

**F.No.16015/12/2014-K.V**

Government of India  
Ministry of Home Affairs  
Department of J&K Affairs  
North Block, New Delhi

New Delhi, dated the 15<sup>th</sup> July. 2014

Shri Abdul Rashid Hanjura,  
President, Bar Association Chadoora,  
P.O. Box No.70, GPO  
Srinagar 190001

**Subject: Application under RTI Act, 2005.**

This is with reference to your RTI application dated 02.06.2012 addressed to CPIO, Ministry of Home Affairs, New Delhi seeking information under RTI Act, 2005 and the directions given by the Central Information Commission (CIC) in the matter during its hearing held on 09-07-2014 [Ref. No. A-43020/01/2012-RTI].

2. In this regard, it is informed that most of the information sought by you pertains to the State Government of J&K and your application has already been transferred to the Government of J&K for providing you the relevant information. However, it is advised that as RTI Act, 2005 is not applicable to the State of J&K, you may seek information from the Government of J&K directly under the Jammu & Kashmir RTI Act, 2009. However, the information as available in this office with respect to the information sought by you in various Para's of your application is as under:-

2.1 **Para No. (a):** Due to onset of militancy in 1990 most of the Kashmiri Pandit families along with some families of Sikhs and Muslims migrated from Kashmir Valley (total of about 57,000 families/ about 2 lakh persons) to Jammu, Delhi and other places of the country.

- At present, there are 40,668 registered Kashmiri migrant families in Jammu. Out of these, 22,418 families are registered under non-relief category and 18,250 families under relief category.
- Further, about of the 19,338 Kashmiri migrant families are registered in Delhi.
- Besides Jammu and Delhi, about 1995 families are settled in other states. The J&K Govt. has provided registration facilities for unregistered migrant families living outside J&K at Delhi [Resident Commissioner's Office, Chanakyapuri, New Delhi].

2.2 **Para No. (b):**

(i) Initially in the year 1990, the J&K Govt., after registering Kashmiri Migrant families, provided cash relief of Rs 250/- per family and free ration, which has been enhanced from time to time.

- At present, the cash relief has been enhanced to ₹1650/- per head per month (maximum Rs.6600/- per family per month) plus dry ration (9 Kg. Rice, 2 Kg. Atta per soul per month and 1 Kg. Sugar per family per month) to eligible 18,250 families. Expenditure in this respect (approx. ₹136 Crore per annum) is being reimbursed to the State Government by MHA under Security Related Expenditure (Return & Rehabilitation) - SRE (R&R).
- The Delhi Government is also providing cash relief of ₹1650/- per head per month (maximum Rs.6600/- per family per month) to eligible 3,385 families from their own budget.
- Other States are providing relief as per scales fixed by them from their own budget. On the recommendation of Parliament Standing Committee made in April 2012, these states have been advised by MHA in May 2012 and again in May 2014, to provide relief at the rate of J&K State.

(ii) Apart from the Cash Relief, the Government has announced various Packages from time to time for the Kashmiri Migrants:

- Under Prime Minister's Package 2004, 5242 two room tenements have been constructed in Jammu at four locations [Purkhoo, Muthi, Nagrota and Jagti] and have been allotted to the migrants, who were living in various one room tenements, Govt. Buildings, Temples etc. in Jammu. Further, 200 flats have been constructed at Sheikhpura in Budgam district (Kashmir Valley).
- Under the Prime Minister Package announced in the year 2008, one family has returned to the Valley availing the benefit of ₹7.5 Lakh for construction of house. 1474 state government jobs have been provided to the migrant youths and 505 Transit accommodations have been constructed in the Kashmir Valley [Vessu (Kulgam) - 250, Khanpur (Baramulla) - 130, Hawal (Pulwama) - 65, Kupwara - 60] and allotted to newly appointed migrant employees.

(iii) It has been the Government's stated Policy to provide various rehabilitation facilities to the Kashmiri migrants and to create an environment conducive enough to make them return to the Valley. The Government have announced a Comprehensive Package amounting to Rs.1618.40 Crore in the year 2008 for return and Rehabilitation of Kashmiri Migrants, which provides for many comprehensive facilities for the migrants e.g. financial assistance for purchase/ construction of houses, repair/ renovation of damaged houses and dilapidated/ unused houses, construction of transit accommodation, Continuations of Cash relief to migrants, students scholarship, Employment, Assistance to the Agriculturists and the Horticulturist and Waiver of interest on unpaid loan etc. The review of such plans and packages is a continuous process and will continue to remain so in order to remove the bottlenecks and shortcomings, if any.

