

പതിനാലാം കേരള നിയമസഭ

പതിനാറാം സമ്മേളനം

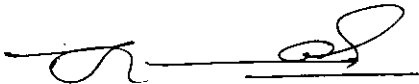
നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ 3770

11.11.2019-ൽ മറുപടിക്ക്

മാവോയിസ്റ്റുകൾക്ക് കീഴടങ്ങുവാൻ പദ്ധതി

	ചോദ്യം		മറുപടി
	ശ്രീ.എൻ. ഷംസുദ്ദീൻ		പിണറായി വിജയൻ (മുഖ്യമന്ത്രി)
(എ)	2018-മെയ് മാസം മാവോയിസ്റ്റുകൾക്ക് കീഴടങ്ങുവാൻ വേണ്ടി എന്തെങ്കിലും പദ്ധതി പ്രഖ്യാപിച്ചിരുന്നോ; എങ്കിൽ ഇതിന്റെ വിശദാംശം നൽകാമോ;	(എ)	28.05.2018 തീയതിയിലെ സ.ഉ. (എം.എസ്) 93/2018/ആഭ്യന്തരം നമ്പർ പ്രകാരം മാവോയിസ്റ്റ് പ്രവർത്തകർക്കായി കീഴടങ്ങൽ/ പുനരധിവാസ പദ്ധതി സർക്കാർ പ്രഖ്യാപിച്ചിട്ടുണ്ട്. ഇടതുപക്ഷ തീവ്രവാദികളായ മാവോയിസ്റ്റുകളുടെ പ്രവർത്തനങ്ങളിൽ അകപ്പെട്ട തീവ്ര നക്സലുകളെയും യുവാക്കളെയും പൂർണ്ണമായും അവരുമായുള്ള സമ്പർക്കത്തിൽ നിന്നും മോചിതരാക്കി പൊതുധാരയിലേക്ക് കൊണ്ടുവരുന്നതിന് അവസരമൊരുക്കുകയും ആവശ്യമായ തൊഴിലവസരങ്ങളും സംരക്ഷകത്വ അവസരങ്ങളും നൽകി അവരെ പുനരധിവാസിപ്പിക്കുകയും ചെയ്യുക എന്നതാണ് ഈ പദ്ധതികൊണ്ട് ഉദ്ദേശിക്കുന്നത്. സംഘടനയുടെ കേഡർമാരോ,

			പ്രവർത്തകരോ, അംഗങ്ങളോ ആയ നിയമവിരുദ്ധ പ്രവർത്തനം നടത്തുന്നവരെയാണ് ഈ പദ്ധതി ലക്ഷ്യം വയ്ക്കുന്നത്. ഉത്തരവിന്റെ പകർപ്പ് അനുബന്ധമായി ചേർക്കുന്നു.
(ബി)	ഇതനുസരിച്ച് എത്ര മാവോയിസ്റ്റുകൾ കീഴടങ്ങിയെന്ന് വെളിപ്പെടുത്താമോ; കീഴടങ്ങിയവർക്ക് എന്തെങ്കിലും പ്രതിഫലം നൽകിയിട്ടുണ്ടോ; വിശദമാക്കാമോ;	(ബി) } (സി) } യും	ഇതുവരെ കേരളത്തിൽ മാവോയിസ്റ്റ് കേഡർമാർ ആരും തന്നെ കീഴടങ്ങുകയോ, കീഴടങ്ങുവാൻ സന്നദ്ധത അറിയിക്കുകയോ ചെയ്തിട്ടില്ല.
(സി)	കീഴടങ്ങുവാൻ സന്നദ്ധത അറിയിച്ചവരുടെ വിവരങ്ങൾ വെളിപ്പെടുത്താമോ?		


 സെക്ഷൻ ഓഫീസർ

Promotion

GOVERNMENT OF KERALA

Abstract

Home Department – Implementation of Surrender - cum - Rehabilitation Scheme for Maoists Cadres in Kerala – Orders issued.

HOME (Secret Section-A) DEPARTMENT

G.O (MS) No.93/2018/Home

Dated, Thiruvananthapuram, 28.05.2018

Read: Letter No.T3/73956/2017/PHQ dated 07.08.2017 and 07.12.2017 of the State Police Chief, Kerala, Thiruvananthapuram.

