



Government of Jammu and Kashmir  
Home Department

**NOTIFICATION**

Jammu, the 19th Jan, 2018

SRO 24 .- Whereas, on 10.07.2017, a conspiracy was hatched by the accused persons at different places, who decided to commit terrorist act on behalf of Lashker-e-Toiba, which is a banned terrorist organization; and

2. Whereas, in furtherance of this criminal conspiracy, on 10.07.2017, at around 08:10 p.m, accused militants attacked a bus, which was carrying yatries from Srinagar to Jammu and indiscriminately fired on Yatra bus at Botengo, Anantnag. The terrorist act resulted in death of seven yatries, injuries to many others and damage to the yatra bus. One more injured succumbed to injuries too, later on; and

3. Whereas, upon this, information was recorded in the Daily Diary of the concerned Police Post and subsequently case FIR No.157/2017 U/S 302, 307, 427 RPC, 7/27 Arms Act, was registered by Police Station, Anantnag and the investigation was set into motion; and

4. Whereas, the investigating agency visited site of occurrence, prepared site plan and also recovered some fired cartridges and a live UBGL grenade from the place of occurrence and, subsequently, sections 16, 18 and 20 of Unlawful Activities (Prevention) Act, 1967, were added in the case; and

5. Whereas, a Special Investigation Team was constituted by the PHQ J&K, Srinagar vide order No.2318 dated 12.07.2017, headed by an ASP rank officer, under the supervision of Deputy Inspector General of Police South Kashmir Range, Anantnag and the team took over the investigation of the case; and

6. Whereas, during the course of investigation, four accused (A1, A2, A3 & A4) revealed all the information and

admitted telephonic conversations about the attack, in pursuance of conspiracy. These accused persons further disclosed that they carried the militants from Khudwani to Poshkredi on 09.07.2017, before day of occurrence and disclosed other allied facts in connection with planning and providing logistic support to militants. These accused persons in their disclosure statements have revealed the names of other accused persons with whom they were in contact and had provided necessary support to the militants for carrying out attack on Yatra Bus at Botingoo, Anantnag; and

7. Whereas, during the course of investigation, on the basis of disclosure statements, the seizure memos and other evidence, prima-facie, a case under section 16, 18 and 20 of the Unlawful Activities (Prevention) Act, 1967, has been made out by the Investigating Agency, apart from other offences, against the following accused: -

1. Aijaz Ahmed Wagay S/o Ghulam Qadir Wagay R/O Push Kreeri Srigufwara. (A1)
2. Bilal Ahmed Reshi S/o Mushtaq Ahmad Reshi R/o Iqbal Market Bijbehera. (A2)
3. Zahoor Ahmad Sheikh S/o Mohammad Maqbool Shiekh R/o Sheikh Mohalla Khudwani Kulgam. (A3)
4. Rasif Ahmad Wani S/o Zahoor Ahmad Wani R/o Wani Gund Qaimoh Kulgam. (A4) (Juvenile)
5. Khalid Muzaffar Dar S/o Gh. Qadir Dar R/o Rehpora Khudwani Kulgam. (A5)
6. Tanveer Ahmad Dar S/o Bashir Ahmad Dar R/o Rehpora Khudwani Kulgam. (A6)
7. Sarjeel Ahmad Sheikh S/o Ab. Hamid Shiekh R/o Khudwani. (A7)
8. Abu Islamil @ Haroon R/o Pakistan. (A8)
9. Yawar Bashir Wani Ayaan S/o Bashir Ahmad Wani R/o Habilsh Devser. (A9)
10. Maaviya R/o Pakistan. (A10)
11. Furqan R/o Pakistan. (A11)

8. Whereas, with regard to the accused number A5, A6 & A7, the accused persons are evading the arrest and have been absconding and thus further investigation needs to be conducted in relation to collection of more evidences against them (A5-A7). Further, the main accused in the instant case i.e. Abu Ismail (A8), has been killed in an encounter in Arigam, Nowgam, Srinagar and

Yawar Bashir @ Ayaan (A9), Maaviya (A10) and Furqaan (A11), have been killed in an encounter in Qazigund; and

9. Whereas, the accused persons in the instant case i.e. Zahoor (A3), Aijaz (A1) and Bilal (A2), have been arrested and are presently in judicial custody. Further, during the course of investigation, one of the accused person was found juvenile, thus, supplementary final report shall have to be filed against the juvenile in the instant case before the competent court having jurisdiction in his case.

10. Whereas, the accused persons, A5, A6 & A7, are evading the arrest and the case is under investigation and in due course of time, whenever more evidences shall be gathered, supplementary final report in terms of section 173(8), shall be submitted before the Hon'ble Court; and

11. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the accused persons, namely, (1) Aijaz Ahmad Wagay S/o Ghulam Qadir Wagay R/o Push Kreeri, Srigufwara, (2) Bilal Ahmad Reshi S/o Mushtaq Ahmad Reshi R/o Iqbal Market, Bijbehara, (3) Zahoor Ahmad Sheikh S/o Mohd Maqbool Sheikh R/o Sheikh Mohalla, Khudwani, Kulgam and (4) Rasif Ahmad Wani S/o Zahoor Ahmad Wani R/o Wani Gund, Qaimoh, Kulgam, in terms of section 18 & 20 of the Unlawful Activities (Prevention) Act, 1967; and

12. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provision of law.

13. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accord sanction for launching prosecution against the accused mentioned below for the commission of offences punishable under sections 18 and 20

of the Unlawful Activities (Prevention) Act, arising out of FIR No.51/2017 in Police Station, Anantnag.

1. Aijaz Ahmad Wagay S/o Ghulam Qadir Wagay R/o Push Kreeri, Srigufwara.
2. Bilal Ahmad Reshi S/o Mushtaq Ahmad Reshi R/o Iqbal Market, Bijbehara.
3. Zahoor Ahmad Sheikh S/o Mohd Maqbool Sheikh R/o Sheikh Mohalla, Khudwani, Kulgam.
4. Rasif Ahmad Wani S/o Zahoor Ahmad Wani R/o Wani Gund, Qaimoh, Kulgam.

By Order of the Government of Jammu and Kashmir.

Sd/-

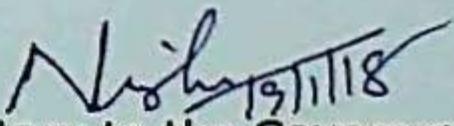
Principal Secretary to the Government  
Home Department

No.Home/Pros/33/2017/

Dated:19.01.2018

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-50/S/2017/ 91871-73 dated 23.12.2017 r/w communication No.Legal/Sanc-50/S/2017/62-64 dated 01.01.2018. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs. (w.7.s.c.)
3. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

  
Under Secretary to the Government  
Home Department