



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

NOTIFICATION

Srinagar, the 25th September, 2019

SRO:- 542 Whereas, on 02.10.2018, Police Station D.H Pora received an information through reliable sources to the effect that some persons affiliated with HM outfit namely 01 Gawhar Ahmad Itoo S/O Ab. Hamid Itoo R/o Gopalpora 02. Umair Ahmad Rather S/o Mushtaq Ahmad Rather R/o Gopalpora 03. Shahnawaz Ahmad Dar S/o Ab. Gani Dar R/o Modergam Kulgam 4. Shakir Ahmad Wani S/o Gh. Mohammad R/o Banimulla 05. Gulzar Ahmad Ganie S/o Ali Mohd Ganie R/o Arreh Kulgam along with unknown persons are assisting the transportation of terrorists of banned H.M outfit in the jurisdiction of Police Station D.H.Pora. These persons have been assigned the task of keeping watch on the activities of Police and security forces in order to kill them and snatch their weapons. These persons along with the active militants Sheraz Ahmad Lone and Omar Majeed Ganie had conducted a meeting in the house of Gowhar Ahmad Itoo s/o Ab. Hameed Itoo R/o Gopalpora and has hatched a conspiracy of weapon snatching for strengthening the H.M Outfit etc;and

2. Whereas, a case FIR No. 97 of 2018 U/S 13(2),18,19,38,39 ULA(P) Act,1967 was registered at Police Station D.H.Pora and investigation 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. Statement of witnesses so recorded would inter alia reveal that accused 1-8 namely 1. Gawhar Ahmad Itoo 2. Umair Ahmad Rather 3. Shahnawaz Ahmad Dar 4. Shakir Ahmad Wani 5. Gulzar Ahmad Ganie 6. Yawar Nabi Ganie 7. Abid Hussain Bhat 8. Suhail Yousuf Bhat in furtherance of criminal conspiracy with accused 9 and 10 Sheraz Ahmad Lone and Omar Majeed Ganie conducted a meeting in the house of accused Gowhar Ahmad for snatching of weapons and killing of Security forces in the Jurisdiction of Police Station D.H Pora. This conspiracy has also resulted in the recruitment of a youth namely Zahid Ahmad Parray S/o Ab. Hameed Parray R/o Gopalpora in H.M outfit. Further the accused 01, 03,05,06,07 and 08 are the (OGW's) HM outfit, who aid and abet terrorist activities of militants by providing assistance and transportation. Investigation further revealed that accused 9 and 10 are active militants and are members of HM outfit and are involved in various terrorist related cases in valley especially in south Kashmir. Investigation also revealed that Accused No.02 and 04 Umair Ahmad Rather and Shakir Ahmad Wani are

indulging in unlawful activities by provoking the people against the sovereignty and integrity of India resulting in breach of law and order; and

4. Whereas, evidence collected has prima facie established a case punishable u/s 13,18,19,38,39 UAP Act against accused 1. Gowhar Ahmad Itoo S/O Ab. Hamid Itoo R/o Gopalpora u/s 13(2) UAP Act against accused 02 Umair Ahmad Rather S/o Mushtaq Ahmad Rather R/o Gopalpora and 4. Shakir Ahmad Wani S/o Gh. Mohammad R/o Banimulla u/s 13,18,38,39 UAP Act against accused 3. Shahnawaz Ahmad Dar S/o Ab. Gani Dar R/o Modergam Kulgam 5. Gulzar Ahmad Ganie S/o Ali Mohd Ganie R/o Areeh Kulgam 6. Yawar Nabi Ganie S/o Gh. Mohammad Ganie R/o Gopalpora ,7. Abid Hussain Bhat S/o Ab. Ahad Bhat R/o Gopalpora and 8. Suhail Yousuf Bhat S/o Lt. Mohammad Yousuf Bhat R/o Waripora D.H Pora and u/s 13,18,39 against accused 9 and 10 Umer Majeed Ganie S/o Ab. Majeed Ganie R/o Shuch and Shiraz Ahmad Lone S/o Ab. Rashid Lone R/o Shuch and investigation of case concluded as proved. It is further submitted that accused 9. Umar Majeed Ganie has been recently killed in an encounter as per copy of FIR placed on record and accused 10. Shreeraz Ahmad is an active militant 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.

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 of Unlawful Activities (Prevention) Act, 1967 indicated against each arising out of FIR No.97/2018 of P/S D.H Pora:-

S.No	Name of accused	U/S
1.	Gowhar Ahmad Itoo S/O Ab. Hamid Itoo R/o Gopalpora	13, 18,19,38,39 UAP Act, 1967
2.	Umair Ahmad Rather S/o Mushtaq Ahmad Rather R/o Gopalpora.	13(2)UAP Act

3.	Shakir Ahmad Wani S/o Gh. Mohammad R/o Banimulla.	13(2)UAP Act,1967
4.	Shahnawaz Ahmad Dar S/o Ab. Gani Dar R/o Modergam Kulgam	13,18,38 and 39 of UAP Act,1967
5.	Gulzar Ahmad Ganie S/o Ali Mohd Ganie R/o Areeh Kulgam.	
6.	Yawar Nabi Ganie S/o Gh. Mohammad Ganie R/o Gopalpora	
7.	Abid Hussain Bhat S/o Ab. Ahad Bhat R/o Gopalpora.	
8.	Suhail Yousuf Bhat S/o Lt. Mohammad Yousuf Bhat R/o Waripora D.H Pora.	
9.	Shiraz Ahmad Lone S/o Ab. Rashid Lone R/o Shuch. (Active Militant).	13,18 and 39 of UAP Act,1967

By order of Government of Jammu and Kashmir.

Sd/-

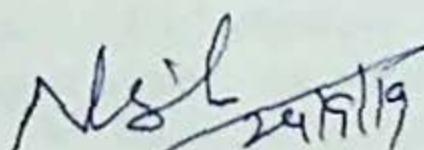
Principal Secretary to the Government
Home Department

Dated:- 25.09.2019

No. Home/Pros/50/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanction-112/2018/8373-75 dated 02/02/2019. 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.


24/9/19
Under Secretary to the Government
Home Department