

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

NOTIFICATION

Jammu, the 7th January, 2020

SO ⁰⁶ .-Whereas, on 17-06-2018, Police Station, Devsar received an information through reliable source that some unknown terrorists fired upon one Mohammad Iqbal Kawak S/O Mohammad Abdullah Kawak R/O Kelam near his house with their illegal arms/ammunition with intention to kill him, due to which he sustained grievous injuries. He was shifted to District hospital Anantnag where he succumbed to his injuries; and

2. Whereas, a case FIR No. 27/2018 U/S 307 RPC, 7/27 A. Act, U/S 13,16,18,20,38 & 39 ULA(P) Act, 1967 was registered in P/S Devsar and investigation of the case was taken up; and

3. Whereas, during the course of investigation, a site plan was prepared and during spot inspection, 06 Empty cartridges of AK-47 series and 03 Cartridges of INSAS rifle were recovered and seizure memo was prepared; and

4. Whereas, during investigation, involvement of accused (1) Salal Ahmad Ganie who was already under custody in case FIR No. 107/2018 of Police Station Kulgam, surfaced, as such, for the purpose of investigation in the instant case, his custody was changed. The accused confessed his involvement in the case, accordingly, disclosure memo was prepared. Further investigation revealed the involvement of (2) Muzaffer Ahmad Bhat S/o Mohd Amin Bhat R/O Sopat Devsar (3) Shakoor Ahmad Dar @ Abu Baker S/O Mohammad Muniwar Dar R/o Sopat and (4) Abu Mavia R/o Pakistan; and

5. Whereas, the investigating officer on the basis of seizure memos, statement of witnesses recorded under relevant sections of law and other evidence has prima-facie, established the commission of offences punishable U/S 302 RPC, 7/27 Arms Act, 13,16,18,20,38 & 39 of the Unlawful Activities (Prevention) Act 1967, against the accused persons namely; Salal Ahmad Ganie @ Shakoor S/O Ghulam Qadir Ganie R/o Chadder, Muzaffer Ahmad Bhat S/o Mohd Amin Bhat R/O Sopat Devsar, Shakoor Ahmad Dar @ Abu Baker S/o Mohammad Muniwar Dar R/O Sopat and Abu Mavia R/O Pakistan. Accused namely; Shakoor Ahmad Dar @ Abu Baker and Abu Mavia have been killed in different encounters with security forces and accused Muzaffer Ahmad Bhat is absconding as such proceedings u/s 512 Cr.PC have been initiated; and

6. Whereas, the Authority appointed by the Government of J&K 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

7. 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 Government of J&K 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, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government of J&K hereby accords sanction for launching prosecution against the accused persons namely;

1. Salal Ahmad Ganie @ Shakoor S/o Ghulam Qadir Ganie R/o Chadder
 2. Muzaffar Ahmad Bhat S/o Mohd Amin Bhat R/O Sopat Devsar
- for the commission of offences punishable U/S 13,16,18,20,38 & 39 of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 27/2018 of Police Station Devsar.

By order of the Government of Jammu & Kashmir

Sd/-

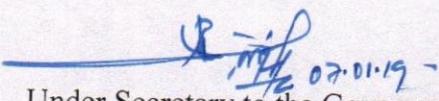
Principal Secretary to the Government
Home Department

No. Home/Pros/177 /2019

Dated: 07 .01.2020

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanc-83/S/2019/57570-72 dated 25.09.2019 from PHQ. 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