



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

### NOTIFICATION

Srinagar, the 21st October, 2019

SRO:- 609 Whereas, on 09.09.2018 Police component Sopore along with nafri of 179/Bn CRPF received an information through reliable sources to the effect that some persons namely; 1. Gowhar Maqbool Rather S/O Muhammad Maqbool Rather R/O Hardshiva Sopore 2. Hussain Rashid Mir S/O Abdul Rashid Mir R/O Panzalpora Shiva Sopore and 3. Ghulam Mohi-Ud-Din Najar @ Shahzad @ Shada S/O Gh. Muhammad Najar R/O Hardshiva Sopore are associated with banned HM outfit and are luring the youth to join militancy. Besides, they are facilitating the movement of terrorists from one place to another in the area; and

2. Whereas, a case FIR No. 244/2018 U/S 16, 39 & 18-B, ULA (P) Act 1967, was registered in P/S Sopore and investigation taken up; and

3. Whereas, during the course of investigation, the three accused persons were apprehended and from their personal search cell phones with SIM cards were recovered. The call detail record of the mobile numbers was sought from the concerned nodal officers and the report received in this behalf corroborated their contact with active terrorists. During further investigation accused Gowhar Maqbool Rather disclosed that he was working as OGW of HM outfit and working with an active terrorist namely, Firdous Ahmad resident of Warpora, and further disclosed that he was involved in providing assistance to the terrorists and transporting of arms/ammunition from one place to another for terrorists active in the area. During further investigation, accused Hussain Rashid Mir also confessed to be an OGW of HM outfit and that he had been providing assistance to the terrorists active in the valley especially in jurisdiction of Police Station Sopore; and

4. Whereas, 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. Gowhar Maqbool Rather S/O Muhammad Maqbool Rather R/O Hardshiva, Sopore, 2. Hussain Rashid Mir S/O Ab. Rashid Mir R/O Panzalpora Shiva, Sopore, & 3. Gh. Mohi-Ud-Din Najar @ Shahzad S/O Gh. Mohd Najar R/O Hardshiva, Sopore, for offences punishable under Sections 18 & 39 of the Unlawful Activities (Prevention) Act, 1967; 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, the 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 namely; Gowhar Maqbool Rather S/O Muhammad Maqbool Rather R/O Hardshiva Sopore 02. Hussain Rashid Mir S/O Abdul Rashid Mir R/O Pazalpora Shiva Sopore 03. Ghulam Mohi-Ud-Din Najar @ Shahzad @ Shada S/O Gh. Muhammad Najar R/O Hardshiva Sopore for the commission of offences punishable U/S 15 & 39 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 244/2018 of P/S Sopore.

By order of the Government of Jammu and Kashmir.

Sd/-

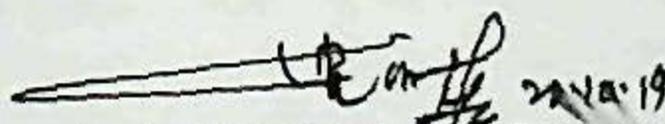
Principal Secretary to the Government  
Home Department

No. Home/Pros/49 /2019

Dated: 27.10.2019

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. legal/Sanc-145/S/2018/17275-77 dated 14.03.2019 read with letter dated 11.07.2019 . 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.t.s.c.)
3. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

  
Under Secretary to the Government  
Home Department