



CHARGE SHEET
(Under Section 173 Cr. PC)
IN THE COURT OF NIA SPECIAL JUDGE, GUWAHATI

| | | |
|----------|--|--|
| 1 | Name of the Branch | NIA Branch Office, Guwahati, Assam |
| | FIR No. year and date | NIA case no. RC-04/2013/NIA-GUW Dated 05/06/2013 |
| 2 | Final Report / Charge Sheet No. | 03/2017 |
| 3 | Date | 15.07.2017 |
| 4 | Sections of Law (in FIR) | Sections 120B, 121, 121A, 384, 364A IPC, 25(1)(C) and 17, 18, 18A, 18B, 20, 39, 40 UA(P) Act |
| 5 | Type of Final Report | Chargesheet |
| 6 | If Final Report Un-occurred/ false/ Mistake of fact or law/Civil Nature/ Non-Cognizable | Not Applicable |
| 7 | If Charge-sheeted: Original / Supplementary | Original Charge sheet itself |
| 8 | Name of Investigating Officer | a) Sh. xxxxxxxxxx, Addl. SP, NIA, Guwahati (w.e.f. 30.12.2013 to 30.09.2016) b) Sh. xxxxxxxxxx, Addl. SP, NIA, Guwahati (w.e.f. 30.09.2016 till date) |
| 9 | Name of the Complainant/ Informant | xxxxxxxxxxxx, IPS, SP, NIA, Guwahati. |

| | | |
|-----------|---|-------------------|
| 10 | Details of Properties /Articles/ Documents seized during the investigation & relied upon | As per xxxxxxxxxx |
|-----------|---|-------------------|

11. Particulars of accused person charge sheeted:

A-1

| | |
|---------------------------------|--|
| Name | (A-1) Paresh Baruah @ Paresh Asom @ Kamruj Zaman Khan @ Nur-uz-Zaman @ Zaman Bhai @ Pradip @ Paban Baruah |
| Whether verified | Yes |
| Father's Name | Late Dwijen Baruah |
| Year/Date of Birth | 01/05/1957 |
| Sex | Male |
| Nationality | Indian |
| Passport No. | NA |
| Place of issue | NA |
| Date of issue | NA |
| Religion | Hindu |
| Occupation | SS Commander-in-Chief of ULFA(I) |
| Address (Present/ Permanent) | Village- Jeraichakoli Bhaira, Police Station - Chabua, District - Dibrugarh, State- Assam |
| Whether verified | Yes |
| Provisional Criminal No. | NA |
| Regular Criminal No. (if known) | NA |

| | |
|--|---|
| Date of Arrest | Not arrested |
| Date of release on bail | NA |
| Under Acts & Sections (of charge sheet) | u/s 121A, 124A, 120B, 385 of IPC and Sections 17,18,18A, 18B & 20 of UA (P) Act |
| Name(s) of bailer / sureties and address | NA |
| Previous convictions with case reference | NA |
| Status of the accused | Absconding |

A-2

| | |
|------------------------------|---|
| Name | (A-2) Dr. Mukul Hazarika @ Abhijit Asom @ Abhijit Barman @ Abhizeet Asom |
| Whether verified | Yes |
| Father's Name | (Late) Kameswar Hazarika |
| Year/Date of Birth | 67 years |
| Sex | Male |
| Nationality | Indian |
| Passport No. | NA |
| Place of issue | NA |
| Date of issue | NA |
| Religion | Hindu |
| Occupation | SS Chairman of ULFA(I) |
| Address (Present/ Permanent) | Kakharigaon village (Puranigudam), PS-Samaguri, District-Nagaon, Assam |
| Whether verified | Yes |


| | |
|--|--|
| Provisional Criminal No. | NA |
| Regular Criminal No. (if known) | NA |
| Date of Arrest | Not arrested |
| Date of release on bail | NA |
| Under Acts & Sections (of charge sheet) | U/S 121A, 124A of IPC and Sections 18,18A,18B & 20 of UA (P) Act |
| Name(s) of bailer / sureties and address | NA |
| Previous convictions with case reference | NA |
| Status of the accused | Absconding |





A-3

| | |
|--------------------|---|
| Name | (A-3) Gagan Hazarika @ Joydeep Cheleng |
| Whether verified | Yes |
| Father's Name | Shri Hema Hazarika |
| Year/Date of Birth | 15/04/1985 |
| Sex | Male |
| Nationality | Indian |
| Passport No. | NA |
| Place of issue | NA |
| Date of issue | NA |
| Religion | Hindu |
| Occupation | Member of ULFA(I) |

| | |
|--|--|
| Address (Present/ Permanent) | Village- Purani Jaboka, Police Station- Sonari, District- Charaideo (Sivasagar), Assam |
| Whether verified | Yes |
| Provisional Criminal No. | NA |
| Regular Criminal No. (if known) | NA |
| Date of Arrest | 18.01.2017 |
| Date of release on bail | Presently under judicial custody at Central Jail, Guwahati, Assam |
| Under Acts & Sections (of charge sheet) | Section 20 of UA (P) Act |
| Name(s) of bailer / sureties and address | NA |
| Previous convictions with case reference | NA |
| Status of the accused | Presently under judicial custody at Central Jail, Guwahati, Assam |

12. Particulars of accused persons not charge sheeted:

| Sl | Photo | Name and particulars | Role in Crime | Status |
|-----|---|--|-----------------------|------------|
| A-4 |  | Arunodai Dahotia @Bijit Gogoi @ Ramya Mech @ Bijit Baruahh, S/o Prabheswar Baruahh, R/o. Vilage- Gohain Gaon PS- Chabua, dist- Dibrugarh, Assam. | SS Captain of ULFA(I) | Absconding |

