



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

**NOTIFICATION**

Jammu, the 9th January, 2019

SRO 16 .-Whereas, Police Station Kulgam received information that within the limits of Chidder area, some terrorists are present and are spreading hatred against the Indian Government among the common masses and are provoking/training them to be ready to fight against the Indian Republic. On the said information, Police Party along with SoG, 9 RR Army and CRPF 18 Bn launched search operation in the said area. During search, the said terrorists, equipped with the illegally acquired arms and ammunition started heavy firing on the security forces. In self defense, the fire was retaliated and in the retaliatory firing two militants namely; Shakoor Dar S/o Mohammad Munawar Dar R/o Sopath Kulgam (LeT) and Abu Haider were killed in the encounter and one militant namely Saleel Ahmad Ganie @ Sakoor Ganie S/o Gh. Qadir Ganie R/o Chidder (LeT) was apprehended from the encounter site;and

2. Whereas, during the course of investigation, a site plan was prepared, seizure memo of the arms ammunition seized from the encounter site was also prepared and placed on record. The injury memo/form Tashadud were also prepared and the dead bodies were handed to the Auqaf and NOKs for their last rites respectively against proper receipts; and

3. Whereas, the apprehended accused disclosed that he took part in the firing incident and is an affiliate of LeT and has also taken part in many militancy related activities and were hiding in the house of accused Mohammad Ashraf Dar S/o Gh. Hassan Dar who used to provide them food and shelter, who was also arrested in the case. Accordingly the disclosure memo was prepared and placed on file. During the course of investigation statements of witness were recorded u/s 161,164-A CrPC and made part of the file, the recovered arms and ammunition were sent for ballistic examination and the report in this regard is still awaited; and

4. Whereas, investigation conducted and facts and circumstances enumerated reveal the involvement of the accused person namely Saleel Ahmad Ganie @ Shakoor Ahmad Ganie S/o Gh. Qadir Ganie R/o Chidder (apprehended LeT Militant arrested on 24.06.2018), Shakoor Ahmad Dar S/o Mohd Munawar Dar R/o Sopath Kulgam (LeT Militant killed on 24.06.2018) and Abu Haider (Foreign Terrorist) S/o Unknown R/o Pakistan, (LeT militant killed on 24.06.2018) for the commission of offences punishable U/S ,13, 16,18,20

*Abli*

ULAP Act and Mohd Ashraf Dar S/o Gh. Hassan Dar R/o Chidder (Arrested on 27.07.2018) for the commission of offences punishable u/s, 13,18, ULAP and investigation concluded as proved. The Police got Judicial remands of the accused persons from the Hon'ble Court of Law from time to time. However, the custody of accused Saleel Ahmad has been changed to FIR No.27/2018 of P/S Devsar by the order of Hon'ble CJM Kulgam and the accused Mohammad Ashraf Dar S/o Gh. Hassan Dar R/o Chidder is under Judicial Remand by the order of District and Sessions Court, Kulgam and is presently lodged at District Jail Anantnag; and

5. 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 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

6. 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 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 State Government hereby accord sanction for launching prosecution against the accused namely Saleel Ahmad Ganie @ Shakoor Ahmad Ganie, S/o Gh. Qadir Ganie R/o Chidder for the commission of offences punishable u/s 13,16,18 and 20 and the accused namely Mohd Ashraf Dar S/o Gh. Hassan Dar R/o Chidder for offences punishable u/s 13, 18 and 19 of the ULAP Act, arising out of FIR No.107/2018 of P/S Kulgam.

By Order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government  
Home Department

Dated: 09.01.2019

No. Home/Pros/72/2018

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-62/S/2018/68556-58 dated 13.10.2018 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 Government,  
Home Department.