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Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

ADI DRAVIDAR AND TRIBAL WELFARE (PA2) DEPARTMENT

PREPARATION OF MODEL CONTINGENCY PLAN UNDER RULE 15 OF THE SCHEDULED CASTES/SCHEDULED TRIBES
(PREVENTION OF ATROCITIES) RULES 1995 AND THE AMENDED RULES, 2016.

[G.O. Ms. No.55, Adi Dravidar and Tribal Welfare (PA2), 28th August 2017, Avani 12, Hevilambi, Tiruvalluvarandu 2048]

No.SRO /2017.—WHEREAS the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Rules, 1995, and amended Rules 2016 have come into force with effect from 31st March 1995 and 14th April 2016 respectively.

AND WHEREAS, as per rule 15 of the said rules, the State Government is required to prepare a Model Contingency Plan for implementation of the provisions of the Act and notify the same in the Official Gazette of the State Government. It has also been specified therein that such Contingency Plan should specify the role and responsibilities of various departments and their officers at different levels, the role and responsibility of Rural /Urban local bodies and Non-Governmental Organisations containing package of relief measures on various aspects specified therein.

NOW THEREFORE, as provided under Rule 15 of the aforesaid Rules, the State Government of Tamil Nadu hereby formulated the Model Contingency Plan for implementation as specified in Annexure to this notification.

AND a report on the action taken under the Model Contingency Plan in each case of atrocity shall be sent to the Director of Adi Dravidar Welfare / Director of Tribal Welfare every month and the Directors shall submit a factual report to the Government.

ANNEXURE

MODEL CONTINGENCY PLAN

(To be notified in the official Gazette under Rule 15 of SC/ST PoA) Rules 1995 and the Amendment Rules 2016.)

It shall be the duty of the District administration, particularly the District Collectors and Superintendents of Police / Commissioners of Police, to ensure that effective steps are taken to prevent the occurrence of atrocities on any Scheduled Caste / Scheduled Tribe citizen in their jurisdiction. This shall include periodic visits in sensitive areas, supervision of investigation /prosecution of offences under the Act, periodical meeting of the members of the community from all over the district and all other measures prescribed in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and the Amended Act 2015, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules 1995 and the Amended Rules, 2016.

Whenever an atrocity takes place in the districts, it shall be the duty of all departments/agencies/corporations/ organizations of Government in the district to fulfill their role prescribed in the State Contingency Plan as hereunder so that the victims of atrocities are properly rehabilitated as soon as possible, effective action is taken against the culprits who perpetrate the atrocity and ensure that security is restored not only amongst the members of SC/ST affected due to the atrocity but also among the general public in the area. The Contingency Plan should specify the role and responsibility of various departments and their Officers at different levels, the role and responsibility of Rural/ Urban Local Bodies and Non-Government Organisations etc., The Plan shall contains a package of relief measures including the following:-

- a) Scheme to provide immediate relief in cash or in kind or both
 - aa) Appropriate scheme for the rights and entitlements of victims and witnesses in accessing justice as specified in sub-section (11) of Section 15A of Chapter IV A of the Act (Sub -section 11(a) to 11(n))
- b) Allotment of Agricultural land and House sites
- c) The Rehabilitation packages
- d) Schemes for employment in Government /Government undertaking to the dependent or any of the family members of the victim
- e) Pension scheme for widows, handicapped or old age victims of atrocity
- f) Mandatory compensation for the victims
- g) Scheme for strengthening the Socio economic conditions of the victims
- h) Provisions of brick / stone masonry house to the victims
- i) Such other elements such as health care, supply of essential commodities, electrification, adequate drinking water facility, burial/ cremation ground and link roads to the Scheduled Castes and the Scheduled Tribes habitats.

