

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

Notification,

Jammu, the 18th May, 2020.

S.O 164 :-Whereas, on 13/14.12.2018, Police Station, Litter on reliable information intercepted Grand I-10 bearing Chasis No. MALA85ICIJM-838072, at naka point Tumhahal and thorough checking of the vehicle on spot led to recovery of IED Material (1) Super power 90 Danger 153.75 Kgs (2) Safety Fuse Detonator 11 Numbers (3) Improvised Explosive Super Phosphorus 20 Kg (4) Safety Fuse 10 Meter from the possession of Mayoor Ahmad Khan S/O Mohd. Afzal Khan R/O Panjran Pulwama; and

2. Whereas, a case FIR No. 49/2018 U/S 4/5 Explosive Substances Act, 20 ULA(P) Act 1967 was registered in Police Station, Litter and investigation set into motion; and

3. Whereas, during the course of investigation, the accused disclosed that more explosives were hidden in Rambiara Nalla, and upon his disclosure 10 Kgs of Super Power 90 Danger were recovered from the Nalla. The samples of the explosive substance were sent to FSL Srinagar for expert opinion and FSL reports received were positive; and

4. Whereas, the particulars of vehicle were ascertained from ARTO Office Pulwama and the vehicle was found to be registered in the name of Mohammed Afazal Khan S/O Ab. Ahmad Khan R/O Panjran, father of accused Mayoor Ahmad Khan; and

5. Whereas, during further investigation, it came to fore, that one active militant Ashiq Hussain Ganaie S/o Ab. Khaliq Ganaie R/o Panjran, affiliated with JEM outfit was close relative of the accused Mayoor Ahmad Khan and got all kinds of logistic support from the accused; and

6. Whereas, the accused Mayoor Ahmad Khan worked as OGW and used to transport the arms/ammunition of the banned outfit from one place to another

and on the date of occurrence, the said active militant directed the accused Mayoor Khan to collect IED material from village, Tumlahal and described the route and time to the accused, and

7. Whereas, the accused Mayoor Ahmad Khan received th IED material and loaded the same in the vehicle which was meant to be used against security forces and police in the area but due to timely action, the accused was arrested during the naka checking alongwith the IED material; and

8. Whereas, on the basis of statement of witnesses, the seizure memo and other evidence, the investigating officer has established a prima facie case against the accused Mayoor Ahmad Khan S/o Mohammad Afzal Khan R/o Panjran Pulwama for commission of offence punishable under section 18 of the Unlawful Activities (Prevention) Act 1967 and accordingly, while section 20 of the Unlawful Activities (Prevention) Act 1967 was dropped, section 18 of the said Act has been added in the FIR; and

9. 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 a conclusion that prima facie case for accord of prosecution sanction against above accused person; and

10. Whereas, after perusing the Case Diary, 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 accused person for his prosecution under the aforesaid provision 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 accused person namely Mayoor Ahmad Khan S/o Mohammad Afzal Khan R/o Panjran Pulwama

for the commission of offences punishable U/S 18 of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 49/2018 of Police Station, Litter.

By order of the Government of Jammu and Kashmir.

Sd/-

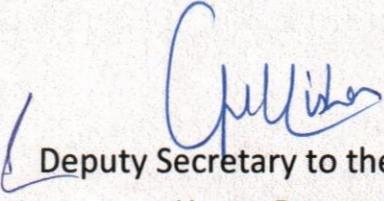
Principal Secretary to the Government
Home Department

No. Home/Pros/120/2019

Dated: 18.05.2020

Copy to:-

1. Joint Secretary (J&K) Ministry of Home Affairs, GOI, New Delhi.
2. Director General of Police, J&K Srinagar. 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.


Deputy Secretary to the Government
Home Department