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|-----|---|--|----------------------------|------------|
| | | | | |
| A-5 |  | Jibon Maran @ Purna Kanta Dangoria @ Gunnat Dangaria, S/o Lt. Jatindra Dangari, R/o. Village- Uban Gaon PS- Kakapathar, district- Tinsukia, Assam. | SS Brigadier of ULFA(I) | Absconding |
| A-6 |  | Ganesh Lahan @ Purna Lahan, S/o Lt. Sunu Lahan, R/o Village- Bahbaripathar Gaon PS- Sonari, District- Sivsagar, Assam. | SS Maj. of ULFA(I) | Absconding |
| A-7 |  | Dristi Rajkhowa @ Manoj Rabha, S/o Lt. Dhaneswar Rabha, R/o. Village- Belpara, PS-Rangjuli, district- Gaolpara, Assam. | SS Lt. Col of ULFA(I) | Absconding |
| A-8 |  | Tibrajit Baruahh @ Dibyajit Baruahh @ Dighola @ Bhulung @ Tikheswar Baruahh, S/o Loknath Baruahh, R/o Village- No.1 Hawfawgaon, PS- Sonari, District- | SS 2nd Lt. of ULFA(I) | Absconding |

| | | | | |
|------|--|--|---------------------------------|------------|
| | | Sivsagar, Assam. | | |
| A-9 | | Dr. Pranmay Asom @ Dr. Semsong R/o. Assam. | SS Foreign Secretary of ULFA | Absconding |
| A-10 | | Naren Kalita @ Nayan Medhi, S/o Mukundra Kalita R/o. Village- Dumuria, PS- Patacharkuchi, District- Barpeta, Assam. | SS Major of ULFA(I) | Absconding |

13. (i) **Particulars of witnesses examined:** As per the list enclosed as Annexure- A

(ii) **List of Documents** : As per the list enclosed as Annexure- B

(iii) **List of Material Objects** : As per the list enclosed as Annexure -C

14. **If FIR is false, action taken** : Not applicable.

15. **The result of laboratory analysis** : As mentioned in respective Para.

16. **Brief facts of the case:**

16.1. The instant case is not an incident based, but a Suo Motu case registered at NIA Guwahati Branch on the basis of the information gathered by NIA Guwahati Branch office and in compliance with the subsequent order of Ministry of Home Affairs, Government of India vide order F. No. 11011/18/2013-IS.IV dated 05.12.2013. The investigation of the case was originally entrusted to Sh. xxxxxxxxxxxxxxxx, Addl. SP, NIA Guwahati and further to xxxxxxxxxxxxxxxx, Addl. SP NIA, Branch Office Guwahati.

16.2. The instant case pertains to the allegation made against accused Paresh Baruah (A-1), the SS Commander-in-Chief of ULFA(I) and his cadres for their illegal and antinational activities. These activities include organizing terrorist camps, recruiting new cadres and resorting to extortion and kidnapping to raise

funds to wage war against the government of India.

17. Facts Disclosed During Investigation:

17.1. The instant case was registered against the members of proscribed terrorist outfit ULFA, headed by accused Paresh Baruah(A-1), who are involved in recruiting new cadres, organizing terrorist camps and resorting to extortion and kidnapping to raise funds for launching attacks on Indian Security Forces thereby intending to wage war against the Government of India.

17.2. The **UNITED LIBERATION FRONT OF ASSAM, hereinafter referred as ULFA**, is declared as a terrorist organization as per the schedule of Unlawful Activities (Prevention) Act 1967, as amended by Act 35 of 2008, and the same is mentioned at Serial No. 11 in the schedule of the aforementioned Act.

17.3. Collection of the details of all the cases registered against ULFA and its cadres in Assam: During investigation, most of the FIRs registered against ULFA (I) inside the whole state of Assam during the year 2008 to 2017 have been collected in connection with the instant case. Scrutiny of these FIRs has revealed the following categories of cases against ULFA (I) and its cadres:

- i. (a) The act of Extortion from the Government Departments as well as private individuals.
- ii. (b) Waging war against the government of India
- iii. (c) Conspiracy to wage war against the government of India.
- iv. (d) Commission of terrorist attacks and other unlawful activities

17.4. Investigation of the ideology and activities of ULFA: Investigation done so far had established that United Liberation Front of Assam (**ULFA**) is an armed separatist outfit which seeks to obtain a sovereign Assam through armed struggle. The government of India banned the organisation in 1990 citing it as a terrorist organisation.

As per the available records, ULFA was founded on 7 April 1979 at

Rang Ghar, Sivasagar district, Assam and began its operations in 1990. It established its ties with National Socialist Council of Nagaland in 1983 and with Burma based Kachin Independence Army (KIA) in 1987. Investigation on the basis of the oral testimonies of xxxxxxxxxxxxxxxxxxxxxxxx has revealed that the original name of ULFA was changed to ULFA(Independent), through a meeting called by accused Paresh Baruah (A-1), at Taka, Myanmar, consequent upon the arrest of Arabinda Rajkhowa. Besides, Abhijit Asom was appointed as the SS Chairman of ULFA (I) through that same meeting, and all the cadres were asked to write "**Asom**" after their names.

Major Activities:

The investigation, on the basis of the available records in social media and Internet, has revealed the following major activities of ULFA till today:

- a. Some of the major assassinations by ULFA include that of Surendra Paul in May 1990, the brother of businessman Lord Swraj Paul, that precipitated a situation leading to the sacking of the Government of Assam under Prafulla Kumar Mahanta and the beginning of Operation Bajrang.
- b. On the ULFA's Army Day on 16 March 2003, an IED exploded under a bus on National Highway No. 7 killed six civilians and wounded approximately 55 others.^[13]
- c. In 1991 a Russian engineer and national of the Soviet Union was kidnapped along with others and killed. In 1997, Sanjay Ghose, a social activist and a relative of a high-ranking Indian diplomat, was kidnapped and killed. The highest government officer assassinated by the group was local Asom Gana Parishad minister Nagen Sharma in 2000. An unsuccessful assassination attempt was made on AGP Chief Minister Prafulla Kumar Mahanta in 1997. A mass grave, discovered at a destroyed ULFA camp in Lakhpathar forest, showed evidence of executions committed by ULFA.
- d. In 2003, the ULFA was accused of killing labourers from Bihar in response to an alleged molestation of a Mizo girl in a train passing through Bihar. This incident sparked off anti-Bihari

sentiment in Assam and ULFA saw it as an opportunity to regain its lost ground. The ULFA killed civilians of Bihari origin who had been in Assam for generations and had been assimilated into the greater Assamese society.

- e. In 2003, during a Railways Recruitment Board Examination for Group (D) posts conducted by Northeast Frontier Railway zone a wing of Indian Railways, a good number of candidates from Bihar and other states were beaten up and stopped from taking exam by some elements who were seeking 100 percent reservation for the Assamese non-employed long ahead of the date of the said test.
- f. During that period ULFA was already losing its popularity and ground across many pockets in Assam where it had strongholds. However, ULFA took this situation as an opportunity to fan an opposition against 'India' among people in Assam. They started killing innocent Hindi-speaking people mostly having an origin in Bihar just to show it's presence in the State.
- g. On 15 August 2004, an explosion occurred in Dhemaji District of Assam in which 13 people died, mainly women and school children. This explosion was carried out by ULFA. The ULFA has obliquely accepted responsibility for the blast. This appears to be the first instance of ULFA admitting to public killings with an incendiary device.
- h. In January 2007, the ULFA once again struck in Assam killing approximately 62 Hindi-speaking migrant workers mostly from Bihar. ULFA notoriety as a directionless and unpopular organisation increased, as the bomb blast victims also included several ethnic Assamese people.
- i. The Central Government responded with toughness, forcing a dreaded group of ULFA - 28 Battalion to unilaterally bow down and seek asylum from the government. This particular one-sided ceasefire broke the backbone of ULFA.



