



GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT; HOME DEPARTMENT
SRINAGAR/JAMMU

NOTIFICATION

Jammu, the 20th March, 2019

SRO:-215 Whereas, on 13-07-2018 some dreaded terrorists namely Farooq Ahmad Bhat @ Nali S/O Ab Gani Bhat R/O Dessend Yaripora, Hilal Ahmad Wani S/O Mohd Akram Wani R/O Machewa, Ishfaq Ahmad Itoo S/O Mohammad Yousef Itoo R/O Hangalbush, Faisal Rashid Rather S/O Ab. Rashid Rather R/O Yamrach, Mohd Raqib Sheikh S/O Mohd Amin Sheikh R/O Shiganpora, and Bilal Ahmad Bhat S/O Ab Ahad Bhat R/O Tantripora, who are affiliated with HM/LeT/JeM organizations fired upon Police Station, Yaripora with the intention to kill the Police personnel as well as security forces. As per reliable sources said criminal act was done by militants with the help of some local OGWs who acted as guide for militants; and

2. Whereas, on this report, a case FIR No.49/2018 was registered at P/S Yaripora U/S 307 RPC, 120-B,7/27 Arms Act, 13(2),16,18,19,20,38,39 ULA(P) Act, and investigation taken up;and

3. Whereas, during the course of investigation, site plan was prepared and statement of witnesses were recorded under relevant sections of law and placed on record. During further investigation some accused OGWs were apprehended in the case and one accused namely Rasik Ahmad Nengroo S/O Bashir Ahmad Nengroo R/O Badroo disclosed that he alongwith other apprehended OGWs namely Gowher Ahmad Dar S/O Ab Rashid Dar R/O Tongdunoo, Asif Ahmad Bhat S/O Mohammad Amin Bhat R/O Tongdunoo, Adil Farooq Parray S/O Farooq Ahmad Parray R/O Yaripora, Firdous Ahmad Nengroo S/O Gh Hassan Nengroo R/O Hanger, Nadeem Ahmad Bhat S/O Nazir Ahmad Bhat R/O Nunmie, Yawer Majeed Laloo S/O Ab Majeed Laloo R/O Frisal and Arif Ahmad Bhat S/O Ab Majid Bhat R/o Brehard Kupwara have provided every kind of assistance to active militants namely Farooq Ahmad Bhat @ Nali S/O Ab. Gani Bhat R/O Dessend Yaripora, Hilal Ahmad Wani S/O Mohammad Akram Wani R/O Machewa, Ishfaq Ahmad Itoo S/O Mohd Yosuf Itoo R/O Hangalbush, Faisal Rashid Rather S/O Ab. Rashid Rather R/o Yamrach, Mohd Raqib Sheikh S/O Mohammad Amin Sheikh R/O Shiganpora, and Bilal Ahmad Bhat S/O Ab. Ahad Bhat R/O

Tantripora in committing out terrorist activities and made these active terrorists to fire upon police station Yaripora and after committing the incident they helped them to fled from the spot. The accused further disclosed that some arms ammunition of accused militant Farooq Ahmad Bhat @ Nali S/O Ab. Gani Bhat R/O Dessend Yaripora. viz Magazine AK Series 01 and 20 rounds of AK 47 is lying in his possession and were recovered. Accordingly seizure and recovery memos were prepared and placed on record; and

4. Whereas, investigation conducted has prima facie established a case u/s 307 RPC, 7/27 Arms Act r/w 120-B, 13(2), 16, 18, 19, 20, 38, 39 ULAP Act against accused persons namely 1. Farooq Ahmad Bhat @ Nali S/O Ab. Gani Bhat R/O Dessend Yaripora, 2. Hilal Ahmd Wani S/O Mohd Akram Wani R/O Machewa 3. Ishfaq Ahmad Itoo S/O Mohd Yousef Itoo R/O Hangalbush, 4. Faisal Rashid Rather S/O Ab Rashid Rather R/o Yamrach, 5. Mohd Raqib Sheikh S/O Mohd Amin Sheikh R/O Shiganpora and 6. Bilal Ahmad Bhat S/O Ab Ahad Bhat R/O Tantripora u/s 307 RPC, 7/27 Arms Act, 13(2), 18, 19, 39 ULAP Act against accused persons namely 7. Gowher Ahmad Dar S/O Ab Rashid Dar R/O Tongdunoo, 8. Asif Ahmad Bhat S/O Mohd Amin Bhat R/O Tongdunoo 9. Adil Farooq Parray S/O Farooq Ahamd Parray R/O Yaripora 10. Firdous Ahmad Nengroo S/O Gh Hassan Nengroo R/O Hanger 11. Nadeem Ahmad Bhat S/O Nazir Ahamd Bhat R/O Nunmie 12. Yawer Majeed Laloo S/O Ab Majeed Laloo R/O Frisal and 14. Arif Ahmad Bhat S/O Ab Majid Bhat R/o Brehard Kathpora u/s 307, 120-B RPC, 7/25 Arms Act, 13(2), 18, 19, 39 ULAP Act against accused No. 12 namely Rasik Ahmad Nengroo S/O Bashir Ahmad Nengroo R/O Badroo and investigation of case concluded as proved. Accused persons namely Faisal Rashid Rather S/o Ab Rashid Rather R/o Yamrach and Bilal Ahmad Bhat S/o Ab Ahad Bhat R/o Tantripora have been killed in different encounters in respect of whom death certificates/FIR copies are appended in the CD file. While as accused 1-4 are active militants against whom proceedings u/s 512 Cr.PC have been proposed while as accused 6-14 are under judicial custody; 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 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 persons for commission of offences punishable under Section 13 (2), 16, 18, 19, 20, 38 & 39 of the Unlawful Activities (Prevention) Act, 1967; and

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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.

7. 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 accords sanction for launching prosecution against the below accused persons namely Farooq Ahmad Bhat @ Nali S/O Ab. Gani Bhat R/O Dessend Yaripora, 2. Hilal Ahmd Wani S/O Mohd Akram Wani R/O Machewa 3. Ishfaq Ahmad Itoo S/O Mohd Yosuf Itoo R/O Hangalbush 4. Mohammad Raqib Sheikh S/o Mohammad Amin Sheikh R/o Shiganpora for commission of offences punishable u/s 13(2),16, 18, 19, 20, 38, 39 ULAP Act ,and 1.Gowher Ahmad Dar S/O Ab Rashid Dar R/O Tongdunoo 2. Asif Ahmad Bhat S/O Mohd Amin Bhat R/O Tongdunoo ,3. Adil Farooq Parray S/O Farooq Ahamd Parray R/O Yaripora ,4. Firdous Ahmad Nengroo S/O Gh Hassan Nengroo R/O Hanger 5. Nadeem Ahmad Bhat S/O Nazir Ahamd Bhat R/O Nunmie, 6. Yawer Majeed Laloo S/O Ab Majeed Laloo R/O Frisal and 7. Arif Ahmad Bhat S/O Ab Majeed Bhat R/O Brehard Kathpora 8. Rasik Ahmad Nengroo S/O Bashir Ahmad Nengroo R/O Badroo for commission of offences punishable u/s 13(2) ,18,19,39 ULAP Act in case FIR No. 49/2018 of Police Station Yaripora.

By Order of the Government of Jammu and Kashmir.

Sd/-

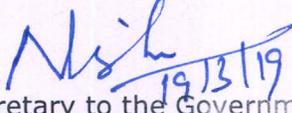
Principal Secretary to the Government
Home Department

No. Home/Pros/ 94/2018

Dated: 20.03.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-77/S/2018/74819-21 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