<i>Functions and Benefits</i> (1)	<i>Time limit & Officer responsible.</i> (2)	<i>Department concerned</i> (3)
In order to provide immediate relief in cash or in kind or both, as stipulated in rule 15(1) (a), the Officers concerned shall visit the place or area of atrocity to assess the damage to life and the property immediately and draw a list of victims, family members and dependants entitled to relief (Rule 12(1). After assessing the damages, the relief measures have to be provided within seven days. Such relief shall also include food, water, clothing, shelter, medical aid, transport facilities and other essential items necessary for human beings as stipulated in Rules 12(5) and rule 12(7).	Within seven days District Collectors/ Revenue Divisional Officers/ District Adi Dravidar and Tribal Welfare Officers / Superintendents of Police in the Districts and Commissioners of Police in cities.	a) Revenue Department b) Adi Dravidar and Tribal Welfare Department. c) Home Prohibition and Excise Department
The victims of atrocities have to be provided with a copy of the recorded First Information Report at free of cost as stipulated in sub section 11 (a) of Section 15A of the Act. The copy of the FIR has to be provided after reading out the contents to the complainant.	Immediately on registering the FIR Inspector of Police/ Sub- Inspector of Police in charge of the Police Station.	Home, Prohibition and Excise Department
As stipulated in sub section 11(b) of Section 15A of the Act, the victims of atrocities have to be provided with immediate relief in cash or in kind. Such relief shall also include food, water, clothing, shelter, medical aid, transport facilities and other essential items necessary for human beings as stipulated in Rules 12(5) and rule 12(7).	Within seven days District Collectors/ Revenue Divisional Officers/ District Adi Dravidar and Tribal Welfare Officers/ Superintendents of Police in the Districts and Commissioners of Police in cities.	a) Revenue Department b) Adi Dravidar and Tribal Welfare Dept. c) Home Prohibition and Excise Department
In order to provide necessary protection to the victims of atrocity or their dependents and witnesses as per sub section 11(c) of Section 15A of the Act, the Officers concerned shall visit the place of incident and make arrangements of the safety and protection of the affected persons.	Within 24 hours District Collectors/Commissioners of Police in cities Superintendents of Police in Districts.	a) Revenue Department b) Adi Dravidar and Tribal Welfare Dept. c) Home Prohibition and Excise Department

<i>Functions and Benefits</i> (1)	<i>Time limit & Officer responsible.</i> (2)	<i>Department concerned</i> (3)
The sub section 11(d) of Section 15A of the Act, stipulates to provide relief in respect of death or injury or damage to property to the victims of atrocities and the affected families. In this regard, necessary proposals shall be sent to the District Administration by the Officers concerned immediately.	Within 24 hours District Collectors/ Commissioners of Police in cities and the Superintendents of police in Districts.	a) Revenue Department b) Adi Dravidar and Tribal Welfare Department. c) Home Prohibition and Excise Department
The Officers concerned shall visit the place of atrocity and arrange for food, clothing and other facilities after assessing the damages as per sub section 11(e) of Section 15A of the Act.	Within 24 hours District Collectors/ District Adi Dravidar and Tribal Welfare Officers	a) Revenue Department b) Adi Dravidar and Tribal Welfare Department.
Maintenance expenses has to be provided to the atrocity victims and their dependents as per sub section 11(f) of Section 15A of the Act till the victims of atrocities return to normal life.	Within 24 hours District Collectors/ District Adi Dravidar and Tribal Welfare Officers	a) Revenue Department b) Adi Dravidar and Tribal Welfare Department.
Information about the rights of atrocity victims has to be provided to the complainant at the time of making complaints and registering the First Information Report as per sub section 11(g) of Section 15A of the Act. Apart from that, additional information if any related to the atrocity and assistance required by the complainants have also to be provided.	Immediately on registering the FIR Inspector of Police/Sub- Inspector of Police in charge of Police Station.	Home Prohibition and Excise Department
The sub section 11(h) of Section 15A of the Act provides protection to atrocity victims or their dependents and witnesses from intimidation and harassment. Steps should be taken to provide protection to them and also prevent any further atrocities.	Within 24 hours District Collectors/Commissioners of Police in cities / Superintendents of Police in the Districts	a) Revenue Department b) Home Prohibition and Excise Department
To provide information to atrocity victims or their dependents or associated organizations or individuals, on the status of investigation and charge sheet and to provide copy of the charge sheet at free of cost as per sub section 11(i) of Section 15A of the Act.	Immediately on filing of charge sheet Charge sheeting authority (Inspector of Police/ Sub- Inspector of police)	Home Prohibition and Excise Department
As stipulated in subsection 11(j) of Section 15A of the Act, necessary precautions should be taken at the time of medical examination. Effective steps should also be taken to provide assistance and other required information to the complainants.	Within 24 hours Commissioners of Police in cities/ Superintendents of Police in the Districts.	Home Prohibition and Excise Department
To provide information to atrocity victims or their dependents or associated organizations or individuals, regarding the relief amount as stipulated in subsection 11(k) of Section 15A of the Act. After registering the FIR, the complainants shall be informed about the amount of relief eligible to them.	Within 24 hours Inspector of Police or the Sub-Inspector of Police.	Home Prohibition and Excise Department
To provide information to atrocity victims or their dependents or associated organizations or individuals, in advance about the dates and place of investigation and trial as per sub section 11(l) of Section 15A of the Act so as to ensure fair and proper investigation.	Within 24 hours The Assistant Commissioners of Police in cities / The Deputy Superintendents of police in the Districts.	Home Prohibition and Excise Department
To give adequate briefing on the case and preparation for trial to atrocity victims or their dependents or associated organizations or individuals and to provide the legal aid for the said purpose as per subsection 11(m) of Section 15A of the Act. Adequate information about the case and relevant materials for the preparation of trial and also required legal assistance in support of the trial should also be provided.	Within 24 hours The District Collector/ The Charge sheeting authority (Inspector of Police/ Sub- Inspector of Police)/ Investigating officer (Deputy Superintendent of police/ Inspector of police)	a) Revenue Department b) Home Prohibition and Excise Department

