



Government of Jammu and Kashmir
Civil Secretariat, Home Department
Srinagar

NOTIFICATION

Srinagar, the 7th day of September, 2018

SRO 378.-Whereas, on 15.03.2018, Police Station, Budgam received a docket from I/C CIU, Budgam to the effect that, an information through reliable sources was received regarding presence of some anti-national elements in Budgam, who had planned to carry out subversive activities. Accordingly, SOG Budgam in collaboration with troops of Army 53 RR established a naka near SBI Branch, Budgam. The naka party observed suspicious movement of two persons who were asked to prove their identity but the duo tried to fire upon the naka party. However, the naka party overpowered and apprehended them on spot, who were later identified as Sajad Ahamd Dar S/o Gh. Rasool R/o Samboora, Pulwama, and Faizan-ul-Zaman S/o Gh. Qadir Bhat R/o Kandipora, Bijbehara. Two pistols alongwith two magazines and 12 rounds were recovered from their illegal possession; and

Whereas, in this connection, a case FIR No. 49/2018 u/s 307, 120-B RPC, 7/25 A. Act was registered in Police Station, Budgam and investigation initiated; and

Whereas, during the course of investigation, one more person namely, Maiser Ahmad Dar S/o Mushtaq Ahmad R/o Samboora, Pulwama was apprehended. A vehicle "Baleno" bearing chasis No. 7191055 was also seized. From his possession, one pistol alongwith two magazines and cash amounting to Rs 40,000/- was also recovered. The accused namely, Faizan-ul-Zaman has been decalred as juvenile by the Honb'ble Court of CJM, Budgam in terms of order dated 09.04.2018; and

Whereas, during the course of further investigation, the offence u/s 120-B RPC was deleted and sections 18 and 20 of UAPA were incorporated in the case; and

Whereas, during the course of further investigation, it was established that accused person namely, Sajjad Ahmad Dar S/o

Ali

Ghulam Rasool Dar r/o Samboora Pulwama was also found involved in Case FIR No. 28/2013 u/s 148,149,307,332,353,336,341,427 RPC and FIR No 147/2016 u/s 147,148,341,427 RPC of P/S Pampore; and

Whereas, during the course of further investigation, on the basis of statements of witnesses, the seizure memos and other evidence, the Investigating Officer has established that the accused persons belong to banned terrorist organization "LeT" outfit and a prima-facie case is made out against the accused persons under sections 18 and 20 of the Unlawful Activities (Prevention) Act, 1967 apart from other offences; and

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 prosecution sanction against the accused persons; and

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.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the below mentioned accused persons for the commission of offences punishable under sections 18 and 20 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 49/2018 of Police Station, Budgam.

1. Sajad Ahmad Dar S/o Gh. Rasool R/o Samboora, Pulwama.
2. Faizan-ul-Zaman S/o Gh. Qadir Bhat R/o Kandipora, Bijbehara.
3. Maiser Ahmad Dar S/o Mushtaq Ahmad R/o Samboora, Pulwama.

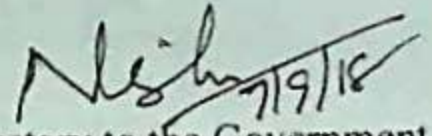
By order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government
Home Department

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-38/S/2018/60606-08 dated 05.09.2018. 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. OSD to Hon'ble Advisor (K).
4. Pvt. Secretary to Principal Secretary to the Government, Home Department.
5. Stock file.



Under Secretary to the Government
Home Department