

NOTIFICATION

Jammu, the 26th December, 2019

SO 49 .-Whereas, on 13.02.2019 P/S Chadoora received a docket from SHO P/S Chadoora through Ct. Mohd Rafiq no. 1320/BD (camp Shahpora Wathora Chadoora) to the effect that SHO P/S Chadoora along with police party of CIU Camp Chadoora were conducting patrolling in the vicinity of village Wathora. In the mean time, they received reliable information that at village Wathora terrorists were hiding in the residential house of Naaz Mohammad Allie S/o Mohd Abdullah Allie R/O Shahpora Wathora and are about to commit some heinous terrorist attack. On the receipt of the said information security forces (SFs) started a cordon & search operation (CASO). During the CASO, the hiding terrorists opened fire from their illegal weapons with intention to kill the SFs, which was retaliated, in self defense; and

2. Whereas, two terrorists were killed in the retaliatory fire. Accordingly, the dead bodies of the deceased terrorists were taken into possession, later identified as Hilal Ahmad Wani @ Abu Maaz S/O Mohd Akram Wani R/O Yaripora Kulgam & Shoaib Ahmad Lone S/O Arshid Ahmad Lone R/O Bumbrath Kulgam belonging to the banned outfits of LeT/HM. Arms/ammunition from the encounter site were recovered and seizure memo was also prepared; and

3. Whereas, a case FIR No. 23/2019 U/S 307 RPC, 7/27 A. Act, 19 ULA (P) Act 1967, was registered in P/S Chadoora and investigation was taken up; and

4. Whereas, investigation conducted revealed that accused Naaz Mohd Allie S/O Mohd Abdullah Allie R/O Shahpora, Wathora, Chadoora had voluntarily concealed, aided and provided shelter to these killed terrorists out of his own will/consent. Accordingly, the accused was arrested and subsequent to his disclosure, arms/ammunition viz Pistol Chinese with Magazine = 01 No, Pistol Magazine = 01 No, Live Rounds of Pistol = 03 No's, Magazine Ak-47 = 02 No's, Live Rounds of AK 47 = 38 No's were recovered from the house of Naaz Mohammad Allie ; and

5. Whereas, on the basis of statement of witnesses, seizure memos and other evidence, the I.O has established a prima-facie case against the deceased terrorists namely, Hilal Ahmad Wani @ Abu Maaz S/O Mohd Akram Wani R/O Yaripora Kulgam & Shoaib Ahmad Lone S/O Arshid Ahmad Lone R/o Bumbrath Kulgam u/s 307-RPC, 7/27 A Act, 16,18,20,23 ULA(P) Act and against accused Naaz

Mohammad Allie S/O Mohd Abdullah R/O Shahpora Wathora Chadoora u/s 18,19,23 & 38 of ULA(P) Act ; and

6. Whereas, the Authority appointed by the Government of Union Territory of Jammu & Kashmir 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 said accused person; and

7. 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 Government of Union Territory of Jammu & Kashmir is of the view that there is sufficient material and evidence available against the accused person for his prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government of Union Territory of Jammu & Kashmir hereby accords sanction for launching prosecution against the accused person namely; Naaz Mohammad Allie S/O Mohd Abdullah R/O Shahpora Wathora Chadoora u/s 18,19,23 & 38 ULA(P) Act,1967 in case FIR No. 23/2019 of Police Station Chadoora .

By order of the Government of Jammu & Kashmir

Sd/=

Principal Secretary to the Government
Home Department

No. Home/Pros/196/2019

Dated: 26 .12.2019

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanc/112/S/2019/67586-88 dated 20.11.2019 from PHQ. 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