<i>Functions and Benefits</i> (1)	<i>Time limit & Officer responsible.</i> (2)	<i>Department concerned</i> (3)
To execute the rights of atrocity victims or their dependents or associated organizations or individuals at every stage of the proceedings under this Act and to provide the necessary assistance for the execution of the rights as stipulated in the sub section 11(n) of Section 15A of the Act.	Within 24 hours Commissioners of Police/ Superintendents of Police/ Charge sheeting Officer/ Revenue Divisional Officers/ District Adi Dravidar and Tribal Welfare Officer	a) Revenue Department b) Adi Dravidar and Tribal Welfare Department c) Home Prohibition and Excise Department
Allotment of Agricultural land and House sites as per rule 15(1) (b). Steps should be taken to allot land subject to the guidelines to be issued from time to time and sites where necessary for the purpose of rehabilitation. Pattas shall be distributed to the victims' families.	1 Month District Collector District Revenue Officer/ Revenue Divisional Officer/Tahsildar	Revenue Department
To Implement the rehabilitation measures. (Rule 15(1) (c)). The immediate need of the victims of atrocity / dependents are food, clothing, shelter etc., Shelters to be provided in schools, community halls and any public buildings and immediate arrangement should be made to supply minimum cooking vessels, clothes required by the victims of atrocities / dependents. If adequate funds are not available with the local bodies, the Government shall provide funds.	1 Week. District Collectors/ District Adi Dravidar and Tribal Welfare Officers/ Tahsildars/Municipal Corporation Commissioners/Municipal Commissioners/Executive Officer of Town Panchayat / Presidents of Village Panchayat/ Taluk Supply Officers.	a) Revenue Department b) Municipal Administration and Water Supply Department c) Rural Development and Panchayat Raj Department d) Co-operation Food and Consumer Protection Department
Schemes for employment in Government / Government undertaking to the dependent or any of the family members of the victim be considered as per rule 2(b) of Amended Rule 2016 (Rule 15(1)(d)).	Within 3 months District Collectors and all Department District level officers	Any Department where vacancy exists.
Pension scheme for widows, handicapped or old age victims of atrocity as stipulated in Rule 15(1) (e). Sanction of eligible pension to the victim as per Rule 12(4) of the Amended Rules 2016, basic pension amounting to Rs.5000/- per month with admissible Dearness Allowance as applicable to a Government Servant.	15 days District Collectors. District Adi Dravidar and Tribal Welfare Officer (Relief Sanctioning authority)	Adi Dravidar and Tribal Welfare Department.
Mandatory compensation for the victims as per rule 15(1)(f). Spot should be visited immediately. After assessing the damages, compensation / relief measures shall be given.	15 Days District Collectors/ District Adi Dravidar and Tribal Welfare Officers/Inspector of Police/ Sub- Inspector of Police.	a) Revenue Department b) Home, Prohibition and Excise Department
The rule 15(1) (g) stipulates scheme for strengthening the Socio economic conditions of the victims. The victims of atrocity may be organized into self help groups, skill development training and assisted for viable activity for deriving sustainable income under any of the schemes implemented through TAHDCO. They shall be provided with necessary assistance/ guidance to avail the benefits of Economic Development schemes of TAHDCO. They may be provided wage employment scheme work for immediate relief. For other caste affected persons due to intercaste marriage, loans shall be arranged through TABCEDCO and TAMCO.	Duration of Training 6 months Project Directors of District Rural Development Agencies/Managing Director, TAHDCO, TABCEDCO/ TAMCO The District Manager,TAHDCO/ District Employment Officer/ Labour Officer/ Project Officer (Magalir Thittam) Rural Development Department.	a) Adi Dravidar and Tribal Welfare Department b) Labour and Employment Department c) Rural Development and Panchayat Raj Department d) Backward Classes & Most Backward Classes, Minorities Welfare Department
If the victims or dependent, own agricultural land they should be supplied with seeds fertilizers, etc., under the existing schemes.	1 month District Collectors/ Joint Director of Agriculture/Assistant Director of Agriculture/ Agricultural Officer. / Horticulture Officer.	Agriculture Department

