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**MOST IMMEDIATE**

No. Home (A) A(9)-5/2010  
Government of Himachal Pradesh  
" Home Department"

Dated Shimla-1710the

07 May, 2011

From

The Principal Secretary (Home) to the  
Government of Himachal Pradesh.

To

All The District Magistrate,  
in Himachal Pradesh.

**Subject:**

**Writ Petitions Nos. 347/2006 and 350/2007 filed in the  
Supreme Court.**

Sir,

I am directed to enclose a copy of letter No. 11047/2/2011-VTV dated 23-2-2011 received from Under Secretary to the Govt. of India, Ministry of Home Affairs, Internal Security Division, New Delhi addressed to all the Home Secretaries of States/UTs on the subject cited above.

You are requested to comply with the instructions contained therein and send the action taken report. A copy of the letter referred to above can also be viewed on the departments (Home-A) website.

This may be treated as most urgent.

Yours faithfully  
L.

Principal Magistrate  
Himachal Pradesh  
Shimla  
07c

Under Secretary (Home) to the  
Government of Himachal Pradesh  
07 May, 2011.

Endst.No.Asabove.Dated:Shimla-171002,

Copy forwarded to the Smt. L.P.Shrivastva, Under Secretary, GOI, Ministry of Home Affairs, Internal Security Division, Lok Nayak Bhawan, Khan Market 'C' Wing, 9<sup>th</sup> Floor, Room No.8, New Delhi, w.r.t. his letter referred to above for information.

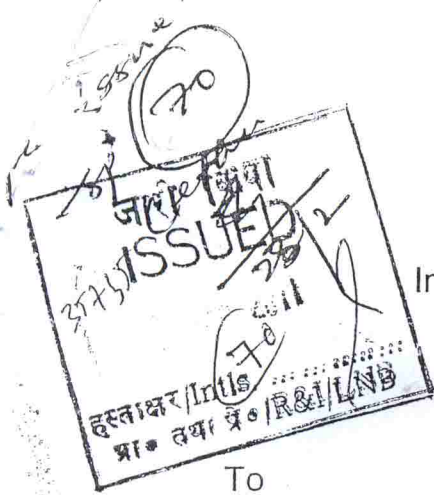
Under Secretary  
07c

Under Secretary (Home) to the  
Government of Himachal Pradesh  
L. 6.5.



S.No. 4 (Issue)

Immediate



F.No.11047/2/2011-VTV  
Government of India/Bharat Sarkar  
Ministry of Home Affairs/Grih Mantralaya  
Internal Security Division/Aantrik Suraksha Prabhag

Lok Nayak Bhawan, Khan Market,  
'C' Wing, 9th Floor, Room No.8,  
New Delhi the 22.02.2011

To

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All Home Secretaries of States/UTs.

23 FEB 2011

Subject: Writ Petitions Filed in the Supreme Court.

Sir,

I am directed to convey that two Writ Petitions (Nos. 347/2006 and 350/2007) were heard before a Bench of Supreme Court comprising Lordship Hon'ble Mr. Justice Aftab Alam and Hon'ble Mr. Justice R.M. Lodha on 25<sup>th</sup> January, 2011. The Hon'ble Bench observed that the Central Scheme of Assistance to victims of terrorist violence in its present form does not address vital issues of computation of compensation to be awarded to victims of terrorist violence and also does not provide and adequate grievance redressal mechanism and also desired that the additional compensation to be awarded to the two petitioners in the present case should be determined by the Central Government by next date of hearing.

2. A Central Scheme titled "Assistance to civilian victims/family of victims of Terrorist and Communal violence" is being operated in IS-II Division in the Ministry of Home Affairs w.e.f. 1.4.2008. The Scheme has also been extended to civilian victims of naxal violence w.e.f. 22<sup>nd</sup> June, 2009. An amount of Rs. 3 Lakh would be given to the affected family under the scheme. As you are aware, 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 Officers and an officer who may be nominated by the State Government would identify beneficiaries and verify their eligibility for assistance under the scheme. The guidelines containing the scheme have been widely circulated to your Government for implementation.

3. As per para 6(vii) and 6(viii) of the guidelines, the District Committee would, so far as possible, make its recommendation within 1 month of receipt of claim for assistance to victims/family of terrorist or communal violence and the District Collector may, on his own, recommend assistance under the scheme with suitable justification. It has been observed that there is a considerable delay in submitting the proposals to IS.II Division of this

Contd...2/-

Ministry for release of financial assistance on the part of concerned District Magistrate/District Commissioner State Government. It may be appreciated that it is essential to release financial assistance to the NoK of victims or victims as quickly as possible; otherwise the purpose of the scheme gets defeated.

4. You are requested to instruct the District Magistrates/Commissioners to ensure that the claims of next of kin of victims under Central Assistance to victims of terrorist, communal and naxal violence be forwarded to this Ministry with all supporting documents immediately as per guidelines so that the financial assistance could be released to the concerned. Where it is not possible for DMs/DCs/State Governments to recommend the release of financial assistance under the Central Scheme, it shall be brought to the notice of the Ministry of Home Affairs within a period of 3 months of the incident either recommending or rejecting the case.

5. The State Governments are also requested to convey whether there is any other financial assistance scheme being operated to extend immediate financial assistance to civilian victims of terrorist, communal and naxal violence and the redressal mechanism being followed in such cases.

6. For redressal of grievance of the victim/next of kin aggrieved by the decision of the District Magistrate, the State Government is requested to notify its concerned Department/nodal officer to look into such matters and who would address and decide the issue within a period of 3 months.

7. You may kindly advise all the Districts Magistrates to give wide publicity to the scheme to create awareness among the people.

8. It is requested that the action taken be conveyed to the undersigned latest by 05.03.2011 so that the Hon'ble Apex Court can be furnished the relevant details.

Yours faithfully,

(K. MURALIDHARAN)  
Deputy Secretary to the Govt. of India  
Tel.No. 011-24617196

Copy to :-

23 FEB 2011  
② Director General Police of all States/UTs.