs. 3,000/- each device
7.	Ammunition of all types	Rs. 3/- per round
8.	IEDs	Rs. 1,000/- each
9.	Mines	Rs. 3,000/-
10.	Explosive material	Rs. 1,000/- per Kg.
11.	Wireless set Short range Long range	Rs. 1,000 Rs. 5,000/-
12.	SAM Missiles	Rs. 20,000/-
13.	Satellite Phones	Rs. 10,000/-
14.	VHF/HF communication sets	Rs. 5,000/-
15.	Electronic Detonators Other Detonators	Rs. 50/- Rs.10/-

6. REHABILITATION INCENTIVE FOR SURRENDEREES

Every surrenderee eligible for rehabilitation under this scheme will be entitled to:-

- Immediate grant of Rs. 1.50 lakh to be kept in the shape of an FDR in a bank in the name of surrenderee for a period of three years which can be drawn by him only on completion of three year period and subject to good behaviour.
- Rs. 2000/- as monthly stipend for three years after surrender.

A Committee of all agencies (Police, IB, Army, BSF, CRPF, ITBP, etc.) to be convened by the District SP be hereby constituted in each district to examine all such cases of surrender every month with a view to prevent fake surrenders.

GOOD BEHAVIOUR

7. Good behaviour of a surrenderee will be certified by the authorities taking the surrender and the State CID. The authorities before the release of FDR of Rs. 1.50 lakh will fill a form in Annexure "B" forwarding each case duly recommended to the State CID and release of the amount shall be subject to clearance by the State CID.

VOCATIONAL TRAINING

8. For a surrenderee who desires to undergo any vocational training for self-employment, the Government will facilitate such training free of cost at the centres to be decided on case to case basis. The existing scheme of self employment linked to bank loans will be retained.

In the event of a surrenderee able to secure any Govt. job either in Central Government/PSUs/Army/State Government/Cooperatives where the Central/State Government has a share, the stipend will be discontinued forthwith.

9. This order shall supersede all previous orders regarding surrenders and rehabilitation of terrorists. The revised Policy will be effective from the date of issue of orders by the State Govt. of J&K.

By Order of Government of Jammu and Kashmir.

Sd/-

(S.D. Singh)

Financial Commissioner Home

Dated: 31/01/2004

No: Home/15/2004-ISA-II

Copy to the:-

1. Financial Commissioner.....Deptt.

2. Principal Secretary to Govt.....
3. Principal Secretary to Hon'ble Chief Minister.
4. Principal Secretary to H.E. the Governor.
5. Commissioner/Secretary to Govt.....Deptt.
6. Director General of Police, J&K
7. Additional Director General of Police, CID, J&K.
8. Divisional Commissioner, Jammu/Kashmir.
9. Inspector General of Police, Jammu/Kashmir.
10. District Magistrate.....
11. Inspector General CRPF/ BSF/ITBP, Jammu/Kashmir.
12. Headquarters 15 and 16 Corps, C/o 56 APO.
13. Director Information J&K, Jammu.
14. General Manager, Govt. Press, Jammu/Kashmir.
15. Pvt. Secretary to Chief Secretary.
16. Pvt. Secretary to Hon'ble Ministers/MOS.
17. Government Order file/Stock file.

Sd/-

Under Secretary to Govt.
Home Department.

Annexure A

SURRENDER ROLL

Ref.Para 4(a) of G.O.No.55/H of 2004

Dated: 31.01.2004

Photograph

A. Personal particulars

1. Name including alias : _____

2. Date of birth : _____
3. Father's Name : _____
4. Religion : _____
5. Address : _____

6. Family details : _____

7. Educational Qualification _____
8. Profession : _____
9. Identification marks : _____
10. Left Thumb impression : _____

PARTICULARS OF TERRORIST ORGANISATION/ACTIVITIES

11. Terrorist Group: _____

12. Date of joining

Terrorist organizations

13. Rank and appointment

14. Training details

B. DETAILS OF SURRENDER

15. Date

16. Place

17. Weapon(s) ammunition,
Explosives and equipment
recovered

18. Authority to whom surrendered

19. Past criminal record (if any)

20. Whether the terrorist has
Undergone the change of heart

21. Whether any court case or action
As per law is under way or needs
To be considered in case of
Terrorist.

22. Any other information

Place _____

(Signature/thumb impression of surrender)

Date _____

Station _____

Date _____

(Rank, name, appointment and signature of
The officer accepting surrender)

Annexure 'B'

(Ref. Para 7 of G.O.No.55/H of 2004 dated 31.01.2004)

Certificate of good behaviour, or otherwise, in respect of a surrendered terrorist during the period he remained under the care of Army/PMF/Police Unit)

1. Name of the Surrenderee: _____
2. Parentage: _____
3. Residential Particular: _____
4. Outfit: _____
5. Date of surrender _____
6. SF/PMF/Police Unit
Before which surrender: _____
7. Vocational training
(if undergone) _____
8. Whether the terrorist has
Undergone the change of heart _____
9. Whether any court case or action _____
As per law is underway and needs
To be considered in case of the terrorist.
10. Remarks of the officer incharge of the Army/PMF/Police Unit taking care of
the surrenderee regarding his behaviour.

Signature _____

Name _____

Designation _____

Station _____

Date _____