ORDER

The State Police Chief has submitted a proposal on Surrender cum Rehabilitation schemes for Maoists Cadres in Kerala as per letters read above. The Scheme seeks to ensure that Naxalites, who have surrendered do not revert back to extremism by providing them gainful employment and entrepreneurial opportunities. The Scheme also seeks to discourage tactical surrenders by those elements who try to make use of benefits extended by the Government under this scheme to further their interest.

2) Government have examined the matter in detail and are pleased to accord sanction for the implementation of the Surrender cum Rehabilitation Scheme for the Maoists Cadres in Kerala, appended as Annexure A.

By order of the Governor
SUBRATA BISWAS
ADDITIONAL CHIEF SECRETARY

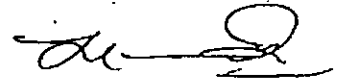
To

The Home Secretary, Ministry of Home Affairs, Government of India (C/L)
The State Police Chief, Kerala, Thiruvananthapuram.
The Additional Director General of Police (Intelligence)
The Additional Director General of Police (North Zone)

The Accountant General (Audit/A & E) Kerala, Thiruvananthapuram.
All District Collectors
All District Police Chiefs
Finance Department (Vide U.O. Note No.E-668029/Exp.A3/613/2017-Fin dated:23.03.2018)
Law Department (Vide U.O. Note No.2446/Opinion E1/18/Law dated 08.05.18).
General Administration (SC) Department (Vide Item No.2142 dated 09.05.2018).
SC/ST Development Department
Forest & Wild Life Department
Revenue Department.
Social Justice Department.
Information Officer, Web & New Media Wing (For wide publicity through print and electronic media) ✓
Stock File/Office Copy.

Copy to:-
Private Secretary to Chief Minister

Forwarded/by order,



Section Officer.

Annexure-ASURRENDER-CUM-REHABILITATION SCHEME FOR MAOIST
CADRES IN KERALA

In order to dovetail the provisions of the Central Scheme into the State Scheme and make it attractive, the State Government have decided to frame a Surrender-cum-Rehabilitation Scheme for Maoist cadres in Kerala

1.Objectives

The objective of the scheme is to curb violence by Left Wing Extremists by weaning away misguided youth and hardcore Naxalites who have strayed into the fold of Left Wing Extremism and find themselves trapped in their net. The Scheme seeks to ensure that Naxalites, who have surrendered do not revert back to extremism by providing them gainful employment and entrepreneurial opportunities. The Scheme also seeks to discourage tactical surrenders by those elements who try to make use of benefits extended by the Government under this scheme to further their interest.

2.Definition:

"Left Wing Extremists" / "Naxalites" / "Militants" / "Maoists" mean the cadres or/and members or/and activists/or/and operations or activities of those organisation(s) /outfit(s) /associations declared as unlawful as defined in the Unlawful Activities (Prevention) Act 1967 (Central Act 37 of 1967) as the case may be.

3. Eligibility:

(i) The Scheme is applicable only to those militants/extremists/naxalites who either have criminal records, or known to be important office bearers or known

●dres of the banned organizations (as explained in "Definition") and are willing to surrender with or without firearms.

(ii) According to the new Scheme, the surrendered extremists shall be categorized as Category-1, Category-2-A and Category-2-B taking into consideration his position in the party and involvement in crime as mentioned below:

(a) Higher ranked cadres like (i) State Committee members, (ii) Regional Committee members, (iii) Central Committee members and Politbureau members shall be treated as Category-1.

(b) Middle/lower ranked Left Wing Extremists(LWE) cadres like (i) Area Commanders (ii) Sub Zonal Commanders and (iii) Zonal Commanders shall be treated as Category 2-A.

(c) Any other hardcore cadres, Dalam members and identified Left Wing Extremists(LWE) cadre involved in heinous crimes will come under Category 2-B.

(iii) Every surrendered extremist, to become eligible for assistance for rehabilitation, should satisfy the following criteria:

(a) He should reveal the real names and identity of the activists/members/associates of the militant organization (s) in which he was working/operating

(b) He should reveal the real names of financiers, harbourers, couriers, etc and other details of the organization including source of arms and ammunition

(c) He should make a clear disclosure of the entire criminal acts committed by him. He should give all the relevant details of the violent incidents he had participated in, like the names of planner and other participants, firearms/ammunition or property looted distribution of arms and disposal of the

● property, etc.

