



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

NOTIFICATION
Srinagar, the 11th September, 2019

SRO:- ⁵²⁶ Whereas, on 10/11-12-2017 Police Station Handwara received an information through reliable sources to the effect that some Unknown militants were hiding in the residential house of Ab Hamid Mir S/O Mohammad Sultan Mir R/O Unsoo and on receipt of said information, CASO was launched with the assistance of 22 RR and 92 BN CRPF. During CASO the militants hiding in the house fired upon the security forces, which was retaliated, and during encounter three militants were eliminated on spot and One lady namely Mysara Begum W/O Ishfaq Ahmad Wani R/O Unsoo also died in the crossfire; and

2. Whereas, a case FIR No. 393/2017 U/S 307,212 RPC,19 ULA (P) Act,1967 7/27 A Act was registered at Police Station Handwara and investigation was taken up; and

3. Whereas, during the course of investigation, site plan of place of occurrence was prepared. Photography of the dead bodies was got conducted. During inspection of scene of occurrence dead bodies of 03 militants and a lady with bullet injuries were recovered and taken in to possession. Necessary memos to this effect were prepared and placed on record. The dead body of lady was identified as Mysra Begum and accordingly was handed over to her legal heirs after completion of medico legal formalities. The dead bodies of killed militants couldn't be identified and after conducting postmortem and DNA profiling, they were handed over to local Auqaf at Baramulla for their burial. Arms ammunition viz Rifle AK 47 (03 Numbers), Mag. AK 47 rifle (12 Numbers), Ammunition AK 47 (271 Rds.) and UBGL Grenade (03 No.s) were recovered from the place of occurrence and seizure memo was prepared. During the

course of investigation statement of witnesses acquainted with facts and circumstances of the case were recorded u/s 161 Cr.PC , besides statement of material witnesses were also recorded u/s 164-A Cr.PC. Statement of witnesses so recorded revealed that accused Ab. Hamid Mir S/O Mohammad Sultan Mir R/O Unsoo, Tehsil Langate District Kupwara had voluntarily harboured, provided food and shelter to three foreign terrorists whose identity could not be ascertained, on the day of occurrence fired with their *illegally acquired arms ammunition* upon the security forces. Evidence collected has prima facie disclosed the commission of offences punishable u/s 307, 7/27 A Act against three unidentified foreign militants and u/s 212 RPC, 19 ULA (P) Act against accused Ab. Hamid Mir S/O Mohammad Sultan Mir R/O Unsoo, Tehsil Langate District Kupwara and investigation of case has been concluded as proved against them; 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 person; 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 person for his 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 accused person namely Ab. Hamid Mir S/O Mohammad Sultan Mir R/O Unsoo, Tehsil Langate District Kupwara for commission

of offences punishable u/s 19 of Unlawful Activities (Prevention) Act, 1967 in case FIR No. 393/2017 of Police Station Handwara

By order of Government of Jammu and Kashmir.

Sd/-

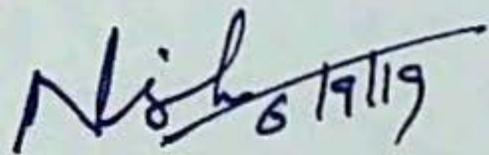
Principal Secretary to the Government
Home Department

No. Home/Pros/67/2019

Dated: 11.09.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-164/S/2019/27718-20 dated 11/05/2019. 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