<i>Functions and Benefits</i> (1)	<i>Time limit & Officer responsible.</i> (2)	<i>Department concerned</i> (3)
Provision of brick / stone masonry house to the victims as per rule 15(1) (h). If the houses of the victims of atrocity are damaged fully, they may be provided funds under housing scheme for construction of new houses, after giving pattas under PMAY. Green houses shall also be constructed. For this purpose, the target for that particular area shall stand enhanced automatically and funds shall be provided separately.	6 months. Project Directors of District Rural Development Agency/District Collector/ District Revenue Officer/ Revenue Divisional Officer/ Sub Collector/ Tahsildars./ District Adi Dravidar and Tribal Welfare Officers/ Managing Director of Tamil Nadu Slum Clearance Board.	a) Rural Development and Panchayat Raj Department b) Revenue Department c) Housing and Urban Development
Where resettlement of victims of atrocity becomes necessary, the sites for housing on the land allotted by the District Collector shall be identified for the construction of houses.	District Collectors/Project Director, District Rural Development Agency/ District Adi Dravidar and Tribal Welfare Officer / Managing Director, Tamil Nadu Slum Clearance Board in urban areas	
As stipulated in rule 15(1)(i) Health care should be provided to the victims of atrocities. Immediate preventive measures and medical relief should be provided at free of cost by all the Government Hospitals in the State / District/Taluk / and Primary Health Centres. For this purpose free health services, transport, emergent medication shall be provided to ensure diagnostic / Treatment at district and Specialist Government Hospitals wherever necessary. Free treatment should be given inclusive of free medicines and the Doctor concerned will be made responsible for ensuring proper treatment and relief. In case of emergency, the cost of transporting victims and their attendants must be borne by the Government, either through its own Ambulances or through hired transport. A team of District Surgeons and a Doctor from the Health Department (to be nominated by the JDHS) should be automatically activated who will co-ordinate with the District authority in all the relief operations. Further, District Surgeons should be instructed to constitute comprehensive Mobile Health Care Teams which shall give required medical treatment and medicines.	Within 24 hours The District Collector / Joint Director (Health) Deputy Director (Public Health)/	a) Health and Family Welfare b) Revenue Department
The victims of atrocities shall be given essential commodities such as Rice, Wheat, Sugar, Kerosene Pulses etc., for a period of 3 months. Ration commodities should be released from the Public Distribution System on priority at BPL prices. The quantum of articles to be released shall depend on the period for which atrocity victims / dependents are to be taken care of. The total quantity may be decided by the District Collector.	Within 24 hours. District Collector/ District Adi Dravidar and Tribal Welfare Officers/District Supply Officer/ Senior Regional Manager of the Civil Supplies Corporation/Taluk supply Officer.	a) Revenue Department b) Cooperation, Food and Consumer Protection Department

<i>Functions and Benefits (1)</i>	<i>Time limit & Officer responsible. (2)</i>	<i>Department concerned (3)</i>
To arrange the release of these commodities from the nearest Civil Supplies godown on credit basis and shall recoup the cost of these items from the funds available under atrocities Act.	5 Days District Collector / District supply Officer/ Taluk supply Officer/ District Adi Dravidar and Tribal Welfare Officers	a) Co-operation, Food and Consumer Protection Department b) Revenue Department
To report the quantum of ration articles issued in all such cases immediately to the Commissioner of Civil Supplies/ Managing Director, Civil Supplies Corporation who will replenish such stocks in the coming months if need be.	10 Days District Collector/ District supply Officer/ Taluk supply Officer	
Electrification of the rehabilitated colonies of victims of atrocities with local body funds. Even in case where an individual becomes victim of atrocities and if the Government builds and allots a house, such house shall be given electrical connection if necessary by extending the LT (Low Tension) line.	Within one month Respective local bodies, Corporations, Municipalities, Town Panchayats, Village Panchayats and their Offices. TNEB Engineers.	a) Energy Department b) Rural. Development and Panchayat Raj Department
In case of total damage of electric lines in the habitations due to community clash, immediate restoration of electricity is necessary. If temporary shelters are provided to the victims of atrocities such shelters should be provided with immediate electrical connection.		
Adequate drinking water facility shall be provided on priority basis.	District Collectors/ District Adi Dravidar and Tribal Welfare Officers/ Respective Local bodies-Urban local body/ Commissioners and Executive Officers of Town Panchayat/ Block Development Officers (Panchayats)	a) Municipal Administration and Water Supply Department b) Rural Development and Panchayat Raj Department
Allot land for Burial/Cremation ground for SCs/STs in the area and utilize the funds available under the scheme for provision of pathways and burial grounds.	3 months District Collectors/ District Adi Dravidar and Tribal Welfare Officers	a) Revenue Department b) Adi Dravidar and Tribal Welfare Department
Link Roads to be provided to the habitations affected by the community clashes/ atrocities.	3 months District Collectors/Respective Local bodies and Highways Engineer/ District Adi Dravidar and Tribal Welfare Officers	a) Rural Development and Panchayat Raj Department b) Highways Department c) Municipal Administration and Water Supply Department d) Adi Dravidar and Tribal Welfare Department

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