(d) He should make a public statement/disclosure of his voluntary surrender through the media.

4. Process of Surrender

(a) An extremist can surrender before the Director/Additional Director General of Police(Intelligence)/Inspector General of Police (Operations) / Inspector General of Police (Internal Security)/ Inspector General of Police (Intelligence)/Commissioner of Police/Deputy Inspector General of Police (Intelligence)/Range Inspector General of Police/Range Deputy Inspector General of Police/District Magistrate/Superintendent of Police/Deputy Commissioner of Police/Sub Divisional Magistrate (SDM)/ Inspector In-Charge or Officer In-Charge of a Police Station and Central Armed Police Force (CAPF) Officers not below the rank of Assistant Commandant and any other officer nominated by State Government in Home Department.

(b) The Officer, on receiving the surrendered cadre, shall send the details as revealed by the surrendered cadre, to the Surrender and Rehabilitation (S&R) Officer and to the Screening Committee of the concerned District. The Officer receiving the surrendered cadre will also provide immediate security to the surrendered cadre and send him to the Transit Camp to be maintained by the Surrender and Rehabilitation (S&R) Officer or Superintendent of Police of the concerned District.

(c) An extremist of Kerala native can surrender before the security forces beyond the jurisdiction of the State. Such officers shall send the details, as revealed by the cadre, to the Screening Committee of the concerned District.

(d) The decision about the acceptance of the surrendered cadres or otherwise should be taken within 15 days.

●) Each of the Central Armed Police Force (CAPF) deployed will identify one officer of the rank of Deputy Inspector General of Police or equivalent officer as Nodal Officer for coordinating matters relating to surrender and rehabilitation of naxalites.

(f) Director/Additional Director General of Police (Intelligence) will be the Surrender and Rehabilitation (S&R) Officer under the scheme.

5. Screening Committee

Each surrendered cadre will be screened by a District Level Screening Committee comprising District Magistrate, Superintendent of Police/District Police Chief (DPC)(Rural & City), a representative of the Intelligence Department to be nominated by Director (Intelligence), Representative of concerned Central Armed Police Force. (CAPF) (where CAPF is deployed) for accepting the surrender or otherwise. The Screening Committee shall clearly mention the category of surrendered cadre i.e. 'Category-1 or Category 2-A or Category 2-B while recommending for rehabilitation package to District Rehabilitation Committee.

Superintendent of Police/District Police Chief shall be the Nodal Officer(s) of the Screening Committee.

6. Rehabilitation Committee:

There shall be a District Level Rehabilitation Committee in each district comprising of District Magistrate/District Collector(Chairman), District Police Chief(Rural & City), DCP(L&O), Project Director, Poverty Alleviation Unit formerly District Rural Development Agency(DRDA), District Social Welfare Officer and District Employment Officer. The Committee will finalize the

● Rehabilitation package for each surrendered extremist. In case any woman Maoist surrendered, the chairman of the committee shall appoint a woman officer not below the rank of District Officer in the Committee.

(a) The Rehabilitation Committee will sanction rehabilitation package according to the category of surrendered cadre i.e., Category "1" or Category "2-A" or Category "2-B" as recommended by the Screening Committee.

(b) District Police Chief(s) shall be the Nodal Officer of the Rehabilitation Committee.

(c) The rehabilitation package shall be sanctioned within two months.

(d) The Committee will scrutinize each case of surrender falling under its respective jurisdiction and finalize the rehabilitation package for each surrendered extremist by taking into consideration the following aspects:-

(i) Social-economic background of the extremist

(ii) Age;

(iii) General education and technical qualification;

(iv) Preference for the kind of rehabilitation;

(v) Viability of the rehabilitation package in his case.

(e) After the surrendered cadre has been detailed and examined and his eligibility is established, the District Rehabilitation Committee shall sanction the rehabilitation package. A monthly statement on rehabilitation sanctioned shall be sent by Superintendent of Police / District Police Chief of the district to the Government in Home Department through the Surrender and rehabilitation Officer.

(f) The Rehabilitation Committee will meet once in three months to monitor the progress of the package till all the benefits are extended and submit a report on

● The progress to the Home Department.

