



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

**NOTIFICATION**

Srinagar, the 26<sup>th</sup> August, 2019

SRO:- 511 Whereas, on 21-09-2018 Police Station, Yaripora received a written docket from I/C PP Beibagh to the effect that at about 20:45 hrs. Police Post Beibagh reliably learnt that after evening hours some unknown miscreants with intentions to disrupt forthcoming panchayat elections set ablaze Panchayat Ghar building. The miscreants were led by Muzaffer Ahmad Mir S/O Ab Rashid Mir R/O Munad-Gufan and Bilal Ahmad Thoker S/O Ghulam Ahmad Thoker R/O Munad-Gufan; and

2. Whereas, a case FIR No. 75/2018, U/S 436 RPC, 3 Public Property (Prevention of Damage) Act 1985 PP(D) Act 13,18,19,20,38,39 UA(P) Act was registered in Police Station Yaripora and investigation was taken up; and

3. Whereas, during the course of investigation, site Plan of place of occurrence was prepared. Statement of witnesses acquainted with facts and circumstances of case were recorded under relevant provisions of law and placed on record. During investigation from the scene of crime some burnt material was lifted and seized as piece of evidence and sent to FSL Srinagar for chemical analysis and report thereof is awaited. Necessary memos to this effect were also prepared. In the mean while the investigating agency also received a letter from BDO Block Behibag along with the report of Secretary Panchayat Ghar Munad-Gufan regarding the burning of Panchayat Ghar and the same was made part of the file. Investigation conducted revealed that besides Muzaffer Ahmad Mir, and Bilal Ahmad Thoker some other persons namely Shahid Ahmad Rather, Ubaid Ahmad Rather, Sajad Ahmad Lone, Tawseef Ahmad Bhat, Abdul Rashid Khan were also found involved in this criminal act. These miscreants hatched a criminal conspiracy to set ablaze the Panchaya Ghar with terrorists namely Farooq Ahmad Bhat @ Nali S/O Ab. Gani Bhat R/O Chack Dessend, Hilal Ahmad Wani S/O Mohd Akram Wani R/O Machwa, Ishfaq Ahmad Itoo S/O Mohd Yousuf Itoo R/O Hangalbush, Mohd Raqib Sheikh S/O Mohd Amin Sheikh R/O Shiganpora with the intention to disturb the Panchayat Elections and to create fear psychosis among the people and to disrupt the sovereignty and integrity of India.

4. Whereas, on the day of occurrence they burnt the said Panchayat Ghar and fled away from the spot. Subsequently accused Muzaffer Ahmad Mir, Bilal Ahmad Thoker, Shahid Ahmad Rather, Ubaid Ahmad Rather, Sajad Ahmad Lone, Tawseef Ahmad Bhat, Abdul Rashid Khan

were arrested in the case. Investigation further revealed that A-8 to A-11 are members of banned organizations HM and LeT who are involved in various unlawful activities in the District Kulgam. Accordingly categorization certificate in respect of them was also obtained and placed on record. Investigation further revealed that accused Hilal Ahmad Wani has been killed in an encounter and to this effect death certificate and copy of FIR was also obtained and placed on file; and

4. Whereas, based on the facts and circumstances together with statement of witnesses so recorded u/s 161 and 164-A Cr.PC would prima facie establish offences punishable u/s 436, RPC, 04 PP(D) Act, 13,18,19,38,39 ULA(P) Act against accused A1-A7 namely 1. Muzaffer Ahmad Mir S/O Ab Rashid Mir R/O Munad-Gufan, 2. Bilal Ahmad Thoker S/O Ghulam Ahmad Thoker R/O Munad-Gufan, 3. Shahid Ahmad Rather S/O Mohd Ashraf Rather R/O Munad-Gufan, 4. Ubaid Ahmad Rather S/O Mohammad Ahsan Rather R/O Munad-Gufan, 5. Sajad Ahmad Lone S/O Mohammad Shafi Lone R/O Munad-Gufan, 6. Tawseef Ahmad Bhat S/O Ali Mohd Bhat R/O Tongdunoo, and 7. Abdul Rashid Khan S/O Ghulam Ahmad Khan R/O Munad-Gufan and offences U/S 436 RPC, 04 PP(D) Act, 7/25 Arms Act, 13,18,39 ULA(P) Act against Militant namely 8. Farooq Ahmad Bhat @ Nali S/O Ab. Gani Bhat R/O Chak Dessend, 9. Hilal Ahmad Wani S/O Mohd Akram Wani R/O Machwa (killed terrorist), 10. Ishfaq Ahmad Itoo S/O Mohd Yousuf Itoo R/O Hangalbush (active terrorist), 11. Raqib Ahmad Sheikh S/O Mohd Amin Sheikh R/O Shiganpora (active terrorist) and investigation of case has been concluded as proved against them. It is further submitted that accused A8, A10 and A11 are active terrorists against whom proceedings u/s 512 Cr. PC have been proposed; 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; 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 following accused for the commission of offences under various

sections indicated against each arising out of FIR No.75/2018 of P/S Yaripora.

S.No	Name of accused	U/S
01	Muzaffer Ahmad Mir S/o Ab. Rashid Mir R/o MunadGuffan	13,18,19,38 and 39 of UAPA
02	2. Bilal Ahmad Thoker S/o Ghulam Ahmad Thoker R/o Munad-Gufan	
03	3, Shahid Ahmad Rather S/o Mohd Ashraf Rather R/o Munad-Gufan,	
04	Ubaid Ahmad Rather S/o Mohammad Ahsan Rather R/o Munad-Gufan	
05	Sajad Ahmad Lone S/o Mohammad Shafi Lone R/o Munad-Gufan	
06	Tawseef Ahmad Bhat S/o Ali Mohd Bhat R/o Tongdunoo	
07	Abdul Rashid Khan S/o Ghulam Ahmad Khan R/o Munad-Gufan	
08	Farooq Ahmad Bhat @ Nali S/o Ab. GaniBhat R/o ChakDessend	13,18 and 39 of UAPA
09	Ishfaq Ahmad Itoo S/o Mohommad Yousuf Itoo R/o Hangalbush (active Militant)	-do-
10.	Raqib Ahmad Sheikh S/O Mohd Amin Sheikh R/O Shiganpora (active Militant)	-do-

By order of Government of Jammu and Kashmir.

Sd/-

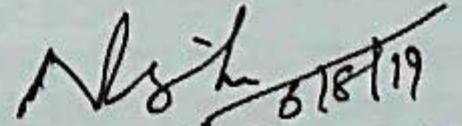
Principal Secretary to the Government  
Home Department

Dated: 26.08.2019

No. Home/Pros/61/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-153/S/2018/22940-42 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