



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

NOTIFICATION

Srinagar, the 19th June, 2019

SRO:- 416

Whereas on 22.08.2018 Police Station Kulgam reliably came to know that some terrorists namely 1. Umar Majeed Gani S/o Ab Majeed Ganie R/o Souch 2. Farooq Ahmad Bhat @ Nali S/o Ab Gani Bhat R/o Check Dessend 3. Zahid Bashir Mir S/o Bashir Ahmad Mir R/o Okey 4. Owais Ahmad Lone @ Owais Raja S/o Mohd Ashraf Lone R/o Hawoora 5. Javaid Ahmad Bhat S/o Ali Mohd Bhat R/o Redwani Bala fired upon Constable Fayaz Ahmad Shah S/o Late Ab. Gani Shah R/o Zazripora who succumbed to his injuries. This act was carried by terrorists with the help of their upper ground workers to create terror among common masses and threat to the territorial integrity and the sovereignty of the India; and

2. Whereas, a case FIR No. 133/2018 U/S 302 RPC 7/27 A Act, 13, 18,20,38,39 UAPA, 1967 was registered at Police Station, Kulgam and investigation was taken up;and

3. Whereas, during the course of investigation, site Plan was prepared. Dead body of deceased constable was taken into possession and after conducting medico legal formalities, the dead body was handed over to his next kin for last rites. During investigation of the case, a suspect, who disclosed his name as Javaid Ahmad Bhat S/o Mohd Sabir Bhat R/o Razgad Kadder was apprehended at a naka. He disclosed that he is affiliated/associated with militants namely 1. Umar Majeed Gani S/o Ab Majeed Ganie R/o Souch 2. Farooq Ahmad Bhat @ Nali S/o Ab Gani Bhat R/o Check Dessend 3. Zahid Bashir Mir S/o Bashir Ahmad Mir R/o Okey 4. Owais Ahmad Lone @ Owais Raja S/o Mohd Ashraf Lone R/o Hawoora 5. Javaid Ahmad Bhat S/o Ali Mohd Bhat R/o Redwani Bala 6. Shecraz Ahmad Lone S/o Ab Rashid Lone R/o Souch. During further questioning, he disclosed that another OGW Nissar Ahmad Thoker S/o Mohammad Ramzan Thoker R/o Zazripora is also associated with him who was subsequently arrested. During investigation on the disclosure of accused Javaid Ahmad Bhat, 25 posters of banned militant organization; HM with incriminating material, inscribed on them along with a bike which has been used by

these terrorists while firing on the victim were recovered and necessary memos were effected. Investigation conducted revealed that accused 1,2,3,4,5 and 06 are active terrorists of HM and LeT organisation who with the help of OGW's i.e. accused from Serial No. 07 and 08 have been involved in unlawful activities and other terrorist acts. Investigation also revealed that accused 07 & 08 are OGWs of banned militant organization HM outfit. These OGWs help and facilitate terrorists by providing logistic support, arrange Arms and Ammunition, transportation, communication besides helping them to carry attack on Police Stations and Security Establishment.

4. Whereas, during further course of investigation, accused Nisaar Ahmad Thokar disclosed his association with accused 01 to 07 in the Murder of Police Constable Fayaz Ahmad Shah S/o Late Ab Gani Shah R/o Zazripora which has been corroborated by the recovery of posters wherein terrorists have threatened police personnel to leave their job or be ready to be killed. Statement of witnesses were recorded under sec. 161 Cr.PC, besides statement of material witnesses were also recorded under Sec 164-A Cr.PC;and

5. Whereas, as per evidence collected during the course of investigation, prima-facie, a case was established u/s 13,16,18 & 39 of UAPA against accused 01 to 06 and u/s 13(2),18,19,38 & 39 of UAPA in respect of accused 07 to 08. It is further submitted that accused 01, 03 and 04 have been killed in different operations by Security Forces. While as, accused 02, 05 and 06 are active militants of District Kulgam and are absconding against whom proceedings U/S 512 Cr.PC have been proposed.; and

6. 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

7. 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.

8. 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 the commission of offences shown against each in FIR No.133/2018 P/S Kulgam:-

S.No	Name of the Accused	Offences under section
01	Farooq Ahmad Bhat @ Nali S/o Ab. Gani Bhat R/o Check Dessend	13,16,18 & 39
02	Javid Ahmad Bhat S/o Ali Mohammad Bhat R/o Redwani Bala,	13,16,18 & 39
03	Sheeraz Ahmad Lone S/o Ab. Rashid Lone R/o Souch	13,16,18 & 39
	Javaid Ahmad Bhat S/o Mohammad Sabir Bhat R/o Razgad Kadder	13(2),18,19,38 & 39 of UAPA
05	Nisar Ahmad Thokar S/o Mohammad Ramzan Thokar R/o Zazipora	13(2),18,19,38 & 39 of UAPA

By order of Government of Jammu and Kashmir.

Sd/-

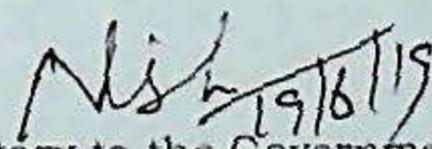
Principal Secretary to the Government
Home Department

Dated: 19.06.2019

No. Home/Pros/ 26/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No(s) Legal/Sanc-114/S/2018/7911-13 dated 31/01/2019. 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