7.Rehabilitation Package:

The rehabilitation package for surrendered cadre coming under Category-1 will consist of one or more of the following benefits:-

(I) Payment up to Rs.35,000/- (Thirty Five Thousand Only) for surrendering with the arms in working condition, live ammunition and explosives as calculated at the following rates:-

Sl.No.	Type of firm arms / Explosive	Amount of reward
1	LMG/GPMG/Pika/RPG/Sniper Rifle/rocket launcher/similar weapons	Rs.35,000 per weapon
2	AK 47/56/74 rifle	Rs.25,000 per weapon
3	Pistol/revolver/SLR/carbine/sten gun/303	Rs.10,000 per weapon
4	Rockets	Rs.1,000 per rocket
5	Grenade/hand grenade/stick grenade	Rs.500 per grenade
6	Remote control device	Rs.3000 per device
7	Ammunition of all types	Rs.3 per round
8	IED	Rs.1000 each
9	Mines	Rs.3000
10	Explosive material	Rs.1000 per Kg
11	Wireless sets a. short range b. Long range	Rs.1000 per set Rs.5000 per set

12	Satellite phone	Rs.10,000
13	VHF/HF communication sets	Rs.5000
14	Electronic detonator	Rs.50
	other detonator	Rs.10

Note:

The incentive given for surrender of the aforesaid arms shall be deposited in the form of a fixed deposit in joint names of surrendered cadre and Nodal Officer of the District and may be given to the surrendered cadre the time of completion of 3 years after surrender and subject to good behaviour by the surrendered cadre.

(ii) Allot a house under housing policy of the Govt. of Kerala.

(iii) Payment of a sum of Rs. 15,000/- (Fifteen Thousand only) per annum for pursuing studies in case the surrendered cadre is too old for studying in the formal school, the option of studying through National Institute of Open Schooling should be explored.

(iv) In case the surrendered cadre opts for marriage, an incentive of Rs.25,000/- (Twenty Five Thousand Only) only will be granted for his marriage, if there is no surviving spouse. This amount will be paid either at the time of marriage or after the marriage has been solemnized.

(v) The Surrendered Cadre will be paid Rs. 5,00,000/- (Five Lakhs Only) on acceptance of his surrender. Out of this Rs. 2,50,000 (Two Lakhs Fifty Thousand Only) will be given to him in cash to meet his immediate need. The remaining amount of Rs. 2,50,000/- (Two Lakhs Fifty Thousand Only) will be deposited in

●ixed Deposits in favour of surrendered cadre and, the Nodal Officer of the District, out of which Rs.1,25,000/- (One Lakh Twenty Five Thousand only) will be released after one year and the balance amount of Rs.1,25,000/- (One Lakh Twenty Five Thousand only) will be released after three years, subject to the satisfactory conduct of the surrendered cadre. This money can also be utilized as collateral security/margin money against loans to be availed of by the surrendered cadre from any Bank for self-employment.

(vi) The Surrendred Cadre will be imparted training in a trade/vocation of his/her liking of befitting his/her aptitude. A stipend of Rs. 10,000/- (Ten Thousand only) per month will be given for a maximum period of three years as per the guidelines of Government of India. However, if the surrendered cadre secures any employment in government or any gainful self employment, the monthly stipend will be discontinued. Project Director District Rural Development Agency will take steps to impart training to the surrendered cadre through State Employment Mission.

8. The Rehabilitation Package for surrendered cadre coming under Category 2-A will consist of one or more of the following Benefits:

(i) Payment up to Rs. 35,000/- (Thirty Five Thousand Only) for surrendering with the arms in working condition, live ammunition and explosives, as calculated at the following rates

Sl.No.	Type of firm arms / Explosive	Amount of reward
1	LMG/GPMG/Pika/RPG/Sniper Rifle/rocket launcher/similar weapons	Rs.35,000 per weapon

2	AK 47/56/74 rifle	Rs.25,000 per weapon
3	Pistol/revolver/SLR/carbine/sten gun/303	Rs.10,000 per weapon
4	Rockets	Rs.1,000 per rocket
5	Grenade/hand grenade/stick grenade	Rs.500 per grenade
6	Remote control device	Rs.3000 per device
7	Ammunition of all types	Rs.3 per round
8	IED	Rs.1000 each
9	Mines	Rs.3000
10	Explosive material	Rs.1000 per Kg
11	Wireless sets a. short range b. Long range	Rs.1000 per set Rs.5000 per set
12	Satellite phone	Rs.10,000
13	VHF/HF communication sets	Rs.5000
14	Electronic detonator other detonator	Rs.50 Rs.10

Note:-

The incentive given for surrender of the aforesaid arms shall be deposited in the form of a fixed deposit in joint names of surrendered cadre and Nodal Officer of the district and may be given to the surrendered cadre the time of completion of 3 years after surrender and subject to good behaviour by surrendered cadre.