2.3 **Para No. (c&d):** Regarding details of orphans in J&K and governing council of NFCH, no information is available in this office and your application has already been transferred to the Government of J&K for providing you the relevant information. However, it is advised that as RTI Act, 2005 is not applicable to the

State of J&K, you may seek information from the Government of J&K directly under the Jammu & Kashmir RTI Act, 2009.

**2.4 Para No. (e):** As per the information available in this office, the Government of India has taken following confidence building measures for development/ prosperity in J&K:

- (i) Cross LoC Trade: Two Routes commenced w.e.f 21-10-2008 i.e. Srinagar-Muzaffarabad and Poonch-Rawalakote routes.
- (ii) Cross LoC Travel: To promote people to people contact, fortnightly bus service through both the travel routes was started:
  - Srinagar-Muzaffarabad (started w.e.f. 07-04-2005, converted to weekly service w.e.f. 11-09-2008)
  - Poonch-Rawalakote (started w.e.f. 20-06-2006, converted to weekly service w.e.f. 08-09-2008)
- (iii) Following unrest witnessed in Valley during 2010, an Expert group was constituted by the Prime Minister in 2010, under the Chairmanship of Dr C. Rangarajan to formulate a job plan for youth of J&K. Recommendations are as follows:
  - Special Industry Initiative (SII): Udaan - To enhance skill and employability of Graduates and three year Engineering Diploma holders.
  - Skill Empowerment & Employment Scheme (Himayat) – To provide options and opportunities to School/ college drop outs for salaried or self employment.
  - Special Scholarship Scheme (SSS) - To provide financial assistance to students having passed Class 12<sup>th</sup> or equivalent exams for studying in colleges and institutions outside J&K.

UDAAN is being implemented National Skill Development Corporation (NSDC) in PPP model in participation from the Corporate(s) of India and Ministry of Home Affairs. The Programme aims at providing the skill and enhance employability of 40,000 unemployed graduates of J&K over a period of five years.

For more details regarding Himayat you may seek details from Ministry of Rural Development [CPIO & Under Secretary(Skills), 5<sup>th</sup> Floor Samrat Hotel, Kautilya Marg, Chanakya Puri New Delhi - 110023] and for further details regarding SSS you may seek details from Ministry of HRD [CPIO & Under Secretary (ES/NS), West Block No.1, R. K. Puram, New Delhi-110066]

- (iv) It is further informed that keeping in view the objective to maintain peace and order and defuse the situation through confidence building measures, Government of India, based on the recommendations of all party delegation to J&K, among other initiatives, appointed a Group of Interlocutors on 13th October, 2010 to hold a sustained dialogue with all sections of the people in Jammu and Kashmir. The Group of Interlocutors includes Dr. Dileep Padgaonkar, Prof. M. M. Ansari and

Prof. Radha Kumar. The Interlocutors submitted their Report on 12<sup>th</sup> October, 2011. The views expressed in the 'Report' are the views of the Interlocutors. The 'Report' has been uploaded on the website of this Ministry [<http://www.mha.nic.in>] for the benefit of the public at large. A copy of the Report has also been forwarded to the Government of J&K for comments. The Government of J&K is yet to offer their inputs/ comments on the 'Report'.

**2.5 Para No. (f):** Regarding application of Integrated Child Protection Scheme of the Government of India in the State of J&K, it is informed for applying any law/ scheme in the State of J&K, a constitutional order is needed to be issued in accordance to the provisions of Article 370 of the Constitution of India. For more details in this respect as to why this scheme could not be applied to the State of J&K, you may seek information from the administrative Ministry of the ICPS i.e. Ministry of Women & Child Development [CPIO & Director, Shashtri Bhawan, New Delhi]

**2.6 Para No. (g&h):** Regarding details in respect of constitution of State Commission for Child Rights Protection in J&K and selection/ nomination of persons in State Social Welfare Board/ Kissan Welfare Board, Panchayati Raj Institutions/ Schedule Caste Board/ State Human Rights Commission etc, no information is available in this office and your application has already been transferred to the Government of J&K for providing you the relevant information. However, it is advised that as RTI Act, 2005 is not applicable to the State of J&K, you may seek information from the Government of J&K directly under the Jammu & Kashmir RTI Act, 2009.

3. I hope the above information would help you in clearing the position in matter. The Appellate Authority in this case is Shri R.K. Srivastava, Joint Secretary (Kashmir), MHA Room No.127-A, North Block, New Delhi.

  
(S. C. Karol)  
CPIO & Director (K-III)  
Tel: 011-23093301

**Copy to:**

1. Shri Vijai Sharma, Information Commissioner, Club Building Near Post Office, Old JNU Campus, New Delhi w.r.t. the hearing held relating to the matter on 09-07-2014 at 12:15 PM [Ref. No. of PIO reply A-43020/01/2012-RTI; notice issued by CIC vide no. CIC/SS/C/2013/000204/VS dated 23-06-2014].
- ✓ 2. Section Officer (IT Cell), MHA enclosing the RTI application for uploading the reply along with the application on MHA's website in view of the DoPT's guidelines and MHA OM No. A42012/09/2014-AD.II dated 21-05-2014.

