

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

Subject: Claim petition Tanveer Ahmad Lone vs. State through
Chief Secretary.

Reference: Legal/CP-11/S/2012/40026-28 Dated 04.10.2023.

Government Order No: Home-524 of 2023
Dated: 02.11.2023

Whereas, on 26.09.2012, Police Post, Mirgund received an information through reliable sources that one Rakshak Vehicle belonging to the Police Department on escort duty with the Hon'ble Minister for Rural and Urban Development, driven by SPO Mehraj-ud-in of Police Station, Pattan, while reaching Mirgund Balham, Harhart suddenly skidded off the road and turned turtle in a Nalah resulting in grievous injury to one person namely, Shri Tanveer Ahmad Lone S/o Yousuf Lone R/o Singpora Pattan. Accordingly, a case FIR No. 224/337 RPC was registered in Police Station, Pattan and investigating was set into motion; and

2. Whereas, Shri Tanveer Ahmad Lone filed a claim petition before the Hon'ble MACT, Baramulla titled Tanveer Ahmad Lone vs. State and others, praying therein for compensation to the tune of Rs. 25 lacs, besides an interim compensation of Rs. 25000/- on the Principle of 'No Fault Liability'; and

3. Whereas, the MACT, Baramulla vide its order dated 06.08.2014 granted an interim compensation of Rs. 25000/- in favour of the claimant, which on the request of PHQ was sanctioned, vide Govt. order No. 1124 Home of 2017 dated 21.08.2017; and

4. Whereas, the Hon'ble MACT on consideration of the evidence and after hearing the parties, disposed of the said claim petition vide its award/judgment dated 29.02.2020 and awarded a compensation in favour

of the claimant to the tune of Rs.13,30,000/- including interim relief, along with interest; and

5. Whereas, the Police Headquarters while conveying that the award need not be assailed, requested for sanction to the drawal of award amount, as per the calculation sheet; and

6. Whereas, the Department of Law, Justice and PA vide U.O No. LAW/LIT5/315/2021-10 dated 13.10.2021 advised to implement the award/judgment 29.02.2020 and accordingly, vide G.O No. Home-312 of 2021 dated 10.12.2021, sanction was accorded to the drawal of an amount of Rs. 15,85,765/- (Rupees Fifteen lakh, eighty five thousand, seven hundred and sixty five) only, by the Director General of Police, J&K, Jammu in the instant matter; and

7. Whereas, subsequent to the above, the claimant filed an application before the Hon'ble MACT Baramulla claiming therein that the respondents were required to pay Rs. 17,48,4701/- upto 10.12.2021, however, the respondents have deposited Rs. 16,10,000/- (including interim relief of Rs. 25000/-) and accordingly prayed for release of balance amount to the tune of Rs. 1,38,470/-; and

8. Whereas, the matter was examined in consultation with the Police Headquarters, J&K and based on the calculations made by the Police Headquarters and the Home Department, it was found that an amount to the tune of Rs. 1,38,470/-, on account of interest w.e.f. 05.04.2020, to 24.11.2022, is to be sanctioned in favour of the claimant, as prayed for by him in the application *ibid*.

9. Now, therefore, sanction is hereby accorded to the drawl of an amount of Rs.1,38,470/- (One lakh, thirty eight thousand four hundred and seventy) only, in favour of the Director General of Police, J&K, Jammu in claim petition titled Tanveer Ahmad Lone vs. State through Chief Secretary as 'Award Amount' under Major Head 2055-Police, Non-Plan (Normal), Detailed Head "633-Compensation", for the current financial year 2023-24 enabling him to deposit the amount before the Hon'ble Tribunal(MACT) Baramulla.

10. 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

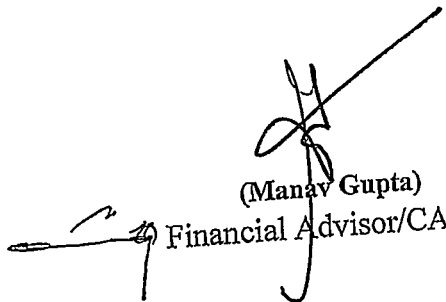
By order of the Government of Jammu and Kashmir.

Sd/-
(R.K Goyal), IAS
Additional Chief Secretary
Home Department
Dated 02.11.2023

No:- HOME-MACT/04/2021-01-HOME

Copy to the:-

1. Director General of Police, J&K.
2. Principal Accountant General , J&K.
3. Principal Secretary to the Govt. Finance Department, J&K.
4. Mr. Mohsin S. Qadri Sr. AAG, High Court at Srinagar.
5. Financial Advisor/CAO, PHQ for information and necessary action.
6. Treasury officer, Civil Secretariat Treasury.
7. Government Orders file.(w.2.s.c.).
8. Stock file.
9. I/c Website, Home department.


(Manav Gupta)
Financial Advisor/CAO,