



GOVERNMENT OF JAMMU AND KASHMIR
HOME DEPARTMENT
Civil Secretariat, Srinagar

Notification,

Srinagar, the 1st Aug, 2013.

SRO 350 .-Whereas, on 23-07-2013, acting on a specific information, a joint operation was launched at Gadwad Sever Lolab by Police, IS RR and other security forces. During search operation, one militant who was hiding in the cowshed of Muhammad Amin Malla S/O Ghulam Rasool Malla R/O Gadwad fired upon the security forces with his illegal arms and ammunition which was retaliated, and during the ensuing encounter, a terrorist namely Qari Yasir R/O Pakistan belonging to Jeshi Muhammad outfit got killed.

2. Whereas, in this connection, case FIR No. 57/2013 U/S 307 RPC, 7/27 Arms Act was registered in Police Station, Lalpora and the investigation was taken up; and

3. Whereas, during the course of investigation, I/O visited the spot of occurrence, seized Arms and Amunition, prepared seizure memo, site plan and the statements of witnesses acquainted with the facts and circumstances of the case were also recorded u/s 161 & 164_A Cr.PC. The dead body of the deceased was photographed and after completion of medico legal formalities, was handed over to local Auqaf Committee for last rites. The slain militant was identified as Qari Yasir S/O unknown R/O Paksitan, Chief Operational Commander of banned outfit of Jesh-i-Muhammad. Further investigation conducted revealed that one Shabir Ahmad Sheikh S/O Abdullah Sheikh R/O Gadwad with the assistance of Ghulam Hassan Malla @ Hassan Rather S/O Muhammad Jamal Malla R/O Harden had shifted the militant when he was injured earlier, from the Kawadi

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forests in a Maruti Car which was provided by accused Ghulam Rasool Mir S/O Gaffar Mir R/O Harden for the said purpose and then hide him in the cowshed of Muhammad Amin Malla S/O Muhammad Jamal Malla. Accused Shabir Ahmad Sheikh was having constant contact with the militant through mobile phone bearing No. 9419053090. The vehicle bearing registration No. JK09/0353 which was used for shifting the militant from the forests and the cell phone along with SIM card of accused Shabir Ahmad Sheikh was seized in the case as piece of evidence and necessary documents were prepared.

4. Based on the investigation, a case made out against accused Qari Yasir (deceased) u/s 307 RPC, 7/27 I.A. Act and against other accused. 1. Shabir Ahmad Sheikh S/O Abdullah Sheikh R/O Gadwad Sever, 2. Ghulam Rasool Mir S/O Gaffar Mir R/O Harden and 3. Ghulam Hassan Malla @ Hassan rather S/O Muhammad Jamal Malla R/O Harden u/s 19 of Unlawful Activities (Prevention) Act.

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 sanction, for launching prosecution against the 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.

7. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act,

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1967, the State Government hereby accords sanction for launching prosecution against the above mentioned 03 accused persons, for offences under section 19 of ULAP Act arising out of FIR No. 57/2013 of Police Station Lalpora, Kupwara.

By Order of the Governor of Jammu and Kashmir.

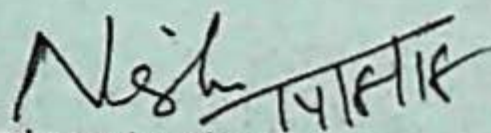
Sd/-
Principal Secretary to the Government
Home Department

No. Home/Pros/43/2017

Copy to the:-

Dated:- 16.08.2018

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Saction-36/S/2016/46900-01 dated 29.06.2017. 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. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


Under Secretary to the Government
Home Department