



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

NOTIFICATION

Jammu, the 2nd April, 2019

SRO:-249 Whereas, on 07-11-2017 Police Station, Devsar received an information from reliable sources that within its jurisdiction, some militants of HM Outfit in a criminal conspiracy with its OGW's were about to execute a terrorist act for killing police personnels/Security forces as well as to snatch Weapons from them and in order to accomplish their criminal designs they were moving from one place to another. Further, the said organization to accomplish its terroristic activities has also distributed certain deadly weapons among the OGW's so as to cause fear and terror among the public of District Kulgam.

2. Whereas, FIR No. 63/2017 U/S 307 RPC, 7/27 Arms Act 13 (2),18,20,38,39 ULA (P) Act 1967 was registered in Police Station, Devsar and investigation taken up;and

3. Whereas, during the course of investigation a Police Party of P/S Devsar along with police party P/C Kulgam on 07-11-2017 at a mobile-naka checking at Pehloo Zangalpora found one Showket Ahmad Lone S/O Ali Mohd Lone R/O Batpora Charsoo Awantipora under suspicious circumstances who was apprehended and questioned. During questioning, he confessed that he is an OGW of HM outfit and on the behest of one active terrorist, namely, Riyaz Ahmad Naikoo, he has come to Kulgam particularly within the Jurisdiction of P/S Devsar to conduct a reece of the security force deployments and attack them in order to snatch their Weapons. He further confessed that he is in possession of a Pistol provided to him by Riyaz Ahmad Naikoo an active terrorist to perform terrorist acts. On his disclosure, a Chinese pistol with magazine and four pistol rounds were recovered and seized. Accordingly, a seizure memo and a recovery memo was prepared and placed on record. During the course of investigation, statements of witnesses have also been recorded under section 161,164-A CrPC and placed on record; and

4. Whereas, investigation conducted has, prima facie revealed the commission of offences punishable U/S 13(2) 18,38,39 ULA (P) Act,7/25 A Act. against accused No. 1. Showket Ahmad Lone S/O Ali Mohammad Lone R/O Batpora Charsoo Awantipora and, u/s 13(2) 18,20,38,39 ULA(P) Act against accused No. 2. Riyaz Ahmad Naikoo @ Zubair ul Islam S/O Assadullah Naikoo R/O Baigpora (Active HM Commander A++ Cat) and investigation of the case concluded as proved. Further the accused No. 2 Riyaz Ahamd Naikoo is an active militant and is presently absconding against whom Proceedings u/s 512 Cr.PC have been initiated.

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 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.

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 following two accused persons for the commission of offences shown against each arising out of FIR No.63/2017 of Police Station Devsar:-

S.No	Name of Accused	U/S
1.	Showket Ahmad Lone S/o Ali Mohammad Lone R/o Batpora Charsoo, Awantipora	13(2), 18,38 and 39 of UAPA.
2.	Riyaz Ahmad Naikoo @ Zubair ul Islam S/o Assadullah Naikoo R/o Baigpora (Active HM Commander)	13(2), 18,20,38 and 39 of UAPA.

By Order of the Government of Jammu and Kashmir.

Sd/-

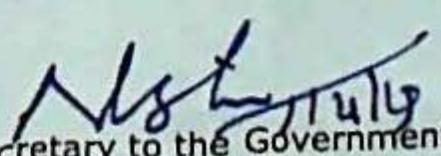
Principal Secretary to the Government
Home Department

Dated: 02.04.2019

No. Home/Pros/80/2018

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-14/S/2018/67735-36 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