



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

NOTIFICATION

Jammu, the 26th March, 2019

SRO: 226 Whereas, Police Station CIK Srinagar on 31-03-2017 received information through reliable sources to the effect that one militant namely Amir Nabi Wagay R/O Goriwan Bijbehara, Anantnag intends to commit some terrorist act outside SKIMS Soura Srinagar. The alleged accused, a self-styled District Commander of HM outfit for Anantnag District was found in suspicious circumstances in the premises of SKIMS Soura, Srinagar and on seeing the Police officials, he tried to fire upon the party with his illegally acquired Chinese pistol but was overpowered by the nafri on spot and tactfully apprehended; and

2. Whereas, a case FIR No. 07/2017 was registered in P/S CIK Srinagar and investigation taken up; and

3. Whereas, during the course of investigation, site plan was prepared, statements of witnesses were recorded under relevant sections of law and placed on record besides, one Chinese Pistol alongwith six Rds. of Pistol were recovered from the accused and seized as piece of evidence and seizure memo prepared and placed on record. The seized arms and ammunition was got examined through a ballistic armourer and examination certificate was obtained and placed on record. Investigation conducted has further revealed that the accused is an HM militant and is involved in many terrorist activities against whom many FIRs have been registered at different police stations of valley. Copies of FIRs have been obtained and placed on file. Further the categorization list has also been obtained and placed on record. Investigation conducted has prima facie established the involvement of the accused Amir Nabi Wagay S/O Ghulam Nabi Wagay R/O Goriwan Bijbehara, for the commission of offences punishable u/s 307/IPC, 7/25 A. Act, 13,20 ULA(P) Act and investigation of case is concluded as proved; and

4. 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

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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 for commission of offences punishable under Section 13 and 20 of the Unlawful Activities (Prevention) Act, 1967; and

5. 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 person for his prosecution under the aforesaid provisions of law.

6. 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 accused person namely Amir Nabi Wagay S/O Ghulam Nabi Wagay R/O Goriwan Bijbehera for commission of offences punishable u/s 13,20 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 07/2017 of Police Station CIK Srinagar.

By Order of the Government of Jammu and Kashmir.

Sd/-
Principal Secretary to the Government
Home Department

No. Home/Pros/98/2018

Dated: 26/03.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-53/S/2018/71334-35 dated 24/10/2018. 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. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

Nishant
Under Secretary to the Government
Home Department