



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

NOTIFICATION

Srinagar, the 11th October, 2019

SRO:- 576 Whereas, on 11-10-2018 Police Station Qalamabad received a written report to the effect that during search of village Shartgund Bala unknown militants fired upon security forces with the intention to kill them which was retaliated; and

2. Whereas, a case FIR No. 75/2018 U/S 307 RPC 7/27 A.Act,19, 39 ULA(P) Act of 1967, was registered at Police Station Qalamabad and investigation was taken up; and

3. Whereas, during the course of investigation, the dead bodies were identified as Manan Bashir Wani S/O Bashir Ahmad Wani R/O Tekipora Lolab and Ashiq Zargar S/O Gh. Mohi-Ud- Din Zargar R/O Sherhama Qalamabad at present Tulwari Langate and accordingly were handed over to their legal heirs for burial under proper receipt. Further, during investigation, it was revealed that accused Showket Ahmad Bhat S/O Gh. Nabi Bhat R/O Shartgund Bala was found involved in providing food and shelter and all other logistic support to the militants and had kept them in his house during the intervening night and managed their escape from his house, who were thereafter killed in an open space while fleeing.

4. Whereas, during the course of investigation, on the basis of statements of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused persons namely; Manan Bashir Wani S/O Bashir Ahmad Wani R/O Tekipora Lolab and Ashiq Zargar S/O Gh Mohi-ud-din Zargar R/o Sherhama Qalamabad at present Tulwari Langate U/S 307 RPC, 7/27 A. Act against whom proceedings would be abated as both the militants stand neutralized by the security forces and under Section 19 & 39 of the Unlawful Activities (Prevention) Act 1967 against Showket Ahmad Bhat S/O Gh. Nabi Bhat R/O Shartgund Bala; 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 person; 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 person for his 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 person namely Showket Ahmad Bhat S/O Gh. Nabi Bhat R/O Shartgund Bala for the commission of offences punishable U/S 13 & 39 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.75/2018 of P/S Qalmabad.

By order of Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government
Home Department

Dated: 11.10.2019

No. Home/Pros/82/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-10/s/2019/30246-48 dated 23/05/2019. 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