



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

NOTIFICATION
Srinagar, the 26th August, 2019

SRO:- S10 Whereas, on 17.09.2018 Police Station Kulgam reliably came to know that the terrorists namely 1. Umar Majeed Ganie 2. Sheeraz Ahmad Lone 3. Farooq Ahmad Bhat 4. Hilal Ahmad Wani in conspiracy with OGW's have killed an Army personnel of Territorial Army namely Mukhtar Ahmad Malik S/O Gh Hassan Malik R/o Shurat Kulgam with their illegal Arms and Ammunition, when he was busy with mourning of his son at his home; and

2. Whereas, a case FIR No. 160/2018 U/S 302,109 RPC 13,16,18,20,38,39 UAPA was registered at Police Station Kulgam and investigation was taken up;and

3. Whereas, during the course of investigation site plan of place of occurrence was prepared. Dead body of deceased Mukhtar Ahmad Malik was taken into possession and after conducting medico legal formalities was handed over to his legal heirs for burial on proper receipt. Necessary memos to this effect were prepared and placed on record as piece of evidence. During course of investigation some empty cartridges were also recovered and seized in the case and proper seizure memo was prepared. Statement of witnesses acquainted with facts and circumstances of case were recorded under section 161 Cr.PC. Besides statement of material witnesses were recorded under section 164-A Cr.PC. Statement of witnesses so recorded would inter alia reveal that accused 1. Umar Majeed Ganie S/O Ab. Majeed Ganie R/O Souch 2. Sheeraz Ahmad Lone S/O Ab. Rashid Lone R/o Shouch 3. Farooq Ahmad Bhat @ Nali S/O Ab Gani Bhat R/O Checki Dessan 4. Hilal Ahmad Wani S/O Mohammad Akram R/O Mouchwa 5. Waseem Ahmad Rather S/O Bashir Ahmad Rather R/O Ashmuji and 6. Sahir Ahmad Makroo S/O Mohd Akram Makroo R/O Arwani Bijbehara had entered forcibly in the tent-house of the victim where he was mourning death due to accident of his son and fired indiscriminately thereby seriously injuring him and later succumbed to his injuries in a nearby hospital. The accused terrorists were helped by accused OGW namely Javid Ahmad Khan @ Shahzad S/O Mohammad Maqbool Khan R/O Bugam to reach the place of incidence and provided them full support in the commission of terrorist act. Evidence collected has prima facie established the commission of offences punishable u/s 302 RPC 7/27 A Act, 13,16,18,39 UAP Act against accused (1-6) 1. Umar Majeed Ganie S/O Ab. Majeed Ganie R/O Souch 2. Sheeraz Ahmad Lone S/O Ab Rashid Lone R/O Shouch 3. Farooq Ahmad Bhat @ Nali S/O Ab Gani Bhat R/O Checki Dessan 4. Hilal Ahmad Wani S/O Mohammad Akram R/O Mouchwa 5. Waseem Ahmad Rather S/O Bashir Ahmad Rather R/O Ashmuji and 6. Sahir Ahmad Makroo S/O Mohd Akram Makroo R/O Arwani Bijbehara and u/s 302,109 RPC,13,18,38,39 against accused No. 7. Javid Ahmad Khan @ Shahzad S/O Mohammad Maqbool Khan R/o Bugam Kulgam and investigation of case has been concluded as proved against them. It is further submitted that accused No 07 Javid Ahmad Khan has been arrested and is in Judicial Custody lodged at District jail Anantnag however accused No. 02,03,04,05 are active militants and are absconding against whom proceedings U/s 512 Cr.PC have been proposed. Further accused No. 01 and 06 have

been killed by security forces in different encounters and their death certificates along with FIR copies have been collected and are appended with CD file; and

4. 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

5. 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.

6. 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 for the commission of offences under various sections indicated against each arising out of FIR No. 160/2018 PS Kulgam:-

S.No	Name of accused	U/S
01	Sheeraz Ahmad Lone S/o Abdul Rashid Lone R/o Shouch.	13,16,18 and 39 of UAPA
02	Farooq Ahmad Bhat @ Nali S/o Abdul Gani Bhat R/o Checki Dessend.	
03	Hilal Ahmad Wani S/o Mohd Akram Wani R/o Mouchwa.	
04	Waseem Ahmad Rather S/o Bashir Ahmad Rather R/o Ashmuji	
05	Javid Ahmad Khan @ Shahzad S/o Mohammad Maqbool Khan R/o Bugam Kulgam	13,18,38 and 39 of UAPA

By order of the Government of Jammu and Kashmir.

Sd/-

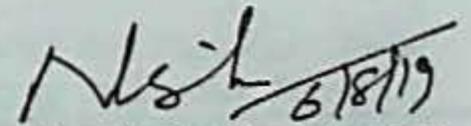
Principal Secretary to the Government
Home Department

Dated:- 08-08-2019

No. Home/Pros/56/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc/135/2018/22928-30 dated 12/04/2019. 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