

Guidelines for surrender-cum-rehabilitation of naxalites in the naxal affected States

1. Introduction: Surrender-cum-Rehabilitation policy is part of the overall policy to build consensus and evolve an acceptable and peaceful solution to violence perpetrated by extremist groups, to usher in peace and development, especially in the disturbed regions. Though, policies for rehabilitation of militants have been successful in J&K and North Eastern States, implementation of similar policies in naxal affected States has not been impressive for various reasons. This policy has been evolved, keeping in mind the specific geographical and social landscape to help those naxalites who want to abjure violence, surrender and join the mainstream. Surrender and rehabilitation policy is part of a multi-pronged conflict management and resolution strategy and is required to be implemented along with firm action by police against those who follow the path of violence. As the naxal problem has arisen on account of real and perceived neglect, deprivation and disaffection, mainly towards the downtrodden, the solution should aim at providing gainful employment and entrepreneurial opportunities to the surrendered naxalites so that they are encouraged to join the mainstream and do not return to the fold of naxal movement.

2. Objectives: The objectives of these Guidelines for surrender-cum-rehabilitation of naxalites in the naxal affected States are:

(i) to wean away the misguided youth and hardcore naxalites who have strayed into the fold of naxal movement and now find themselves trapped into that net.

(ii) to ensure that the naxalites who surrender do not find it attractive to join the naxal movement again.

Tactical surrenders by those elements who try to make use of the benefits extended by the Government to further their vested interests should not be encouraged under the Scheme.

3. Eligibility Criteria:

(i) These guidelines are applicable to those naxalites who surrender with or without arms.

(ii) The eligibility of such naxalites for assistance under the scheme would be scrutinized by the Screening cum Rehabilitation Committee constituted by the concerned State Government.

(iii) The benefits of the scheme shall not be available to a surrenderee who has already surrendered and benefited under existing surrender / rehabilitation schemes in any of the naxal affected States.

4. Benefits under the Scheme:

(i) Persons eligible under the scheme may be imparted training in a trade/vocation of their liking or befitting their aptitude. They shall be paid a monthly stipend of Rs 2000/- each for a maximum period of 36 months. However, if the surrenderee secures any employment in Government or any gainful self-employment, the monthly stipend will be discontinued.

(ii) An immediate grant of Rs. 1.5 lakh shall be kept in a bank in the name of surrenderee as a fixed deposit which may be withdrawn by the surrenderee after completion of 3 years, subject to good behaviour to be certified by the authorities designated for this purpose by the concerned States. This money can also be utilized as collateral security/margin money against loans to be availed of by the surrenderee from any bank for self-employment.

(iii) In the event of a surrenderee being able to secure any Government job, this amount shall not be given to the surrenderee.

5. Incentives for Weapons:

(i) The following additional incentives are included for the surrendered weapons/ammunition:

S. No.	Weapons	Incentive
(i)	AK 47/56/74 Rifle	Rs. 15,000 per weapon
(ii)	UMG/GPMG/ Picca /RPG/Sniper rifle	Rs. 25,000 per weapon
(iii)	Pistol/Revolver	Rs. 3,000 per weapon
(iv)	Rockets	Rs. 1,000 per rocket
(v)	Grenade /hand Grenade/stick grenade	Rs. 500 per grenade
(vi)	Remote Control Device	Rs. 3,000 each device
(vii)	Ammunition of all types	Rs. 3 per round
(viii)	IED	Rs. 1,000 each
(ix)	Mines	Rs. 3,000
(x)	Explosive material	Rs.1, 000 per kg.
(xi)	Wireless Set (a) Short Range (b) Long Range	Rs. 1,000 per each set Rs. 5,000 per each set
(xii)	SAM Missiles	Rs. 20,000
(xiii)	Satellite Phone	Rs. 10,000
(xiv)	VHF/HF Communication sets	Rs.5,000
(xv)	Electronic Detonators Other Detonators	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 surrenderee and the State Government nominee and may be given to the surrenderee at the time of completion of 3 years after surrender and subject to good behaviour by the surrenderee.

(ii) Handling of weapons: The States may develop a mechanism in respect of safe storage of weapons and ammunitions surrendered by the naxalites.

6. Procedure for screening/identification and rehabilitation of naxalites:

6.1 The following agencies will be involved in the process of identification and rehabilitation of surrendered naxalites:-

(i) ADG/IG(Special Branch/(CID) will act as the Surrender and Rehabilitation Officer (S&R Officer) under the Scheme.

(ii) Central Para Military Force.

(iii) State Police/State Administration.

6.2 Each of the Security Forces deployed will identify one officer of the rank of DIG or equivalent officer as the nodal officer for coordinating matters relating to surrender and rehabilitation of naxalites, with respect to their organisation.

6.3 A naxalite shall be free to surrender before any unit of the CPMFs, District Magistrate, District SP, Range DIG, IG(Ops), IG(Special Branch), DIG (Special Branch), SP(Special Branch), SDM, Sub-Divisional Police Officer and other notified officers. The officers for this purpose shall be notified by the State Governments. A naxalite may also surrender before any unit of the Army or the CPMFs outside the State. The officer receiving the surrenderee shall send the details as informed by the surrenderee filled up in prescribed proforma to the S&R officer and to the nodal officers of all the deployed forces. The nodal officer of each organization will verify the antecedents and activities of the naxalites from its own sources and send specific recommendations to the S&R Officer, stating as to whether the individual could be taken in as surrenderee or not.

6.4 The officer receiving the surrenderee will provide immediate security to the surrenderee and after getting necessary details for filling up the requisite proforma, send him to the transit camp to be maintained by the S&R Officer. The decision about the acceptance or otherwise, of the surrenderee should be taken within 15 days.

6.5. Screening procedure may also include the following:

(i) The naxalite who surrenders may be a hardcore, underground naxalite cadre and a member of a *Dalam* and surrenders in accordance with the comprehensive surrender and rehabilitation policy being implemented by the concerned State Government. Rehabilitation of surrendered naxalite should be confined to *dalam* members and above, other ranks and overground supporters/sympathisers being considered only in exception cases.

(ii) The authority designated by the concerned State Government for the purpose should ensure that the surrenderee is a genuine naxalite and the naxalite should make a clear confession of all the criminal acts committed by him / her including names of planners and other participants, names of financiers, harbourers, couriers, details of the naxal organizations, arms / ammunition and the property looted/distributed/disposed of by the naxalite and organization to which the naxalite belongs, which may be verified.

7. Court cases: Heinous crimes committed by the surrenderee may continue in the courts. For minor offences, plea bargaining could be allowed at the discretion of the State Authorities. States may consider providing free legal services / advocate to the surrendered naxalite as per the policy of the concerned State. Fast track courts may be constituted by the concerned States for speedy trial of cases against the surrenderees.

8. These guidelines for rehabilitation of naxalites for naxal affected States are in supersession of the Item No. 7 of the existing/extant guidelines of Ministry of Home Affairs for reimbursement of security related expenditure to naxal affected States.

9. The Surrender and Rehabilitation Policies of the naxal affected States may, *inter alia*, include the broad guidelines as laid down above.

10. Impact assessment of the guidelines: The Ministry of Home Affairs may review these guidelines periodically in consultation with the concerned State Governments and take appropriate corrective action if required.