(ii) Allot a house under housing policy of the Govt. of Kerala.

(iii) Payment of a sum of Rs. 15,000/- (Fifteen Thousand only) per annum for

Pursuing studies. In case the surrendered cadre is too old for studying in the formal school, the option of studying through National Institute of Open Schooling should be explored.

(iv) In case the surrendered cadre opts for marriage, an incentive of Rs. 25,000/- (Twenty Five Thousand Only) only will be granted for his marriage, if there is no surviving spouse. This amount will be paid either at the time of marriage or after the marriage has been solemnized.

(v) The Surrendered Cadre will be paid Rs. 3,00,000/- (Three Lakhs Only) on acceptance of his surrender. Out of this Rs. 1,00,000/- (One Lakh Only) will be given to him in cash to meet his immediate need. The remaining amount of Rs. 2,00,000 (Two Lakhs Only) will be deposited in Fixed Deposit in favour of surrendered cadre and the Nodal Officer of the district, out of which Rs. 1,00,000/- (One Lakh Only) will be released after one year and the balance amount of Rs. 1,00,000 (One Lakh Only) will be released after three years, subject to the satisfactory conduct of the surrendered cadre. This money can also be utilized as collateral security/margin money against loans to be availed of by the surrendered cadre from any Bank for self-employment.

(vi) The Surrendered Cadre will be imparted training in a trade/vocation of his/her liking or befitting his/her aptitude. A stipend of Rs. 4000/- (Four Thousand Only) per month will be given for a maximum period of three years as per the guidelines of Government of India. However, if the surrendered cadre secures any employment in Government or any gainful self-employment, the monthly stipend will be discontinued. Project Director, District Rural Development Agency will take steps to impart training to the surrendered cadre

●rough State Employment Mission.

9. The Rehabilitation Package for surrendered cadre coming under Category 2-B will consist of one or more of the following Benefits.

(i) Payment Up to 35,000/- (Thirty Five Thousand Only) for surrendering with the arms in working condition live ammunition and explosives as calculated at the following rates.

Sl.No.	Type of firm arms / Explosive	Amount of reward
1	LMG/GPMG/Pika/RPG/Sniper Rifle/rocket launcher/similar weapons	Rs.35,000 per weapon
2	AK 47/56/74 rifle	Rs.25,000 per weapon
3	Pistol/revolver/SLR/carbine/sten gun/303	Rs.10,000 per weapon
4	Rockets	Rs.1,000 per rocket
5	Grenade/hand grenade/stick grenade	Rs.500 per grenade
6	Remote control device	Rs.3000 per device
7	Ammunition of all types	Rs.3 per round
8	IED	Rs.1000 each
9	Mines	Rs.3000
10	Explosive meterial	Rs.1000 per Kg
11	Wireless sets a. short range b. Long range	Rs.1000 per set Rs.5000 per set
12	Satellite phone	Rs.10,000

13	VHF/HF communication sets	Rs.5000
14	Electronic detonator	Rs.50
	other detonator	Rs.10

NOTE

The incentive given for surrender of the aforesaid arms shall be deposited in the form of a fixed deposit in joint names of surrendered and Nodal Officer of the district and may be given to the surrendered at the time of completion of 3 years after surrender and subject to good behaviour by the surrendered.

(ii) Allot a house under housing policy of the Govt. of Kerala.

(iii) Payment of a sum of Rs. 15,000(Fifteen Thousand only) per annum for pursuing studies. In case the surrendered cadre is too old for studying in the formal school, the option of studying through National institute of Open Schooling should be explored.

(iv) In case the surrendered cadre opts for marriage, an incentive of Rs. 25,000(Twenty Five Thousand Only) only will be granted for his marriage, if there is no surviving spouse. This amount will be paid either at the time of marriage or after the marriage has been solemnized.