- j. On 15 March 2007, ULFA triggered a blast in Guwahati, injuring six persons as it celebrated its 'army day.'
- k. The ULFA has claimed responsibility for bombings of economic targets like crude oil pipelines, freight trains, and government buildings, including the 7 August 2005 attack on oil pipelines in Assam. ULFA carried out a bombing and destruction of a five million-liter petrol reservoir at Digboi refinery in Tinsukia, with an estimated property loss of Rs 200million. On the same day, they also damaged a gas pipeline in the oil district of Tinsukia.

Recruitment:

In the initial years of the ULFA movement (when it used to enjoy widespread public support in both urban and rural areas of Assam), cadres were recruited from rural areas as well as from many towns in Upper and Middle Assam districts. One of the most popular ULFA leaders of all time, the late Heerak Jyoti Mahanta hailed from a place which is just a few kilometers from the state capital Guwahati. However, with the Assamese urban middle class becoming increasingly skeptical of ULFA's method of functioning, the ULFA targeted the remote villages and the tribal areas for recruitment. According to intelligence sources, the accused Paresh Baruah (A-1), faction of the ULFA, which has been continuously raising its voice against the ongoing peace process being initiated by the Arabinda Rajkhowa faction, is engaged in a massive recruitment drive in the rural areas of Dibrugarh, Tinsukia, Sivasagar, Lakhimpur and Nalbari districts of Assam.

Political activities:

After 1985 and before it was banned in 1990, ULFA was credited in the media with many public activities. It has continued a public discourse of sorts through the local media (newspapers), occasionally publishing its position on political issues centered around the nationality question. It has participated in public debates with public figures from Assam. During the last two local elections, the ULFA had called for boycotts. Media reports suggest that it used its forces to intimidate activists and supporters of the then-ruling

parties (Congress and AGP respectively).

Extortion:

The ULFA has to its discredit, some bank robberies during its initial stages. Now it is widely reported to extort businessmen, bureaucrats, and politicians for collecting funds and for using the same for procuring arms, ammunition and for organizing terrorist camps.

Other activities:

The ULFA is reported to maintain some camps in Bangladesh, where members are trained and sheltered away from Indian security forces. In April 2004, police and Coast Guard intercepted unloading at Chittagong of a massive amount of illegal arms and ammunition, being loaded into ten trucks and believed intended for ULFA. A total of 50 persons have been charged with arms smuggling and other related offences. These include former high-level Bangladesh political appointees, including Bangladesh National Party ministers and National Security Intelligence military officers, as well as prominent businessmen, and accused Paresh Baruah (A-1), military wing chief of ULFA, then living in Dhaka. He fled the country. Trials were still underway in Chittagong in 2012 under tight security.

Until recently, they had maintained camps in Bhutan, which were destroyed by the Royal Bhutan Army aided by the Special Frontier Force in December 2003. These camps housed combatants and non-combatant families of ULFA members.

The ULFA maintains close relationships with other separatist organisations like NDFB, KLO, and NSCN (Khaplang).

Surrenders:

Beginning in 1990, the Government of India has attempted to wean away members of the ULFA. This occurred due to the death of the ULFA's Deputy Commander in Chief Heerak Jyoti Mahanta on 31 December 1991. He had opposed surrenders, but they began after his death. The group has been meeting more local opposition as residents are tired of the violence and disruption, and some energy has gone out of the movement.

In 1992 a large section of second-rung leaders and members surrendered to government authorities. These former members were allowed to retain their weapons to defend against their former colleagues; they were offered bank loans without any liabilities to help them re-integrate into society. This loose group, now called SULFA, has become an important element in the armed politics and business of Assam.

The total number of ULFA cadres to have laid down arms has gone up to 8,718. 4,993 cadres surrendered between 1991 and 1998. 3,435 surrendered between 1998 and 2005 when a new policy to deal with the ULFA was unveiled. On 24 January 2012, one of northeast India's biggest surrender ceremonies took place in Assam's main city of Guwahati when a total of 676 militants laid down their weapons. The Home Minister gave them roses.

Negotiation/Peace talks:

The ULFA has put forward a set of three preconditions for talks and negotiations with the Indian government. The government has rejected these preconditions. The preconditions are:

- a. The talks should be held in a third country.
- b. The talks should be held under United Nations supervision.
- c. The agenda of the talks should include the sovereignty of Assam.

In 2004, the ULFA dropped the first two preconditions and offered to talk with the government. The Government of India was not ready to negotiate on the issue of sovereignty. Still, some progress was made when the ULFA formed a "People's Consultative Group" in September 2005 to prepare the grounds for an eventual negotiation between the government and ULFA, which the government has welcomed. In a sustained operation launched by Indian Army inside a National Park in Dibru Saikhowa, ULFA lost its hides and camps, important leaders and cadres. The group came to the negotiating table in 2005. According to the India Times, talks were first held in December

