



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

Jammu, the 15th April, 2019

SRO;- 289 Whereas, Police Post Qaimoh on 09.10.2013, received a reliable information to the effect that one militant namely; Mubarak Ahmad Wani @ Major Saqib, equipped with illegal Arms and ammunition is hiding in the house of one Sartaj Ahmad Dar S/o Gh. Ahmad R/o Hawoora Mishipora. Accordingly, a joint search operation was launched by Police and Army 1st RR. The said militant however, took advantage of darkness and managed to escape from the spot. It was learnt that one more person Bashir Ahmad Allie S/o Late Abdul Hamid R/o Hawoora assisted and provided shelter to the said militant in giving slip to the search party; and

2. Whereas, a case FIR No. 277/2013 U/S 13,19,20 ULAP Act,1967 was registered at Police Station, Kulgam and investigation was taken up;and

3. Whereas, during the course of investigation, a site plan of place of occurrence was prepared and Statement of witnesses acquainted with the facts and circumstances of the case were recorded under relevant provision of law. Investigation conducted revealed that accused Mubark Ahmad Wani @ Major Saqib is an active militant of HM outfit and has been found involved in various militant activities in Valley especially in District Anantnag. Investigation has further revealed that on the day of occurrence the accused person namely; Gh. Ahmad Dar had provided shelter to hide the active militant in his house and also assisted him to escape from the cordon and search launched by Security forces. Investigation also revealed

that after fleeing from the place of occurrence the accused namely; Bashir Ahamd Allaie further guided the accused Saqib in his escape to save him from facing the law of land. During initial investigation, suspected Sartaj Ahmad Dar was apprehended in the case who had been given benefit u/s 169 Cr.PC owing to no active role played by him in providing shelter to the accused Saqib;and

4. Whereas, based on the facts and circumstances that enumerated during investigation, Section 20 of ULAP Act was added and Sec. 7/25 A Act was dropped from the case. Cogent evidence collected has, prima facie, disclosed the commission of offences punishable u/s 13,20 ULA (P) Act,1967 against accused Mubark Ahmad Wani @ Major Saqib S/o Mohammad Ramzan Wani R/o Bangdar Anantnag and offence punishable u/s 19 ULAP Act,1967 against the accused 2 Ghulam Ahmad Dar S/o Mohammad Ramzan Dar R/o Vidow Mishipora and 3. Bashir Ahmad Allie S/o Ab. Hamid Allie R/o Hawoora Mishipora and investigation concluded as proved; 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.

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 mentioned accused persons for the commission of offences shown against each arising out of FIR No. 277/2013 of Police Station Kulgam;-

S.No	Name of Accused	U/S
01	Mubarak Ahmad Wani @ Major Saqib S/o Mohammad Ramzan Wani R/o Bandghar, Anantnag.	13 & 20 UAPA
02	Ghulam Ahmad Dar S/o Mohammad Ramzan Dar R/o Vidow Mishipora.	19 UAPA
03	Bashir Ahmad Allie S/o Late Abdul Hamid Allie R/o Hawoora, Mishipora.	19 UAPA

Sd/-

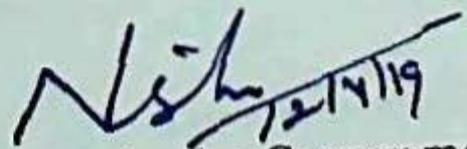
Principal Secretary to the Government
Home Department

Dated: 15.04.2019

No. Home/Pros/09/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter(s) No. Legal/San/15/S/2017/91434-35 dated 21/12/2017 & No. Legal/Sanc/15/S/2017/84111-13 dated 22.12.2018. 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

 12/4/19

Under Secretary to the Government
Home Department