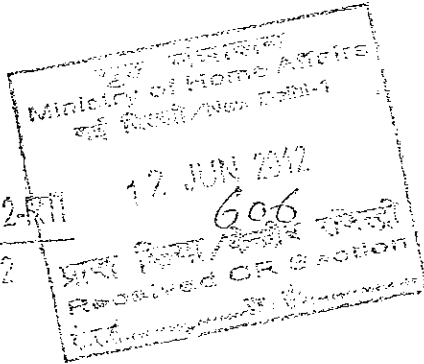
To PO Box 70 Srinagar 190001

# BARRISTERS ASSOCIATION

CHADOORA, KASHMIR.

Ref. No. 18/BAC/RTI/HM/12 (Regd.)

Dated 02-6-12



The central public information officer Ministry of Home Affairs Govt of India North Block, New Delhi.

Dy. No. 2749/2012-RTI  
1316/12012

Dtd-02-6-12

Sub- Application under RTI Act seeking information:

Sir,  
with reference to above captioned subject the RTI application is submitted with details as under:  
① Name- Ab. Rashid Hanjura (Advocate)  
President B.A.R. ASSOCIATION Chadoora Kashmir.

Address- Op PO Box No 70 GPO Srinagar 190001.

② Fee- Rs 10/- requisite fee in the shape of postal order No 05F-472432

Dtd: 2-06-12.

③- Department - Ministry of Home Affairs Govt. of India.

④- The information required:

(a): Due to conflict in Kashmir many people disappeared and till

DS(K)

*[Handwritten signature]*

# AR ASSOCIATION

CHADOORA, KASHMIR.

Ref. No. \_\_\_\_\_

Dated \_\_\_\_\_

date no whereabouts are known to their families, there are different statements pertaining to the number of disappeared person. What is the official position, how many persons have disappeared during past 22 years as per records maintained with the Govt.

(b) What is the rehabilitation policy of Govt. of India pertaining to the children and half widows of these disappeared persons, are they entitled to any relief or financial assistance.

(c) What as per recent survey of Save the Children in Kashmir there are two lacs and fourteen thousand orphans in total and out of these how many orphans belong to militant families. What kind of relief is available to these orphans including of milts and from State Govt. and from Govt. of India Give details?

(d) Why not the people from volunteer any sector are involved from Kashmir in National Foundation for communal harmony, although some time before the name of the applying council of N.F.C.H. but without

# AR ASSOCIATION

CHADOORA, KASHMIR.

Ref. No. \_\_\_\_\_

- 3 -

Dated \_\_\_\_\_

any response and action till date  
Give the reasons?

(E) What are the measures the Govt. of India is taking for transformation of conflict into peace and prosperity in J and K State and why the people from voluntary sector are not involved in training programme of Ministry within country and outside country in order to be professional trained activist and social reformers.

(F) Why the scheme of ICP (Integrated Child Protection) of Govt. of India is not implemented in State of J and K with the result the children are not getting benefits. JJ Act is not also implemented.

(G) Why State Commission for Child Rights Protection is not constituted in J and K State when National Commission of India has no Jurisdiction over the State: Give reasons.

(H) Why the people having integrity and experience viz a viz knowledge from voluntary sector and civil society are not nominated or selected to different institutions such as Legislative Council, Rajya Sabha, Panchayat Raj institution, NERGA, State Social Welfare Board, Khadi and Village Industries Board, Kissan Welfare Board,

*Amir*

# HUMAN RIGHTS ASSOCIATION

CHADOORA, KASHMIR.

Ref. No. \_\_\_\_\_

- 4 -

Dated \_\_\_\_\_

Scheduled caste board, State Human Rights Commission, State central Haj committees, Telephone Advisory Door Darshan Advisory, State Rehabilitation Council, State Wild Life Board etc.

It is stated here that under state Human Rights Commission & protection Act the persons having good experience and knowledge in Human Rights can be appointed as members of Commission but the state govt has appointed till date from the year 1999 only one lawyer as member ~~and~~ he belongs to ruling National conference, no one from civil society having good experience of Human Rights has ~~not~~ been appointed as member. So far what are the reasons? Why the people having political background are appointed as chairpersons and members in contravention of rules and regulations. one example is that one lady smt. Khem Lata Wakhloo got appointed chairperson of state social welfare Board J and K in contravention of rules when she is the vice president of Congress and not a social worker. Give reason. Hope very soon information will be provided to the applicants.

Handwritten notes on the left margin, including the word "Reasons" and several illegible scribbles.