(v) The Surrendred Cadre will be paid Rs. 3,00,000/-(Three Lakhs Only) on acceptance of his surrender. Out of this Rs. 1,00,000/-(One Lakh Only) will be given to him in cash to meet his immediate need. The remaining amount of Rs 2,00,000(Two Lakhs Only) will be deposited in Fixed Deposit in favour of surrendered cadre and the Nodal Officer of the district, out of which Rs. 100,

●00/- (One Lakh Only) will be released after one year and the balance amount of Rs. 100,000/- (One Lakh Only) will be released after three years subject to the satisfactory conduct of the surrendered cadre. This money can also be utilized as co-lateral security/margin money against loans to be availed of by the surrendered cadre from any Bank for self-employment.

vi) He/she will be imparted training in a trade/vocation of his/her liking or befitting his/her aptitude. A stipend of Rs. 3000 (Three Thousand Only) per month will be given for a maximum period of three years as per the guidelines of Government of India. However, if the surrendered cadre secures any employment in Government or any gainful self employment, the monthly stipend will be discontinued. Project Director, Poverty Alleviation Unit formerly District Rural Development Agency (DRDA) will take steps to impart training to the surrendered cadre through State Employment Mission.

10. The benefits of the Scheme shall be applicable to those who Surrender on or after the date of issue of this Government Order.

11. In case both husband and wife surrender, both shall be taken as one unit for sanction of the rehabilitation package, whether they surrender together or separately, except for the purpose of payment for surrender of arms, live ammunition, explosives, etc. mentioned in the table of Paras. 7, 8 & 9 above, and for the payment of reward on their heads declared, if any.

12. The accrued assets shall automatically be forfeited to the State Government in case the surrendered reverts back to extremist activities. These assets shall be

●rfeited, if he is found to be secretly assisting the extremist. Decision of the Government regarding whether he is secretly assisting or not shall be final and cannot be challenged.

13. As part of the rehabilitation, suitably qualified persons if any in the family of the surrendered extremists can be considered for being allotted vocational employment opportunities or other such jobs according to their relative skill levels. They can be given preference in training for upgradation of their skills in such areas which will assist them in findings a means of livelihood in future.

14. Custody of surrendered weapons:-

The Superintendent of Police/Deputy Commissioner of Police of the concerned district will be the custodian in respect of safe storage of weapons and ammunition surrendered by the Naxalites.

15. Criminal Cases:

Heinous crimes committed by the surrendered will continue in the Courts. State Government may, however, consider withdrawing cases pending against minor offences committed by the surrendered. State Government may provide free legal services/ Advocate to the surrendered Naxalites. Fast Track Courts may be constituted by the State Government for speedy trial of cases against the surrendered.

The cases that are under trial in the Court against the surrendered Naxalities will continue as per the prescribed law. Howsoever, the court will provide the surrendered naxalities with free legal service. For the quick disposal-of such cases, fast track court will be set up.

The following State level Committee recommends whether the cases filed against the surrendered naxalites be withdrawn or not after examining the nature of offences committed.

- 1) Additional Chief Secretary/Principal Secretary (Home Department):
Chairman
- 2) State Police Chief : Member
- 3) Secretary(Law Department) : Member
- 4) Intelligence Chief : Member
- 5) Superintendent of Police (Internal Security) : Member
- 6) Inspector General of Police (Internal Security) : Convener

The committee will review the progress and status of cases before making any recommendations.


16. A period of 3 to 5 years after the surrender will be fixed as quarantine period, during this period the surrendered cadre will be under close surveillance and observation.

17. Cadres who surrendered have to disclose all details like the operation tactics, strategy, routine life, details of arms depositing dump yards, active cadres and workers who work in urban areas, frontal organization leaders and how the link between the frontal organizations / urban cadres are being made.

18. The surrender cadre may be authenticated through two-respectable

Personalities (may be of social activists or literary talents or other respectable personalities having no adverse back grounds) to avoid the planned surrender as tactics by the cadres. As there is residualism exists in people who are one in left wing ideology, an intervention of key figures on behalf will reduce the chance of planned surrender.

19. The State Government will review the working of this Scheme annually and may modify its provisions as considered necessary.


Section Officer