

Government of Jammu & Kashmir
Civil Secretariat Home Department

Srinagar/Jammu

NOTIFICATION

Jammu, the 7th April, 2020

S.O 12/ - : - Whereas, on 28-09-2019, Police Station Kishtwar received information that some persons namely (1) Nissar Ahmed S/O Bashir Ahmed Rather R/O Hunjala Kishtwar, (2) Asif Nazir S/O Nazir Ahmed Butt R/O Berwar, (3) Imtiyaz Ahmed S/O Abdul Gani Butt R/O Berwar, (4) Mohammad jaffer S/O Ghulam Mohammad Sheikh R/O Natas Dool, (5) Kousar Hussain S/O Mohammad Akbar Bagwan R/O Hunjala, and (6) Liyaqat Ali S/O Aziz Mohammad Bagwan R/O Hullar were associated with banned organization of Hizbul Mujahideen (HM) and were providing logistic support to the militants; and

2. Whereas, the case FIR No. 230/2019 U/S 13/18/19/38/39 Unlawful Activities (Prevention) Act was registered at P/S Kishtwar and investigation of case was set in motion; and

3. Whereas, during the course of investigation, it came to the fore that accused were providing logistic support to the militants and were arranging meetings of an active militant namely Mohammad Amin @ Jahangir Saroori S/O Mohammad Anwar R/O Saroor Kishtwar for carrying out militant activities in the area by plotting conspiracies; and

4. Whereas, during the personal search, mobile phone Nokia alongwith SIM bearing No. 9797040462 were seized from accused namely Kouser Hussain and mobile X93 Grand alongwith SIM bearing no. 9906589019 was seized from accused Mohammad Jaffer; and

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5. Whereas, during further course of investigation, the accused were arrested, site plan, seizure memo were prepared and the statements of witnesses were recorded U/S 161 and 164-A CrPC; and

6. Whereas, during further investigation, the involvement of one more accused Jaffer Hussain S/o Mohammad Ashraf Butt R/O Hunjala Kishtwar was established and accordingly accused was arrested on 08/10/2019, arrest form was filled and his finger prints were taken; and

7. Whereas, the accused militant Osama Bin Javid S/O Javid Ahmad Wani R/O Sounder Dachan was killed in an encounter on 208/09/2019 at Batote District Ramban and Militant Haroon Abass S/O Ghulam Abass R/O Gath Doda was also killed in an encounter on 15/01/2020 at Tentna Gundna Doda; and

8. Whereas, on the basis of evidence collected, statement of witnesses recorded and other material placed on record, the investigation has established the involvement of below mentioned accused for the commission of offences as shown against each:-

S.No.	Name of accused persons	Under Section
1	Mohammad Jaffer	U/S 13/18/19/39
2	Liyaqat Ali	
3	Kousar Hussain	
4	Nissar Ahmed	U/S 13/18/19/39
5	Imtiyaz Ahmed	
6	Asif Nazir	
7	Jaffer Hussain Butt	U/S 13/18/19/39

9. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all other relevant documents

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relating to the case and has come to the conclusion that prima facie case against the accused has been made out; and

10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for 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 Government hereby accords sanction for launching prosecution against the above mentioned accused for the commission of offences as shown against each as above in case FIR No. 230/2019 of Police Station Kishtwar.

By order of the Government of Jammu and Kashmir.

Sd/-

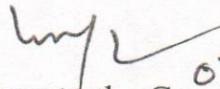
Principal Secretary to the Government
Home Department

No. Home/Pros/ 17 /2020

Dated: 07.04.2020

Copy to: -

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Director General of Police, J&K Jammu. This has reference to his letter No. Legal/Sanc-08/J/2020 dated 20/03/2020 from PHQ. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
3. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs. (w.7.s.c.)
4. Private Secretary to Principal Secretary to the Government, Home Department.
5. Stock file.


Under Secretary to the Government
Home Department