



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

NOTIFICATION

Srinagar, the 03 October, 2019

SRO:-562 Whereas, on 13.03.2019, a written docket was received by P/S Devsar from Inspector Davinder Singh No. 115630/ARP stating therein that it has been learnt through reliable sources that in village Akhal, movement of terrorists have been seen who are looking out for accomplishing terrorist acts within the area. The complainant alongwith his escort, 9 RR/Army, CRPF/18 Bn, SOG Kulgam and Police Kulgam conducted the search of the village Akhal. During the search operation, one individual on seeing Police and security forces tried to flee from the spot who was apprehended. On initial questioning of the said person on the spot, he disclosed his name as Zubair Ahmad Lone S/o Mohammad Aslam Lone R/o Check-i-Dessand Yaripora. The said person further affirmed that he is affiliated with the banned HM terrorist outfit and that he along with other OGWs was assigned a task by one Farooq Ahmad Bhat @ Nali who is the District commander of HM and other terrorists, to create a sense of terror among the general public as well as among the electoral candidates pursuant to the forthcoming parliamentary elections; and

2. Whereas, a case FIR No. 14/2019 U/S 13, 15, 19, 20 38 & 39 ULA (P) Act 1967, stands registered in P/S Devsar and investigation set into motion; and

3. Whereas, during the course of investigation, on the basis of statement of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused persons namely 1. Zubair Ahmad Lone S/o Mohammad Aslam Lone R/o Khanpora Chek Dessend Yaripora, U/S 13, 19, 20 and 39 ULA(P) Act and against accused 2. Imran Rahi Dar S/o Abdul Rashid R/o Tangdanoo Yaripora u/s 13, 17, 19, 38 and 39 ULA(P) Act. 3. Shabir Ahmad Malla S/o Mohd. Ibrahim Malla R/o Taungdanoo Yaripora U/S 13, 18, 19 and 39 ULA(P) Act against accused 4. Shabir Ahmad Malik (LeT Active terrorist) S/o Abdul Ahad Malik R/o Taungdanoo Yaripora, U/S 13, 18, 39 ULA (P) Act and against accused 5. Farooq Ahmad Bhat @ Nali (HM Active terrorist) S/o Abdul Gani Bhat R/o Chek Dessend Yaripora U/S 13, 18, 39 of the Unlawful Activities (Prevention) Act 1967; and

4. Whereas, during the course of investigation, the logical chain of events evidently proves that Accused No. 1 has been actively associated with

the terrorist outfit of HM and later got active as a full-fledged member of HM outfit, has been in constant communication with other members of banned terrorist organization and has facilitated the said organization by collecting funds and transporting Arms and Ammunition from one place to another and has arranged and participated in the terrorist meeting which involved members of other terrorist organization viz, LeT as well as to strengthen the terrorist network within the area. The Accused No. 2 has been associated with the terrorist organization LeT and has been facilitating the terrorist activities by managing the movement of the terrorists and their Arms and Ammunition, managing safe hide outs for the terrorists and also has been providing clothing etc to them. Moreover owing to his technical skills, the said accused has been also giving training to militants and OGW's for use and installation of BBM Application. The Accused No. 3 has been associated with the terrorist organization LeT and particularly with accused No.04 and has facilitating the terrorists' activities by managing the movement of the terrorists and their Arms and Ammunition. Moreover, he was the person who informed accused No. 02 that Accused No. 04 has come back from Pakistan and accompanied accused No. 02 to receive him at Srinagar and then together brought accused No. 04 back to Kulgam. Accused No. 05 is an active terrorist and has been instrumental in sustaining and furthering terrorist activities.

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 accused persons under sections shown against each of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 14/2019 of Police Station Devsar:-

S.No	Name of Accused	Offences U/S of ULAP, 1967
1.	Zubair Ahmad Lone S/o Mohammad Aslam Lone R/o Khanpora Chek Dessend Yaripora,	U/S 13, 19, 20 and 39 ULA(P) Act.
2.	Imran Rahi Dar S/o Abdul Rashid R/o Taungdanoo Yaripora	U/S 13, 17, 19, 38 and 39 ULA(P) Act.

3.	Shabir Ahmad Malla S/o Mohd. Ibrahim Malla R/o Tungdanoo Yaripora .	U/S 13, 18, 19 and 39 ULA(P) Act.
4.	Shabir Ahmad Malik (LeT Active terrorist) S/o Abdul Ahad Malik R/o Taungdanoo Yaripora .	U/S 13, 18, 39 ULA(P) Act.
5.	Farooq Ahmad Bhat @ Nali (HM Active terrorist) S/o Abdul Gani Bhat R/o Chek Dessend Yaripora .	U/S 13, 18, 39 ULA(P) Act.

By order of the Government of Jammu and Kashmir.

Sd/-

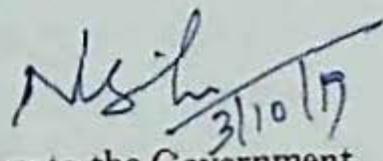
Principal Secretary to the Government
Home Department

No. Home/Pros/140/201

Dated: 03.10.2019

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanc-27/S/2019/47950 Dated 03.08.2019 from PHQ. 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.


3/10/19

Under Secretary to the Government
Home Department