

**Government of Jammu and Kashmir,
Home Department,
Civil Secretariat, Jammu/ Srinagar**

Subject: Claim petition titled Shabir Ahmad Suhaf vs State and ors-
sanction for drawal of award amount

Reference: (i) Legal/07/Claim/S/2011/40/69-74 dated 05.06.2018.
(ii) Legal/CP-07/S/2011/66144 dated 17.11.2021

**GOVERNMENT ORDER NO.: HOME-36 of 2022
Dated : 10.02.2022**

Whereas, on 05.03.2021, a vehicle (TATA 407) bearing registration No. JK05B/7772 belonging to the Police department, upon reaching near Kanaspura, Baramulla collided with an Alto car bearing Registration No. JK05/5787 coming from opposite side, which was driven by respondent No. 03, which resulted in fatal injuries to Shri Ghulam Mohammad Rather, who was travelling in the said car, who succumbed to his injuries on 10.03.2011. On this a case FIR No. 43/2011 u/s 279, 337, 304-A RPC was registered; and

2. Whereas, the legal heirs of the deceased filed a claim petition titled Qaiser Ahmad and others filed before the Ld. MACT Srinagar praying therein for a compensation to the tune of Rs. 32.00 lakhs, on account of the death of Shri Ghulam Mohammad Rather. The claim petition was contested by the official respondents by way of filing of objections by the PHQ; and

3. Whereas, the Ld. MACT, Srinagar awarded an amount of Rs. 25,000/- as an interim compensation in favour of the petitioners, which on the request of PHQ was sanctioned, vide Government order No. 85-Home of 2013 dated 26.02.2013; and

4. Whereas, the Ld. MACT Srinagar on consideration of the evidence and after hearing the parties vide its judgement/award dated 30.12.2017 decided the said Claim Petition in favour of the petitioners and awarded compensation to the tune of Rs. 27,03,790/-including interim compensation, if already granted, alongwith simple interest @ 6% p.a from the date of presentation of claim petition till its final realization. In terms of the judgement ibid, the official respondents (respondents 2 and 5) were directed to settle half of the award amount and the other half to be settled by the respondent No-4, and

5. Whereas, upon consultation with the Department of Law, Justice & PA, the judgement/award dated 30.12.2017 was assailed in an appeal before the Hon'ble High Court of J&K & Ladakh at Srinagar, which was dismissed by the Hon'ble Court vide its order dated 22.06.2021;

6. Whereas, after making further consultations with the Department of Law, Justice and PA and the PHQ, it has been decided to implement the judgment/award dated 30.12.2017 passed by the Ld. MACT, Srinagar.

7. Now, therefore, Sanction is hereby accorded to the release of an amount to the tune of Rs. 20,56,900/- (Rupees Twenty lac, fifty six thousand nine hundred only), in claim petition titled Qaiser Ahmad versus Showkat Ahmad Kash and others in favour of Director General of Police, J&K as 'Award Amount' under Major Head 2055-Police, Detailed Head '633' "Compensation" during financial year 2021-22 enabling him to deposit the amount before the Hon'ble MACT Srinagar.

8. The expenditure shall be booked after observing all the codal provisions and vouchsafing the availability of funds under the detailed Head- 633- Compensation below Major Head 2055-Police.

The expenditure shall be booked under following classification:-

Demand No..	02
Head of Department.	0201-Director General of Police
Major Head.	2055-Police
Sub-Major Head.	00-NA
Minor Head	001-Direction and Administration
Group Head	0099 General
Sub Head	0789-Director General of Police
Detailed Head	633-Compensation

By order of the Government of Jammu and Kashmir.

Sd/-

(Shaleen Kabra), IAS

Principal Secretary to the Government

No:- HOME-MACT/15/2021-10-HOME

Dated: 10.02.2022

Copy to the:-

1. Financial Commissioner(Additional Chief Secretary), Finance Department J&K.
2. Director General of Police, J&K, Srinagar.
3. Principal Accountant General , J&K, Srinagar.
5. Financial Advisor/CAO, PHQ for information and necessary action.
6. Treasury officer, Concerned Treasury.
7. Incharge website, Home department.
8. Government Orders file.(w.2.s.c.).


(Manav Gupta)
Financial Advisor/ CAO