



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

NOTIFICATION
Srinagar, the 19th June, 2019

SRO;- 414 Whereas, on 13-02-2017 Police Station Baramulla received a written information to the effect that some militants, equipped with illegal Arms/Ammunition are intending to enter into town Baramulla to carry out terrorists attack on Police/Security forces. Subsequently a joint Naka/MVCP at Janbazpora Baramulla was laid and during checking of vehicles, one militant fired some shots of fire with a Pistol upon the Naka party and, in order to manage his escape from the spot also tried to lob a Grenade upon the said party, however, was overpowered by police party and apprehended on spot. The apprehended militant disclosed his name as Irshad Ahmad Shah S/O Late Ghulam Nabi Shah R/O Seloo affiliated with HM outfit and from whose possession ,arms ammunition viz Chinese Pistol =01 No. Mag Pistol =01 No. , Live Cartridges = 04 No's and Chinese Hand Grenade =01 No. were recovered; and

2. Whereas, a case FIR No. 18/2017 U/S 307 RPC, 7/27 Arms Act was registered in Police Station Baramulla and Investigation taken up;and

3. Whereas, during the course of investigation site plan of place of occurrence, was prepared. During inspection of place of occurrence, two empty cartridges were also recovered/seized and to this effect seizure memo was prepared. Statement of witnesses acquainted with the facts and circumstances of the case u/s 161,164-A Cr.PC were recorded and placed on file. The seized pistol alongwith the seized cartridges was sent to FSL for Ballistic examination and expert opinion thereof received reveals that the cartridges seized from the place of occurrence have been fired from the same pistol which was recovered from the possession of accused Irshad Ahmad Shah S/O Late Ghulam Nabi Shah R/O Seloo Sopore. During investigation it also transpired that the accused is figuring in the Categorization list of terrorists and is an active terrorist of banned HM outfit, accordingly Sec.20 UAP Act,1967 was added in the case; and

4. Whereas, cogent evidence, circumstantial as well as documentary has prima facie substantiated the commission of offences punishable u/s 307 RPC 7/27 A Act, Sec 20 UA(P) Act and investigation of the case concluded as proved against him; 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 person; 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 person for his 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 person namely Irshad Ahmad Shah S/O Late Ghulam Nabi Shah R/O Seloo, Sopore for commission of offence punishable U/S 20 of Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 18/2017 of Police Station Baramulla.

By order of the Government of Jammu and Kashmir.

Sd/-

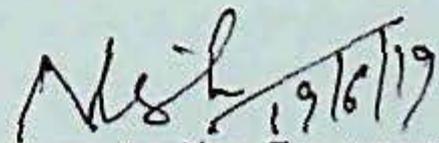
Principal Secretary to the Government
Home Department

Dated: 19.06.2019

No. Home/Pros/17/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San/98/S/2018/5636-38 dated 23/01/2019. 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