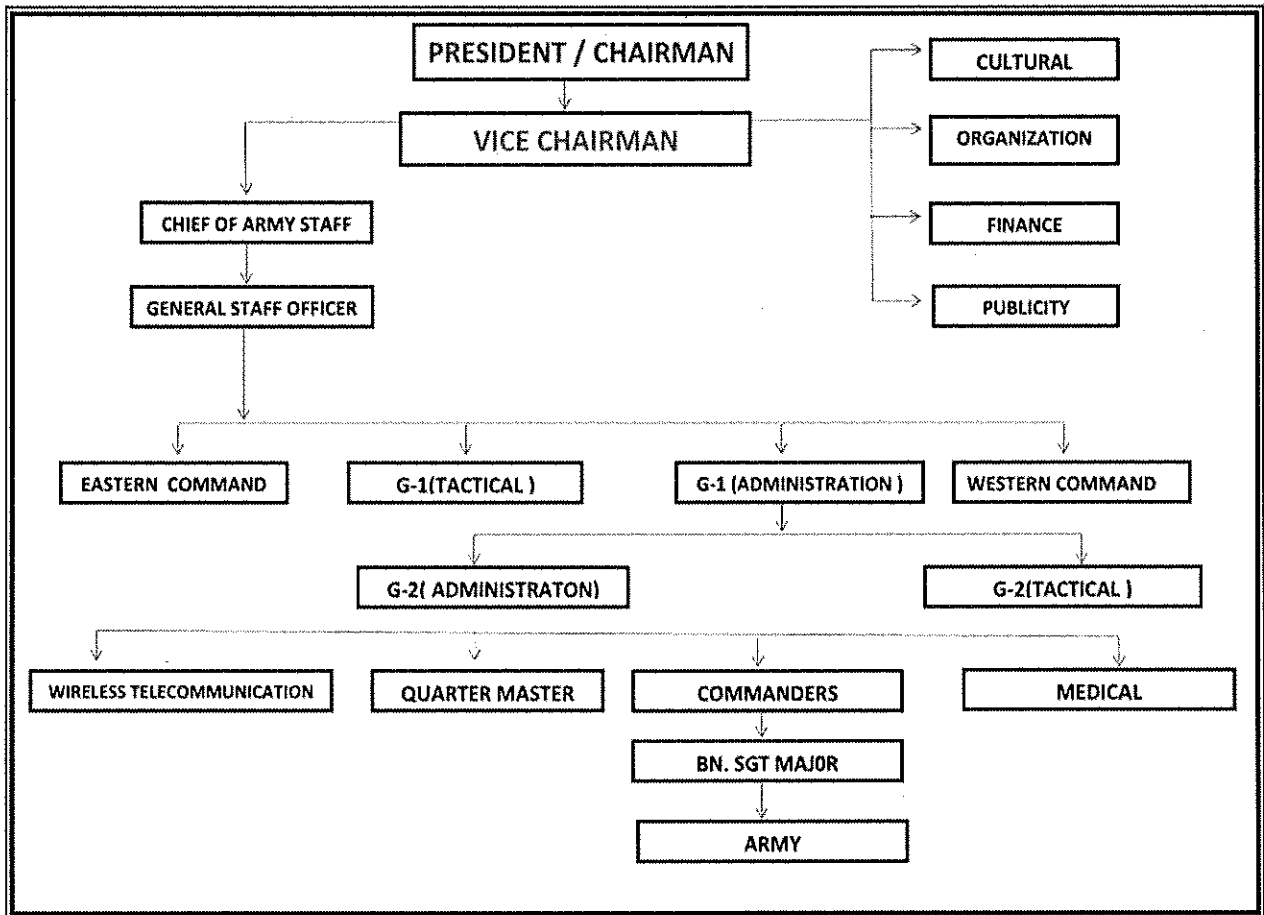
2005 at the residence of the Prime Minister, Shri Manmohan Singh. There were three rounds of peace talks with the 11-member People's Consultative Group (PCG), headed by noted Assamese writer Indira Goswami, leading to a temporary truce in August 2006. However, the truce broke down by 23 September of the same year as ULFA continued with its violent activities against civil population mainly tea estates and oil pipelines. It also violated ceasefire as it lobbed grenades on Army columns during the ceasefire period.

At present, there are two categories of ULFA as given below-

- a. Surrendered ULFA or SULFA or ULFA(Pro Talk) which consists of cadres of ULFA who have surrendered to the Government of India and presently under peace talks with the Government of India.
- b. ULFA(Independent)/ULFA(I) consists of cadres who have not surrendered to the Government of India and still members of ULFA under Dr. Mukul Hazarika @ Abhijit Asom @ Abhizeet Asom @ Abhijit Barman, the present SS Chairman of ULFA(I) and accused Paresh Baruah @ Paresh Asom (A-1), the SS Commander-in-Chief of ULFA(I). The instant case is against ULFA(I).

17.5. Investigation of the top leaders of ULFA(I) and their cadres:

Investigation done till now has established that ULFA(I) consists of well-established offices and branches of different quarters on different subjects and different matters with duly appointed office holders of these different offices and branches. It is headed by one SS Chairman and Dr. Mukul Hazarika @ Abhijit Asom @ Abhizeet Asom @ Abhijit Barman is presently the SS Chairman of ULFA(I). Under the SS Chairman of ULFA(I) there is one SS Commander-in-Chief as immediate subordinate and accused Paresh Baruah @ Paresh Asom (A-1) is presently the SS Commander-in-Chief of ULFA(I). The organizational structure of the different offices and departments of ULFA at present may be described in the following table:



In addition, a military wing of the ULFA, the Sanjukta Mukti Fouj (SMF) was formed on 16 March 1996. SMF has three full-fledged battalions: the 7th, 8th and the 709th. The remaining battalions exist only on paper at best they have strengths of a company or so. Their allocated spheres of operation are as follows:

- a. 7th Bn (HQ-Sukhini) is responsible for defence of General Headquarters (GHQ).
- b. 8th Bn - Nagaon, Morigaon, Karbi Anglong 9th Bn Golaghat, Jorhat, Sivasagar
- c. 11th Bn Kamrup, Nalbari
- d. 27th Bn Barpeta, Bongaigaon, Kokrajar
- e. 28th Bn Tinsukia, Dibrugarh
- f. 709th Bn Kalikhola

Besides, the investigation has also established the details of the present office holders of different offices and departments of ULFA(I) as given below:

| | | |
|---|--|--|
| 1 | Chairman | Dr. Abhijit Barman @ Dr. Mukul Hazarika @ Abhizeet Asom @ Abhijit Asom Vill. Puranigudam, PS-Samaguri Dist-Nagaon Now resident of UK |
| 2 | Commander-in-Chief | Maj. General Paresh Baruah @ Paban Baruah @ Devid @ Nur-uz-zaman@Paresh Asom S/O Late Digen Baruah Village-Jeraichakalibharia PS-Chabua, Dist-Dibrugarh |
| 3 | Reportedly joined ULFA and now I/C General Secretary | Bhaskar Borah @ Rantu Gogoi @ Adum @ Arup Chungzn @ Sanjib Baruahh @ Thaomung S/O Gopen Borah Vill-Tangana Bazar PS-Kakopathar, Dist - Tinsukia |
| 4 | Asst. General Secretary cum Finance Secretary | Brig. Jiban Moran @ Gunnat Dangoria Vill-Ubangaon PS-Kakopathar Dist-Tinsukia |
| 5 | Commander of Eastern Command cum Deputy C/S | Lt. Col. Dristi Rajkhowa @ Manoj Rava @ Garo Mama S/O Dhaneshwar Rava Vill-Belpara PS-Rongjuli Dist-Goalpara |
| 6 | Asstt. Finance Secy. Cum | Lt. Col. Michael Dekaphukan @ Joy Ch. Das S/O Jogen Das Vill-Amlaga PS-Rangapara Dist-Sonitpur |
| 7 | Asstt. Organising Secy. | Maj. Mantu Saikia @ Bijoy Das @ Bhadreshwar Das S/O Gendhela Das Vill-No.2 Baliaghat PS-Sivsagar Dist- Sivsagar |
| 8 | Asstt. Organising Secy. Cum Commander of Eastern Command and I/C Finance | Major Nayan Medhi @ Naren Kalita S/O Mukunda Kalita Vill-Dumagia PS-Patacharkuchi |

