



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

NOTIFICATION

Jammu, the 24th December, 2018

SRO629 :- Whereas on 30.06.2018 a docket was received at P/S Kishtwar prepared by SHO P/S Kishtwar, Inspr. Sameer Jillani who was at Naka duty. It was stated that at about 1700 hrs. on 30.06.2018, one person namely Rameez Raja S/o Javid Hussain R/o Wani Mohalla Sounder Dachhan coming from Bindraban towards Kishtwar and carrying a plastic bag, was intercepted in suspicious circumstances. Consequently, his search was conducted and one Pistol Chinese, Live rounds of Pistol 3 Nos., Magazine Pistol 01 No. and Hand Grenade 02 Nos. were recovered from his possession, which were seized on spot. The alleged person was found affiliated with Hizbul Mujahidin organization and was an active militant also, who tried to spread terror in the region particularly in District Kishtwar by targeting the security forces etc;

02) Whereas, in this connection, case FIR No. 182/2018 u/s 120-B/121/121-A RPC, 7/27 I.A Act, 4/5 Explosive Substances Act, 13 Unlawful Activities (Prevention) Act, 1967 came to be registered at P/S Kishtwar and investigation of the case taken up.

03) Whereas, during the course of investigation, site plan of place of occurrence was prepared and placed on file. Seizure memo of recovered arms/ammunition was prepared and statements of witnesses were recorded u/s 161 Cr.PC. During questioning of the accused Rameez Raja, it revealed that he is an active terrorist of Hizbul Mujahidin outfit. During investigation the accused further disclosed that one more accused namely Nissar Ahmed S/o Bashir Ahmed R/o Amritgarh Cheralla Tehsil Cheralla District Doda A/P Link Road Dewaru Melipeth Kishtwar is also involved in unlawful activities, accordingly the said accused was arrested and on his disclosure arms and ammunition was also recovered from his lodging place and seizure memo was accordingly prepared. The duo were further questioned and during questioning they disclosed that two more accused namely (1) Tousif-Un- Nabi S/o Gh. Nabi Gundana r/o Jamia

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Mohalla Kishtwar and (2) Ayaz Ahmed Wani S/o Ab Ahad Wani R/o Beli Atnora Gath are also sympathizers of militants and are in one or other way helping in propagating the messages of terrorists.

04) Whereas, investigation further revealed that accused Tousif -Un-Nabi S/o Gh. Nabi Gundana R/o Jamia Mohalla Kishtwar has close cordial relations with main accused Rameez Raja S/o Javid Ahmad R/O Wani Mohalla Sounder Dachhan and accused Ayaz Ahmad Wani S/o Ab. Ahad Wani R/o Beli Atnora Gath, was affiliated with Hurriyat since 2003-04 and remained District President of Mass movement (headed by Fareeda Behanji) upto 2015. He further admitted that he came in contact with some militants namely (1) Mohammedi R/o Pakistan LeT outfit (2) Mohd Iqbal S/o Lal Din R/o Bhagla Bharat Doda A/P PoK LeT outfit (3) Code Khubaib r/o Phixu, Thathri Doda A/P PoK LeT outfit (4) Jafar Ali Wani S/o Liayaket Ali R/o village Beli Arnora Bharat Doda A/P PoK LeT outfit through social media (whatsapp). Investigation further revealed that accused Tawsif-un Nabi and Ayaz Ahmad were trying to outflow the internal secrets of District Kishtwar and Doda through social media whatsapp and other allied social media posts for furthering activities of unlawful nature. In this connection screenshots of social media web from the seized mobile phone of accused Tousif-Un-Nabi were got obtained and the accused were found involved in outflow of the internal secrets of area and surveillance of Police/Security forces. Statement of witnesses were got recorded u/s 164-A Cr.PC before the Court of Law and placed on file. On the strength of evidence collected in the form of statement of witnesses, recovery of Arms/Ammunitions CDR of mobile No's and whatsapp screenshots of seized mobile etc. Investigation has prima facie established the commission of offences punishable u/s 13 ULP Act, 4/5 Explosive Substances Act, 120-B/121/121-A RPC r/w 7/25 A Act against accused persons (1) Rameez Raja and Nisar Ahmed while as offence u/s 13 Unlawful Activities (Prevention) Act,1967 have been established against accused Towsif-Un-Nabi , Ayaz Ahmed Wani , Zahoor Ahmed Kamal alias Nikka Kamal and Reyaz Ahmed and accordingly investigation was concluded as proved. Accused Zahoor Ahmad and Reyaz Ahmad are absconding against whom proceedings u/s 512 CrPC have been proposed while as rest four accused persons are under judicial custody.

05) 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

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case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the said accused person for commission of offences punishable under Section 13 of the Unlawful Activities (Prevention) Act, 1967; and

06) 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, it was found that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provisions of law.

07). Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, sanction is hereby accorded for launching of prosecution against the below mentioned accused persons namely Rameez Raja S/o Javid Ahmed R/o Wani Mohalla Sounder Dachhan, Nissar Ahmed Ganie S/o Bashir Ahmed Ganie R/o Amrit Grah Cheralla Tehsil Cheralla District Doda A/P Link road Dewaroo Melipeth, Tousif-Un-Nabi S/o Gh Nabi Gundana R/o Jamiya Mohalla Kishtawar, Ayaz Ahmed Wani S/o Ab Ahad Wai R/o Beli Atnora Gath, Zahoor Ahmed Kamal @ Nikka Kamal S/o Wali Mohd Kamal R/o Jamia Mohalla Kishtwar (absconder) and Reyaz Ahmed S/o Mohd. Ramzan R/o Sounder Dachhan for the commission of offence punishable under section 13 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 182/2018 of P/s Kishtawar.

By Order of the Government of Jammu and Kashmir.

Sd/-

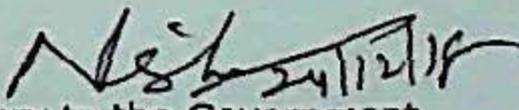
Principal Secretary to the Government
Home Department

No.Home/Pros/91/2018

Dated: 24/12/2018

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-06/J/2018/74793-94 dated 20/11/2018. 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