



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

NOTIFICATION

Srinagar, the 19<sup>th</sup> June, 2019

SRO:- 415 Whereas, on 02-10-2017 at about 20:45 Hours, Police Station Awantipora received an information through reliable sources to the effect that at village Padgampora, some unknown terrorists forcefully entered in a tent, where marriage ceremony of the daughter of one Abdul Rashid Wani S/o Mohammad Sultan Wani R/o Padgampora, Awantipora was being solemnized and fired several gun shots with their illegally acquired weapons upon the person of HC Ashiq Hussain No. 33/Awt, MHC, Police Station, Awantipora with intention to kill him, who was there participating in the said marriage ceremony. The said official namely HC Ashiq Hussain succumbed to his injuries on the spot and thereafter, the assailants/terrorists fled from the scene of occurrence.

2. Whereas, a case FIR No. 103/2017 U/S 302, RPC, 7/27 A.Act, 16,18,20 ULA(P) was registered at Police Station Awantipora and investigation was taken up;and

3. Whereas, during course of investigation, site plan of place of occurrence was prepared, dead body of HC Ashiq Hussain No. 33/Awt was taken into possession and after completing medico legal formalities was handed over to his legal heirs for burial. The Post Mortem Report received revealed the cause of death as "Multiple Firearm Injuries sustained on Head and Base of Skull". During site inspection incriminating articles were recovered from the place of occurrence and necessary memos to this effect were prepared and placed on record. Statements of witnesses acquainted with facts and circumstances of case were recorded under relevant sections of law.

4. Whereas, investigation conducted revealed that accused namely Lateef Ahmad Dar (A-1) had written a letter to terrorist namely Reyaz Ahmad Naikoo alias Zubair-ul-Islam A-2 of banned terrorist Organisation Hizb-ul-Mujahedeen (HM) for assassinating SDPO Awantipora, SI Faisal of PC Awantipora and MHC Ashiq Hussain of Police Station Awantipora. The A-2 after the receipt of said letter from Accused No. 1 hatched a well knit criminal conspiracy with two other terrorists namely Adnan Ahmad Lone A-3 S/o Ghulam Mohammad Lone R/o Brah Bandina Awantipora, and Adil Bilal Bhat A-4 S/o Bilal Ahmad Bhat R/o Malangpora, Pulwama to kill MHC Ashiq Hussain of Police Station Awantipora. The trio (Accused 2, 3 & 4) taking advantage of the fact that MHC Ashiq Hussain of Police Station Awantipora participated in marriage ceremony of the daughter of one Abdul Rashid Wani S/o Mohammad Sultan Wani R/o Padgampora, Awantipora, forcefully entered in the tent where MHC Ashiq Hussain was sitting and fired upon him with illegally acquired weapons

resulting in the on spot death of the said MHC Ashiq Hussain and thereafter fled from the scene of occurrence.

5. Whereas, during the course of Investigation, the statements of material witnesses were recorded under U/S. 164A Cr. PC and placed on record. Statement of witnesses so recorded would reveal involvement of accused persons namely 1). Reyaz Ahmad Naikoo alias Zubair-ul-Islam 2). Adnan Ahmad Lone and 3). Adil Bilal Bhat, all terrorists of banned terrorist Organization Hizb-ul-Mujahedeen (HM), who assassinated MHC Ashiq Hussain in pursuance to a well knit criminal conspiracy. Accused No. 1 Lateef Ahmad Dar was arrested in the case and specimen signatures taken in presence of Executive Magistrate, 1<sup>st</sup> Class Awantipora and the recovered hand written letter alongwith the specimen writings were got re-sealed and sent to FSL, Srinagar for Expert Opinion. The Opinion received thereof is in positive and reveal that accused No.1 had written the letter himself.

6. Whereas, on the strength of evidence both Scientific and Ocular collected during investigation prima facie offences punishable u/s Section 18 ULA (P) Act read with Section 16, 20, 38 ULA (P) Act & Section 302 RPC are made out against Lateef Ahmad Dar S/o Ghulam Hassan Dar R/o Panzgam, offence u/s 16, 18, 20, 38 ULA (P) Act, 7/27 Arms Act & Section 302 RPC against Reyaz Ahmad Naikoo alias Zubair-ul-Islam S/o Assadullah Naikoo R/o Beighpora Awantipora, Tehsil Awantipora, District Pulwama, Adnan Ahmad Lone S/o Ghulam Mohammad Lone R/o Brah Bandina, Awantipora Tehsil Awantipora District Pulwama and Adil Bilal Bhat S/o Bilal Ahmad Bhat R/o Malangpora, Pulwama Tehsil Pulwama District Pulwama and investigation of case has been concluded as proved against them. It is further submitted that accused No. 2 Reyaz Ahmad Naikoo is absconding against whom proceedings u/s 512 Cr.PC have been proposed. Further accused 3 and 4 have been killed in an encounter with security forces as per copy of FIK placed on record.

7. 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; and

8. 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 provision of law.

9. 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 accused persons for commission of offences punishable U/S

16, 18, 20 and 38 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 103/2017 of Police Station Awantipora:-

S.No	Name of the accused	U/S ULAP
01	Lateef Ahmad Dar S/o Ghulam Hassan Dar R/o Panzgam	16,18,20 and 38
02	Reyaz Ahmad Naikoo alias Zubair-ul-Islam S/o Assadullah Naikoo R/o Beighpora, Awantipora Tehsil Awantipora District Pulwama	16,18,20 and 38

By Order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government  
Home Department

Dated:- 19.06.2019

No. Home/Pros/31/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-132/S/2018/691-93 dated 13/02/2019. 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