



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
POLITICAL (A) DEPARTMENT :: DISPUR

NOTIFICATION

The 18th December, 2020

No.HMA.19032 (11)/62/2020/ Pol-A/46 (eCF-150723).- Hon'ble Gauhati High Court in WP (C)7570/2013 (Lower Assam Inter District Stage Carriage Bus Owners Association Vs The State of Assam & Ors) has inter alia passed the following order in Para 35 (9) of the order dated 19-03-2019 which is reproduced below :

"Government of Assam in Home & Political Department shall make an assessment of loss caused to the State on account of bandh or blockade, be it state wise or district wise or locality wise, which shall be recoverable from the organizers and main office bearers of such band or blockade as arrears of land revenue".

In compliance of the above, the Governor of Assam is pleased to constitute a State Level Assessment & Realization Committee and District Level Assessment & Realization Committees as follows:

State Level Assessment and Realization Committee.

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|---|---|--------------------|
| 1 | Secretary, Home & Political Department | : Chairman |
| 2 | Director General of Police, Assam or his representative | : Member |
| 3 | Secretary, Transformation & Development Department | : Member |
| 4 | Deputy Secretary, Home & Political Department
{Political (A) Department} | : Member Secretary |

The Chairman may co-opt any Head of Department as member as and when required.

Functions of the State Level Committee :

- 1) To aggregate the losses after considering the reports of the districts level committees on each bandh/blockade separately.
- 2) To monitor the progress of realisation of losses from the callers/organisers of bandh/blockade.
- 3) To give clarifications on issues raised by district level committee.

District Level Assessment and Realization Committee.

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|---|---|--------------------|
| 1 | Deputy Commissioner | : Chairman |
| 2 | Superintendent of Police | Member |
| 3 | Addl. Deputy Commissioner
(Who look after Revenue matter etc.) | : Member Secretary |
| 4 | Senior Most Officer under Directorate of Economics & Statistics heading the District. | : Member |

The Chairman may co-opt any Head of Department as member as and when required.

Functions of the District Level Committee :

1. To assess the loss due to damage caused to public, private and government properties due to bandh or blockade.
2. The committee shall submit their report to the state level assessment and realization committee and the DC concerned.

SOP for guidance of the state and district level committees is attached herewith which is indicative but not exhaustive. A reference can be made to the state level committee for clarification, if felt but necessary, by the district level committee.

SOP for assessment of loss due to bandh/blockade

**(With reference to No. HMA.19032 (11)/62/2020/Pol-A/46 (eCF-150723) Dated
Dispur the 18th December, 2020)**

- 1) Commissioner of Police in respect of Guwahati City or Superintendent of Police in respect of other districts will furnish detailed reports whenever any bandh is called for /enforced in the district along with copy of FIR and detailed address of caller/enforcer to the DC as Chairman of the District level Assessment Committee in addition to the report to the Government in Home & Political Department.
- 2) As soon as the report is received, the district level committee shall scrutinize the report and assess the loss caused due to bandh within the territorial jurisdiction of the district.

The assessment of loss of life and injury caused to the individual will be assessed using the scale prescribed under Assam Victim Compensation Scheme, 2012.

Loss/damages either to the private or public property including Government property will be ascertained on market value.

- 3) After assessment, the district level committee will prepare a memorandum about loss and damage which shall be submitted to the state government within a period of 15 (fifteen) days from the date of bandh/blocked.

After receiving such memorandum from the district level committee with respect to district bandh/local area bandh/blocked etc., the state level committee will segregate all such memorandum district wise and item wise. If state wise bandh/blocked is called, then the loss & damage memorandum received from all districts concerned shall be aggregated.

After receiving report from the district level committee, the Deputy Commissioner concerned will serve notice upon the organiser, main office bearers for realization of the amount of loss and damage of life and property

caused due to the bandh/blocked called/executed with direction to deposit the amount within a period of 7 (seven) days. After realisation of the amount, the committee will deposit the amount in the appropriate head of account through treasury challan within stipulated time.

If any organisers/main office bearers fail to deposit the amount within the specific period then bakijai proceedings shall be initiated for realisation of the loss/damage as arrears of land revenue.

G. D. TRIPATHI,

Commissioner & Secretary to the Government of Assam,
Home and Political Department.