



Government of Jammu and Kashmir  
Civil Secretariat Home Department  
Srinagar/Jammu.

**NOTIFICATION**

**Jammu, the 2nd January, 2019**

**SRO03**:-Whereas on 26.06.2018, Police Station, Sopore received a written docket from Dy.SP (OPS) Sopore through Ct. Shabir Ahmad No. 768/Spr to the effect that the said officer alongwith other constables and nafri of CRPF 177, 179/BN's and Army 22 RR were performing naka duty at Fruit Mandi crossing and in the meantime, one white color Ritz vehicle bearing registration No. 5321/JK05C coming from Mazbugh Mandi Road towards Sopore was signaled to stop, however, the driver of vehicle while avoiding the directions of Police party tried to escape from spot. The said police party tactfully followed the vehicle and intercepted the said vehicle at some distance and four persons including (driver of vehicle) were found boarding, on questioning, they disclosed their names as 1. Muhammad Ayoub Malla S/o Ghulam Hassan Malla R/o Malmanapora (driver of the vehicle) 2. Fayaz Ahmad War S/o Ghulam Mohi-ud-din War 3. Javid Ahmad War S/o Abdul Rehman War R/o Warpora 4. Maqsood Ahmad War S/o Muhammad Yousuf War R/o Dachinpara. On search, arms/ammunition were recovered from their possession. All the accused are working as OGW's of JeM outfit and were roaming in the area to lob the grenade on the Police/SFs with the intention to kill; and

2. Whereas, case FIR No. 174/2018 U/S 7/25 I.A. Act, 13 ULA(P) was registered in Police Station Sopore and investigation initiated; and

3. Whereas, during the course of investigation, I/O visited the scene of occurrence, prepared site plan, and recorded the statements of witnesses u/s 161 Cr.PC, the vehicle and arms/ ammunition have been seized in the case and seizure memo of arms/ ammunition have been prepared. Besides statements of material witnesses were recorded u/s 164-A Cr.Pc;and

4. Whereas, investigation conducted has revealed that the accused persons are OGWs of the unlawful organization and were hell-bent to disturb the peace and tranquility of the State and secede the State of J&K from India by committing unlawful activities; and

5. Whereas, the investigation was concluded as proved for the offences punishable under sections 7/25 I.A. Act, 13 ULA(P) Act, 1967 against the four accused persons namely 1. Muhammad Ayoub Malla S/o Ghulam Hassan Malla R/o Malmanapora (driver of the vehicle) 2. Fayaz Ahmad War S/o Ghulam Mohi-u-din War 3. Javid Ahmad War S/o Abdul Rehman War R/o Warpora 4. Maqsood Ahmad War S/o Muhammad Yousuf War R/o Dachinpara;and

*AS*

6. Whereas, based on the facts and circumstances of the case, prima facie case U/S 13 ULA(P) is made out against the accused persons ;and

7. 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 sanction for launching prosecution against the accused persons; and

8. 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.

9. 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 persons for the commission of offences arising out of FIR No. 174/2018 U/S 13 of UAPA in Police Station Sopore;

1. Muhammad Ayoub Malla S/o Ghulam Hassan Malla R/o Malmanapora (driver of the vehicle).
2. Fayaz Ahmad War S/o Ghulam Mohi-u-din War R/o Warpora
3. Javid Ahmad War S/o Abdul Rehman War R/o Warpora
4. Maqsood Ahmad War S/o Muhammad Yousuf War R/o Dachinpara.

By Order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government  
Home Department

Dated: 02 .01.2019

No. Home/Pros/65/2018

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-53/S/2018-67787-88 dated 10.10.2018. 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. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

  
Under Secretary to the Government  
Home Department