

Government of Jammu and Kashmir
Home Department
Civil Secretariat, Jammu

NOTIFICATION
Jammu, the 28th April, 2020

S.O 142 Whereas, on 25-11-2019 Police Station Rajpora received a reliable information about the presence of terrorists in Pachhar near Fruit Mandi. On this information a joint cordon by Pulwama Police and security forces was laid down; and

2. Whereas, during cordon, security forces noticed movement of three vehicles leading towards Drubgam village which were signaled to stop but the terrorists hiding in one of the vehicles (Tata Carrier-207) bearing registration No. JK13C-0745 started indiscriminate firing upon the naka party with the intention to cause casualties; and

3. Whereas, the fire was retaliated and during ensuing encounter, two militants identified as Irfan Ahmad Rather S/O Azad Ahmad Rather R/O Litter Rajpora and Irfan Ahmad Sheikh S/O Gh. Ahmad Sheikh R/O Naira Tahab, both affiliated with HM outfit, were killed. On the place of occurrence 1 AK-47 Rifle, 02 AK 47 Magazines, 50 AK Rounds, 1 Wireless Set, 1 AK 56 Rifle, 2 AK 56 Magazine, 50 AK 56 Rounds were recovered; and

4. Whereas, a Case FIR No. 93/2019 U/S 307 IPC, 7/27 A.Act, 16,18,19,20,39 ULA (P) Act, came to be registered in Police Station Rajpora and investigation was set into motion; and

5. Whereas, during the course of investigation, the vehicle (TATA-207) bearing registration No. JK13C-0745 was seized and on search of the said vehicle 20 live Rounds of AK 47 and 02 empty cartridges were recovered. Site plan of scene of occurrence and the seizure memos of recovered arms/ammunition and TATA-207 vehicle were prepared. Statement of witnesses acquainted with the facts and circumstances of the case were recorded under section 161 Cr.PC; and

6. Whereas, the driver of seized vehicle (TATA 207) namely Muzaffar Ahamd Wani S/O Ab. Gafar Wani R/O Braw Bandina in which the terrorists were travelling was arrested. During the investigation, it was revealed that the said accused driver Muzaffar Ahmad Wani accompanied by other accused persons namely (1) Arshid Ahmad Wani S/O Gh. Nabi Wani R/O Aliepora, (2) Abid Hussain Bhat S/O Ab. Gani Bhat R/O Braw Bandina, (3) Rameez Raja S/O Gh. Hassan Mir R/O Litter Rajpora, (4) Basharat Yousuf Mir S/O Mohd Yousuf Mir R/O Litter Rajpora were in close contact with terrorist outfit Hizbul Mujahdeen; and

7. Whereas, during further investigation it was established that on the said date the accused persons had reached orchards of Wasoora (Sethar) on the directions of the killed terrorists alongwith three vehicles belonging to Muzaffar Wani (2) Arshid Wani (3) Rameez Raja. At Wasoora two terrorists boarded the vehicle of accused Muzaffar Wani and other two vehicles were used for guide purposes in order to give them clearance about presence of security forces from the Wasoora to Drubgam. The accused persons managed to escape from the encounter site, taking

advantage of exchange of fire during encounter while heading towards Drubgam; and

8. Whereas, during further investigation it was also revealed that the accused persons were providing logistics support in terms of transportation to the terrorists in the area; and

9. Whereas, on the basis of investigation, statement of material witnesses recorded and other evidence collected, the investigating officer has established prima facie case against the below mentioned accused persons for commission of offences punishable Under Section 16,18,19,20,39 of Unlawful Activities (Prevention) Act, 1967:-

S.No.	Name of accused	Offence
1	Muzaffar Ahmad Wani S/O Ab. Gafar Wani R/O Braw Bandina	16,18,19,20,39 ULA (P) Act
2	Arshid Ahmad Wani S/O Gh. Nabi Wani R/O Aliepora	
3	Rameez Raja S/O Gh. Hassan Mir R/O Rajpora	
4	Basharat Yousuf Mir S/O Mohd Yousuf Mir R/O Litter Rajpora	
5	Abid Hussain Bhat S/O Ab. Gani Bhat R/O Braw Bandina	

10. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently examined the case diary file and all the other relevant documents relating to the case and has come to the conclusion that prima facie case is made out against the above accused: and

11. 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 their prosecution under the 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 persons for the commission of offences shown against each in the case FIR No. 93/2019 of Police Station Rajpora.

By order of the Government of Jammu & Kashmir.

Sd/-

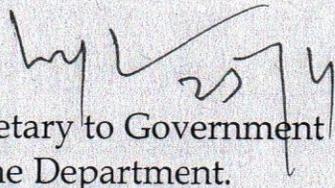
Principal Secretary to Government
Home Department.

Dated:- -04-2020

No:-Home/Pros/ /2020/

Copy to the:-

1. Joint Secretary, J&K Ministry of Home Affairs, GOI
2. Director general of Police, J&K Jammu. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
3. Secretary to Government, Department of Law, Justice & PA (w.7 s.c.)
4. Private Secretary to Principal Secretary to the Government, Home Department.
5. Stock file.


Special Secretary to Government
Home Department.