| | | |
|----|---|--|
| | | Dist-Barpeta |
| 9 | Asstt. Organising Secretary | Capt. Md. Selim @ Lachit Hazarika @ A.Z. Hirunam Asom S/O Kalai Hazarika Vill-Sandhkhowa PS-Bihpiria Dist-Lakhimpur |
| 10 | Publicity Secretary | Capt. Aronodoy Dahutia @ Bijit Baruah @ Ramya Mech @ Iqbal S/O Pabeswar Baruah Vill-Gohaingaon PS-Chabua Dist-Dibrugarh |
| 11 | Cultural Secretary | Capt. Samiran Bhuyan @ Atul Dutta S/O Bhola Dutta Vill-No.2 Rangabanani PS-Tingkhong Dist-Dibrugarh |
| 12 | Asstt. Cultural Secretary | Lt. Sagar Tapno @ Khogen Borah @ Miganka Dihingia S/O Gonesh Borah Vill-Bahuakuri, Nagsankar PS-Sootea Dist-Sonitpur |
| 13 | Asstt. Cultural Secy. Cum Cmp Commander GHQ/Taka | Capt. Jyotimoy Bharali @ Durlav Gogoi S/O-Cheniram Gogoi Vill-Ulutolia, Lichubari PS-Jorhat Dist-Jorhat |
| 14 | Foreign Secy. | Dr. Pranoy Adom Reportedly hails from Saharikota, PS-Moran, Dibrugarh |
| 15 | Medical cum Training Officer | Lt. Sangram Saikia @ Babul Baruahh S/O Keshab Baruahh Vill-Laipuliagaon PS-Sapekhati Dist-Sivsagar |
| 16 | Director, GMHQ, Hangsen | Capt. Dwipen Saud @ Ramen Nath S/O Haren Kt. Saud Vill-Duramari PS-Sorbhog Dist-Barbeta |

Investigation has also established that ULFA (I) consists of around 400 cadres in its total strength at present and most of these cadres are taking shelter at their camps in Myanmar

17.6. Investigation upon the e-mail IDs used by ULFA(I): During the investigation, it has been revealed through one of the letters dated 11.03.2014 received from the Telegraph, Guwahati, Assam that they had received some press releases of ULFA(I) in their official e-mail ID from the following e-mail IDs:

- i. xxxxxxxxxxxxxxxxxxxx
- ii. xxxxxxxxxxxxxxxxxxxx

Subsequently, it was also revealed from a letter provided by the office of xxxxxxxxxxxx dated 19.03.14 that they had also received one press release of ULFA(I) in their official e-mail ID from the mail ID xxxxxxxxxxxx. By the above-noted revelations, it has been inferred that the above-noted e-mail ID xxxxxxxxxxxx belongs to ULFA(I).

Subsequently, one Mutual Legal Treaty Assistance request was sent to the Government of the United States of America vide NIA HQ letter dated xxxxxxxx for the purpose of providing all the details about the above-noted e-mail ID xxxxxxxxxxxx. Consequently, a reply in the form of one CD to the above-noted request was received from the Government of the United States of America vide its letter dated xxxxxxxxxxxx. Subsequently, a thorough scrutiny, and analysis of the above-noted CD had revealed the following facts:

- i. That, these contain e-mail correspondence with various other e-mail IDs and, almost all the e-mail correspondence through this e-mail ID is connected with the matters of ULFA (I).
- ii. That, one of the e-mail correspondence mentions that accused Paresh Baruah (A-1), is the earlier name of Paresh Asom, the SS Commander-in-Chief of ULFA (I).
- iii. That, some of the contents of the correspondence made through this e-mail ID deal exclusively and clearly with Paresh Asom as SS Commander-in-Chief and Abhizeet Asom as SS Chairman of ULFA(I).
- iv. That, one e-mail correspondence contains one unedited exclusive interview of camouflaged ULFA(I)

Chairman Dr. Abhizeet Asom which was taken by one xxxxxxxxxxxxxxxxxxxx. The contents of the said interview mention that Abhizeet Asom was appointed as the Chairman of ULFA (I) after Arabinda Rajkhowa defected from the organization. It is also mentioned that Dr. Abhizeet Asom is the organizational name and ULFA (I) has not deviated from the path of restoration of the sovereign Independent Assam.

- v. Some e-mail correspondences mention about demanding money from some private companies and individuals.
- vi. One e-mail correspondence which bears the digital signature of Abhizeet Asom mentions about condemning the Government of Bangladesh for awarding death sentence to Paresh Baruah @ Paresh Asom SS Commander-in-Chief ULFA(I) in connection with one big weapon smuggling case in Chittagong area of Bangladesh.

17.7. Investigation upon the waging of war by ULFA(I) against the

Government of India: During the course of investigation it was revealed that interview of accused Paresh Baruah (A-1), the SS Commander-in-Chief of ULFA(I) had been broadcasted in one of the local Assamese TV news channel, namely xxxxxxxxxxxx, for three days consecutively on xxxxxxxxxxxxxxxxxxxx. Subsequently, the edited as well as the raw video footage of the personal interview of Paresh Baruah consisting of three different DVDRs, which had been broadcasted as explained above, were collected from the office of xxxxxxxxxxxxxxxx vide its letter dated 13th May 2016 Thorough scrutiny and analysis of the said video footage for the interview of accused Paresh Baruah (A-1) the following facts have been revealed:

- i. That, Paresh Baruah is the present Commander-in-Chief of ULFA(I), and he joined ULFA exclusively for bringing a revolution to liberate a separate nation of Assam.
- ii. That, the ideology and objective of ULFA (I) is to liberate a

separate nation of Assam from the colonial India.

