



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

NOTIFICATION
Srinagar, the 20th August, 2019

SRO: **516** Whereas, on 02-09-2018 Police Station Yaripora came to know through reliable sources to the effect that some individuals living within the jurisdiction of Police Station Yaripora, namely Ishfaq Ahmad Mir (A1), Aslam Amin Mir (A2), Aqib Bashir Teli (A3), Mujataba Hussain Malik (A4) etc, have a few days back conducted a meeting in the orchards between Kathpora and Kanjikulla with some active terrorist namely Farooq Ahmad Bhat (A5) @ Nail (Self Styled Distt. Commander of militant organization Hizbul Mujahdeen), Hilal Ahmad Wani (A6) & Ishfaq Ahmad Itoo (A7). In this meeting these persons have conspired to identify places in the area, where police and security forces personnel can easily be attacked/killed and their weapons snatched, and to promote enmity and hatred against the government of India and help terrorists in their different unlawful activities; and

2. Whereas, a case FIR No. 63/2018, U/S, 13(2), 18,19,38,39 ULA(P) Act was registered at Police Station Yaripora and investigation was taken up;and

3. Whereas, during the course of investigation, site plan of place of occurrence was also prepared. Statement of witnesses acquainted with facts and circumstances of the case were recorded and placed on record. Statement of material witness was also recorded u/s 164-A Cr.PC. Statement of witnesses so recorded would inter alia reveal that accused (OGWs) from A1 to A4 had conducted a meeting with accused (active terrorists) A5 to A7 in the orchards between Kathpora and Kanjikulla where they planned and conspired to kill security personnel and snatch their weapons for furtherance of subversive activities in the valley especially South Kashmir. Investigation also has revealed that some arms and ammunition has also been supplied to these OGWs who have conducted recce around Yaripora Police Station and Hatipora Camp where Police nafri is deployed so that they could succeed in their nefarious designs; and

4. Whereas, evidence collected during investigation prima facie established offences punishable u/s 13,18,38,39 UAP Act against accused (A1-A4) Ishfaq Ahmad Mir S/o Abdul Gani Mir R/o Kathpora, Aslam Amin Mir S/O Mohd Amin Mir R/O Kathpora, AqibAshiqTeli S/O Bashir Ahmad Teli R/O Hangalbush and Mujataba Hussain Malik S/O Late Abdul Gani Malik R/O Kathpora and u/s 13,18,39 UAPA

against accused A5-A7 namely Farooq Ahmad Bhat @ Nali S/O Ab. Gani Bhat R/O Chak Dessend (Active Militant), Hilal Ahmad Wani S/O MohdAkramWani R/O Machwa, (Active Militant), Ishfaq Ahmad Itoo S/O Mohd Yousuf Itoo R/o Hangalbush (Active Militant) and accordingly the investigation of case has been concluded as proved against them. Accused A1-A4 were apprehended on 03-09-2018, during a Naka at the road leading to Kanjikulla and are under judicial custody, while as accused A5-A7 are active militants and are absconding, 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 persons for the commission of offences under various sections indicated against each of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.63/2018 of Police Station Yaripora;-

S.No	Name of the Accused	U/S
01	Ishfaq Ahmad Mir S/o Abdul Gani Mir R/o Kathpora.	13,18,38 and 39 of UAPA
02	Aslam Amin Mir S/o Mohd Amin Mir R/O kathpora.	
03	Aqib Bashir Teli S/O Bashir Ahmad Teli R/O Hangalbush.	
04	MujatabaHussain Malik S/o Late Abdul Gani Malik R/o Kathpora.	
05	Farooq Ahmad Bhat @ Nali S/O AbGaniBhat R/O ChakDessend (Active Militant)	13,18, 39 UAPA.
06	Hilal Ahmad Wani S/O MohdAkramWani R/O Machwa (Active Militant)	

07	Ishfaq Ahmad Itoo S/O Mohd Yousuf Itoo R/O Hanbalbish (Active Militant)	
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By order of Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government
Home Department

Dated: 28.08.2019

No. Home/Pros/60/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanction-138/S/2019/20758-60 dated 30/03/2019. 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.

Nish 6/8/19

Under Secretary to the Government
Home Department