



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

Jammu, the 23rd April, 2019

SRO; 300 Whereas, on 05-07-2018 P/S Kupwara received a written application from Major Adjutant Shri O P Singh, 41 RR Camp, Isgund to the effect that a Joint Operation was launched by 41 RR and Special Operation Group (SOG) of J&K Police, Kupwara at Goose. During search operation (02) OGW's were apprehended along with arms/ammunition. The OGW's were identified as Rameez Mohi-Ud-Din Lone S/O Gh Mohi-Ud-Din R/O Trehgam and Amir Hassan Sheikh S/O Gh Hassan R/O Trehgam.;and

2. Whereas, a case FIR No. 174/2018 U/S 16,18 UA(P) Act, 7/25 A Act, ¾ Exp. Sub Act was registered at P/S Kupwara and investigation was taken up.

3. Whereas, during the course of investigation, site plan was prepared. Statement of witnesses acquainted with the facts and circumstances of the case were recorded under U/S 161, 164-A Cr.PC. During investigation it came to fore that the accused persons namely Rameez Mohi-Ud-din Lone S/O Gh Mohi-Ud-Din R/O Trehgam and Amir Hassan Sheikh S/O Gh Hassan R/O Trehgam were in possession of illegal arms/ammunition for carrying out militancy related incidents. It also revealed that the accused were also instigating the youth to carry out anti-national activities, besides luring towards militancy. The accused revealed during questioning that they were working for Ansar Gazwat-ul-Hind and HM outfits in the area and were going to commit terrorist activities but were apprehended by security forces. During investigation, a Pistol with magazine was recovered from the possession of Rameez Mohi-ud-din and two Chinese Hand Grenades were recovered from the possession of accused Amir Hassan Sheikh, which were seized and seizure memo prepared. Further, the cell phones recovered from the possession of the accused have been seized as vital piece of evidence and sent to FSL Chandigarh for expert opinion where from the opinion is awaited and on receipt, the same shall be made the part of the case; and

4. Whereas, on the strength of evidence, prima facie, a case for commission of offences punishable u/s 7/25 A Act, 16,18 UA(P) Act against the accused Rameez Mohi-Ud-Din Lone S/O Gh Mohi-Ud-Din R/O Trehgam and Amir Hassan Sheikh S/O Gh Hassan R/O Trehgam was established and accordingly investigation has been concluded as proved. However Sec. ¾ Exp. Sub Act has been dropped from the case owing to

deficient evidence. It is further submitted that accused Rameez Mohi-Ud-din Lone S/O Gh Mohi-Ud-Din R/O Trehgam has been detained under PSA by the orders of DM Kupwara and is presently lodged in Kote Bilwal Jail Jammu while as accused Amir Hassan Sheikh S/O Gh Hassan R/o Trehgam was bailed out by the orders of Hon'ble Court;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 16 & 18 of the Unlawful Activities (Prevention) Act, 1967; 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 accused persons namely 1. Rameez Mohi-ud-din Lone S/o Gh. Mohi-ud-din R/o Trehgam 2. Amir Hassan Sheikh S/O Gh Hassan R/O Trehgam for commission of offences punishable U/S 16,18, of ULAP Act, arising out of FIR No. 174/2018 of Police Station Kupwara.

Sd/-

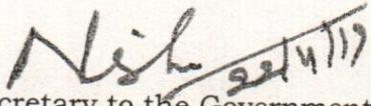
Principal Secretary to the Government
Home Department

Dated: 23.04.2019

No. Home/Pros/09/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-78/S/2018/76069-71 dated 26/11/2018. 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