- iii. That, Assam is not a part of Assam and the Indian Army is termed as intruders.

Besides, some video footage of ULFA(I) in connection with the celebration of Bihu in some undisclosed location of Myanmar had also been collected from the editorial office of xxxxxxxxxxxx vide its letter dated 09.05.xxxx and xxxxxxxxxxxx vide its letter no. 12.05.xxxx. Analysis of the same video footage had revealed the following facts:

- i. That, accused Paresh Baruah(A-1) and his cadres celebrated Bihu festival in some undisclosed location of Myanmar along with S. Khaplang, SS Chairman and Niki Sumi, SS Military Commander of the banned terrorist organization NSCN (K).
- ii. That, the video itself shows accused Paresh Baruah (A-1) celebrating the Bihu festival along with S. Khaplang, SS Chairman and Niki Sumi, SS Military Commander of NSCN(K) and also comments that ULFA(I) celebrates Bihu with S. Khaplang and Nikki Sumi.
- iii. That, the cadres of accused Paresh Baruah(A-1) consists of many armed cadres.

Besides, investigation has also revealed through a letter sent by ULFA(I) to various news channel editors through the official mail ID of ULFA xxxxxxxxxxxx in which ULFA(I) had claimed that the IED blast which took place at Sonari, Sivasagar District [now Charaideo Dist] on 19.04.14 upon Indian Army and injured seven soldiers was done by ULFA(I). The same news was telecasted in various TV news channels of Assam on 19.04.14, and the said e-mail letter of ULFA(I) had been collected from the editorial office of xxxxxxxxxxxx and xxxxxxxxxxxx

Moreover, some of the xxxxxxxxxxxxxxxxxxxxxxxxxx has also given their statements u/s 161 as well 164 CrPC that they underwent arms training as well as foot drill training at the camps of ULFA after they joined ULFA. Also,

some of these xxxxxxxxxxxxxxxx have also revealed in their statements that they met accused Paresh Baruah(A-1) during their training periods and accused Paresh Baruah(A-1) himself told them to treat the Union of India as the enemy and to wage war against India. One of these xxxxxxxxxxxxxxxx have also stated in his statement recorded u/s 164 CrPC that he saw one senior official of the Chinese arms company Norinco holding a discussion with Lt. Arunudoy Dahotia, SS Assistant Publicity Secretary ULFA(I).

Taking into the consideration of all the relevant facts and revelations through the available documents and records as explained above an inference can be made with a relevant logic and reasoning that ULFA (I) under the commandership of Paresh Baruah and Abhijit Hazarika in association with their other cadres have been preparing for waging war against the government of India and for this both Paresh Baruah and Mukul Hazarika @ Dr. Abhizeet Asom @ Abhijit had conspired in association with their cadres to wage war against the government of India.

17.8. Investigation of the attacks committed by ULFA(I) against security forces and innocent people: during investigation, details of attacks committed by the ULFA(I) against the innocent people as well as the security forces of India had been collected from various sources. Revelations of some of the xxxxxxxxxxxxxxxxxxxxxxxxxxxx establish that accused Paresh Baruah(A-1), and his cadres are involved in the killing of many xxxxxxxxxxxxxxxxxxxx for leaving ULFA(I). Some of their statements have been recorded u/s 164 CrPC in connection with the instant case.

Similarly, one press release collected from the office of some local newspapers of Assam has established that ULFA(I) had claimed itself the responsibility of attacking one vehicle of Indian Army at Sonari, Sivasagar district, Assam on xxxxxxxxx by exploding a powerful IED (Improvised Explosive Device) injuring 07 innocent Indian Soldiers and damaging one vehicle. Addition, the same press release, as noted above has also been found in one of the e-mail correspondence of ULFA(I) through its e-mail ID xxxxxxxxxxxxxxxx which had been acquired from the office of the Google in the United States of America, as explained above in para 17.6.

17.9. Investigation upon the extortions and kidnappings done by

ULFA(I): During the course of investigation, it has been revealed by some xxxxxxxxxxxxxxxxxxxxxx in their statements recorded u/s 161 as well as 164 CrPC that they did extort money from the people of Assam in compliance of direct instructions given by accused Paresh Baruah. Also, some of the e-mail correspondences of ULFA(I) through its above-noted e-mail ID xxxxxxxxxxxxxx mentions about demanding money from one Tea Estate company, i.e., xxxxxxxxxxxxxx, Assam and one individual namely xxxxxxxxxxxxxxxxxxxxxx, Guwahati.

17.10. Investigation of the roles of accused Paresh Baruah in ULFA (I):

Investigation, on the basis of oral testimonies as well as relevant documents has revealed and established that accused Paresh Baruah(A-1) joined ULFA since after its formation in the year 1979. Accused Paresh Baruah(A-1) is presently the SS Commander -in- Chief of ULFA(I). On the basis of the available pieces of evidence collected during investigation, the complicities and roles of accused Paresh Baruah(A-1) in the working and functioning of ULFA can be summarized as noted below:

- i. Investigation, on the basis of all the oral testimonies of the family members of accused Paresh Baruah(A-1) and other key witnesses as well as other evidential documents collected during the course of investigation has established that accused Paresh Baruah(A-1) joined ULFA since after its formation in the year 1979, and now he became the SS Commander-in- Chief of ULFA (I) after Arabinda Rajkhowa defected ULFA. Before joining ULFA accused Paresh Baruah (A-1) was working as a grade-iv employee at Indian Railway at Tinsukia district, Assam and after that at Oil India Limited, Duliajan, Dibrugarh. All the related documents in this connection have been collected from the concerned offices.
- ii. Investigation on the basis of the oral testimonies of the xxxxxxxxxxxxxxxxxxxxxx couples with some of the

relevant documents have established that Paresh Baruah has the alias names as Kamruj Zaman Khan @ Nur-uz-Zaman @ Zaman Bhai @ Pradip @ Paban Baruah and Paresh Asom which is the organizational name of Paresh Baruah.

- iii. Evidence in the form of video footages which features the interview of Paresh Baruah spreading his ideology and objective of liberating a sovereign nation of Assam to the people of Assam and which have also been broadcasted in different local news channel of Assam clearly establish that Paresh Baruah himself being the SS Commander-in-Chief of ULFA has been preparing and conspiring himself and his cadres for waging war against the government of India in order to achieve their objective of liberating a separate nation of Assam.
- iv. Evidence in the form of three video CDs of personal interview of Paresh Baruah collected from xxxxxxxxxxxx; an Assamese local news channel establishes that Paresh Baruah is presently the Commander-in-Chief of ULFA(I) and the main objective of ULFA(I) is to liberate a separate sovereign nation of Assam from India. In this said video Paresh Baruah himself claims that he joined ULFA for a revolution and not only for becoming the head of ULFA. The same video itself shows that the person in the video is Paresh Baruah, SS Commander-in-Chief of ULFA (I) xxxxxxxxxxxxxxxx, calls and addresses the person as Paresh Baruah many times. In addition, the oral testimony of the person who did the interview of Paresh Baruah, as explained above and has been taken as a protected witness in the instant case u/s 17 of NIA Act has

established it beyond any doubt that the person in the video is Paresh Baruah, the SS Commander-in-Chief of ULFA (I) and the video was recorded by xxxxxxxxxxxx was taking the interview of Paresh Baruah.

- v. Pieces of evidence in the form of statements u/s 161, as well as under section 164 Cr.P.C. of xxxxxxxxxxxxxxxxxxxxxxxx, firmly establish that Paresh Baruah is the present SS Commander-in-Chief of ULFA, and he has been commanding all the major operational as well as administrative issues of ULFA since last fifteen years as SS Commander-in-Chief of ULFA. Moreover, it is also revealed through their statement that accused Paresh Baruah (A-1) directly instructs his cadres for collecting extortion money and they also extorted money from many persons in compliance with the instructions given to them by accused Paresh Baruah(A-1).
- vi. Evidence in the form of oral testimony of some of the key witnesses also firmly establishes that accused Paresh Baruah(A-1) left home around 25 years ago and joined ULFA. He has never come back to his home since the day he left his home for joining ULFA.
- vii. Evidence in the form of oral testimony and photo identification in the presence of an executive magistrate has also established it that accused Paresh Baruah (A-1)is the SS Commander -in-Chief of ULFA (I) and his photograph has been identified, in the presence of one executive magistrate, by one of the xxxxxxxxxxxx who has also been taken as a xxxxxxxxxxx xxxxxxxx in the instant case u/s 17 of NIA Act in the instant case.

Moreover, his identification of Paresh Baruah in the photographs matches with the revelation of other key witnesses.

17.11. Investigation of the roles of accused Dr. Mukul Hazarika @ Dr. Abhijit Asom @ Dr. Abhizeet Asom @ Abhijit Barman (A-2) in ULFA (I):

Investigation, on the basis of oral testimonies of family members, cadres of ULFA (I) and analysis of other relevant documents has revealed and established that accused Dr. Mukul Hazarika @ Dr. Abhijit Asom @ Dr. Abhizeet Asom is presently the SS Chairman of ULFA(I). A thorough analysis of the e-mail correspondences of ULFA(I), as explained above in para 17.6 along with the xxxxxxxxxxxxxxxxxxxxxx has resulted in establishing the following facts about the complicities and roles of accused Mukul Hazarika @ Abhijit Asom in the working and functioning of ULFA(I):

- i. That, accused Dr. Mukul Hazarika @ Dr. Abhijit Asom(A-2) is presently the SS Chairman of ULFA(I), and Abhizeet Asom is his organizational name. This fact is mentioned in one of the e-mail correspondences of xxxxxxxxxxxxxxxxxxxxxx which is the official e-mail ID of ULFA(I), and the same is further corroborated by the revelations of some of the xxxxxxxxxxxxxxxxxxxxxx in their statements recorded u/s 161 as well as 164 CrPC.
- ii. Before joining ULFA (I) accused Dr. Mukul Hazarika @ Dr. Abhijit Asom @ Dr. Abhizeet Asom was a student of Guwahati Medical College, Guwahati, Assam in 1970. The relevant documents in this connection have been collected from the GMC, Guwahati, Assam and the same are part of this instant case.
- iii. Evidence in the form of oral testimonies revealed by one of the family members of accused Dr. Mukul Hazarika @ Dr. Abhijit Asom @ Dr. Abhizeet Asom (A-2) reveals that accused Dr. Mukul Hazarika @Dr. Abhijit Asom is presently residing in London, England since last fifteen years. This revelation coupled with the analysis of the e-mail correspondences of ULFA(I) in their e-mail ID xxxxxxxxxxxxxxxxxxxxxx further

establish that and he is running and commanding the activities of ULFA(I) by sitting in London, England. Moreover, investigation, on the basis of information generated from other sister agencies has revealed that Mukul Hazarika is holding a British xxxxxxxx having xxxxxxxx no 801253196 and he is presently residing at xxxxxxxxxxxxxxxx. The investigating team is making an effort to collect all the details of the above noted British xxxxxxxxxxxx number and other details of accused Dr. Mukul Hazarika @ Dr. Abhijit Asom @ Dr. Abhizeet Asom from the Government of United Kingdom through MLAT.

- iv. Evidence in the form of oral testimony and photo identification in the presence of an executive magistrate has also established it that accused Dr. Mukul Hazarika(A-2) is the SS Chairman of ULFA(I) and he was present during the Bihu celebration of ULFA at Taga camp Myanmar in 2016. The same fact has been corroborated by xxxxxxxxxxxxxxxx [taken as a protected witness u/s 17 NIA Act] who himself was present during the said celebration and saw accused Dr. Mukul Hazarika(A-2) giving a speech to the cadres of ULFA(I). Moreover, some of the photographs of the said Bihu celebration which the above noted xxxxxxxxxxxxxxxx kept with himself had been taken into the record of this instant case and some of these photographs has been identified as accused Dr. Mukul Hazarika(A-2) by the above noted xxxxxxxxxxxxxxxx in the presence of an executive magistrate.
- v. The investigation, on the basis of the analysis of interview of accused Dr. Mukul Hazarika@ Dr. Abhijit Asom@Dr. Abhizeet Asom(A-2) which is found in one of the e-mail correspondences of ULFA(I) through its official e-mail ID xxxxxxxxxxxxxxxx reveals that Dr. Abhizeet Asom is the camouflaged SS Chairman of ULFA(I) and he commands and administers the overall workings and activities of ULFA(I). This same fact is further corroborated by the oral testimony of the editor who took the

said interview of accused Dr. Mukul Hazarika @ Abhijit Asom@Abhizeet Asom(A-2).

- vi. Investigation on the basis of the oral testimonies xxxxxxxxxxxxxxxxxxxx accused Dr. Mukul Hazarika @ Dr. Abhijit Asom(A-2) and xxxxxxxxxxxxxxxxxxxx coupled with other relevant documents has revealed that accused Dr. Mukul Hazarika has other alias names as Abhijit Asom, Abhijit Barman and Abhizeet Asom which is his organizational name.
- vii. Moreover, one xxxxxxxxxx collected from the editorial office of xxxxxxxxxxxxxx news channel narrates Dr. Abhizeet Asom as the SS Chairman of ULFA (I). The photograph of Dr. Abhizeet Asom the SS Chairman of Asom has been sent to FSL Kahilipara, Assam for the purpose of conducting a forensic examination with the photograph which had been identified as accused Dr. Mukul Hazarika @ Abhijit Asom by one of the xxxxxxxxxxxxxx, as explained above. The positive remarks of FSL Kahilipara in this regard, vide its report No. DFS/Photo-03/2016 dated- 09.02.16 has further proved that the person depicted as Dr. Abhizeet Asom, the SS Chairman of ULFA (I) in the above noted video is the same person in the photograph whom one of the xxxxxxxxxxxxxx had identified as Dr. Mukul Hazarika @ Abhijit Asom @Abhizeet Asom@Abhijit Barman, as explained above in para 17.11(v).

17.12. Investigation upon the complicities and involvements of accused Gagan Hazarika@ Joydeep Cheleng (A-3) with ULFA (I) : Investigation, on the basis of oral testimonies as well as relevant documents has revealed and established that accused **Gagan Hazarika@ Joydeep Cheleng(A-3)** joined ULFA in the year 2008, and he is presently the SS Sgt. Major of ULFA(I). On the basis of the available evidence collected during investigation, the complicity and role of accused Gagan Hazarika(A-3) with ULFA(I) can be summarized as noted below:

- i. (a) Evidences in the form of oral testimonies of the

- xxxxxxxxxxxxx of accused **Gagan Hazarika@ Joydeep Cheleng (A-3)** and other xxxxxxxxxxxxxxxxxxxx coupled with other evidential documents collected during the course of investigation has established that accused Gagan Hazarika(A-3) left his home in the year 2001 joined ULFA (I) and thereafter he had never come back to his home.
- ii. (b) Evidence in the form of oral testimony of one xxxxxxxxxxxxxxxxxxxx [taken as a protected witness u/s 17 NIA Act] has also established it that accused **Gagan Hazarika@ Joydeep Cheleng (A-3)** is an active cadre of ULFA and he was present as a security guard of accused Dr. Mukul Hazarika @ Abhijit Asom @ Abhizeet Asom@ Abhijit Barman (A-2), SS Chairman of ULFA(I) during the Bihu celebration of ULFA(I) at Taga camp, Myanmar in 2015. Moreover, some of the photographs of the said Bihu celebration which the above noted xxxxxxxxxxxxxxxxxxxx kept with himself have been taken into the record of this instant case and some of these photographs have been xxxxxxxxxxxx as accused **Gagan Hazarika@ Joydeep Cheleng (A-3)** by the above noted xxxxxxxxxxxxxxxx in presence of an executive magistrate.
- iii. The positive confirmation of FSL, Kahilipara, Assam, vide its report No.DFS/Photo-01/2017 dated- 29.05.17 with respect to the photographs of accused **Gagan Hazarika@ Joydeep Cheleng(A-3)** taken by one xxxxxxxxxxxxxxxx expert inside the xxxxxxxxxxxxxxxx and the photographs which had been identified as accused **Gagan Hazarika@ Joydeep Cheleng (A-3)** by one xxxxxxxxxxxxxxxx further corroborates that accused **Gagan Hazarika@ Joydeep Cheleng (A-3)** who is presently in judicial custody in connection with the instant case is the same person whom the above noted xxxxxxxxxxxxxxxx had identified as accused **Gagan Hazarika@ Joydeep Cheleng (A-3)** in the photographs of the Bihu

celebration of ULFA(I), as mentioned in above para 17.12(ii).

17.13. The investigation is to be continued under section 173(8) CrPC, to arrest the remaining accused person in the instant case and collect more evidence as regards to the roles and involvements of each accused person in the crime of the instant case.

18. CHARGE:

- i. **Paresh Baruah @ Paresh Asom @ Kamruj Zaman Khan @ Nur-uz-Zaman @ Zaman Bhai @ Pradip @ Paban Baruah (A-1)** - u/s 17, 18,18A, 18B & 20 of Unlawful Activities (Prevention) Act 1967 and sections 121A, 124A, 120B and 385 of the Indian Penal Code.
- ii. **Dr. Abhijit Asom @ Dr. Abhizeet Asom @ Abhijit Barman @ Dr. Mukul Hazarika, (A-2)** - u/s 121-A, 124A of the Indian Penal Code and Sections 18, 18A, 18B and 20 of Unlawful Activities (Prevention) Act 1967
- iii. **Gagan Hazarika@ Joydeep Cheleng (A-3)** - Section 20 of Unlawful Activities (Prevention) Act. 1967

The sanction for prosecution under Section 45(i) (ii) of U.A.(P) Act, 1967, as amended, as well as section 196 of Cr.P.C., has been obtained from the competent authority and the same is enclosed herewith.

18.1 All the offences described above have been committed within the jurisdiction of this Hon'ble Court. Hence, this Hon'ble Court has got jurisdiction to try the above offences.

18.2 It is, therefore, prayed that this Hon'ble Court may be pleased to take cognizance of the offences, as mentioned above, against accused **A-1, A-2, A-3** and issue process to them to stand trial in accordance with law.

19. Despatched on: 15.07.17.

20. No. of enclosures: 04

21. List of enclosures:

Annexure A:

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Page 1 to 8

Annexure B: xxxxxxxxxxxx -- Page 1 to 6
Annexure C: xxxxxxxxxxxx -- Page 1 to 2
Annexure D: Prosecution Sanction Order No. 11011/18/2013-IS-IV
dated 07.07.xxxx of Ministry of Home Affairs, Govt.
of India.

(**Note:** The identities and the statements of the protected xxxxxxxxxxxxxxxxxxxxxxxx are being submitted inside two separate closed envelopes sealed with NIA Guwahati seal. It is prayed that the copies of these statements may not be furnished to the accused persons as per provisions of section 173 (6) CrPC as its disclosure to the accused persons is not essential in the interests of justice and is inexpedient in the public interest.)

(XXXXXXX)
Addl. Superintendent of Police
Chief Investigating Officer
NIA Branch Office: Guwahati

Forwarded by

Superintendent of Police
NIA Branch Office: Guwahati