



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

Jammu, the 28th, February, 2019

SRO:- 141 Whereas, on 20.01.2018 Police Party of Police Component Srinagar were on Patrolling in the general area of Nowshera Soura, as Police component Srinagar had information about movement of militants who were boarding in an Alto Car bearing regd. No. JK01K-3482. On reaching near Nowshera militants namely Eisa Fazli S/o Noor-un-Nayeem Fazli R/o Shahdab Colony 90 Ft. Road Ahmad Nagar, Soura and Owais Ahmad Shah S/o Mohd Shafi Shah R/o Gohan Kokernag etc. boarding in Alto Car No. JK01K-3482 opened indiscriminate fire on Police party with the intention to kill them, however no loss of life was reported. The militants managed to escape from the spot and Alto Car No. JK-01K-3482 run away from the spot etc. The alto car was nabbed by next Naka Party few meters ahead from spot. The driver of the Alto car was searched and from his possession two hand grenades were recovered. On the preliminary verification, the suspect disclosed his name as Musaib Ahmad Dar S/o Mohammad Shafi R/o Ahmadnagar Soura Srinagar. The accused was arrested and Alto Car bearing registration No. JK01K-3482 was seized on spot; and

2. Whereas, a case FIR No. 10/2018 u/s 7/27 A Act 13,18,23 ULA(P) Act was registered at P/S Soura , Srinagar and investigation taken up;and

3. Whereas, during the course of investigation the scene of occurrence was visited and site plan prepared, statement of witnesses acquainted with the circumstances of the case were recorded u/s 161 Cr PC. During the course of further investigation, interrogation report of arrested accused namely Musaib Ahmad Dar was drafted, wherein he disclosed that his brother namely Liyakat Hussain Dar S/o Mohammad Shafi Dar R/o Old road Ahmad Nagar had contact/ links with the Esa Fazli S/o Noor-N-Nayeem Fazli R/o Shahdab Colony Soura militant TeM outfit and had kept him along with one Owais Ahmad Shah S/o Mohd Shafi Shah R/o Gohan Kokernag Anantnag militant of TeM at home and provided them food/shelter and other logistics. On his disclosure Liyakat Hussain Dar S/o Mohd Shafi dar R/o Old Road Ahmad Nagar was arrested and from his disclosure one red colour bag of Puma belonging to militant Esa Fazli was recovered from his house and during search of the bag incriminating material alongwith two daggers, one empty cartridge of AK-47 rifle and some cloths etc were recovered from the bag. Accordingly all

the items were seized in the instant case and seizure memo was prepared. As per the evidence placed on record the allegation were established against all the four accused persons mentioned above; and

4. Whereas, a case U/S 307,212,RPC 7/27 A. Act 13,18,23 ULA(P) Act is made out against the accused persons mentioned above and accused No. 03 & 04 were arrested and are presently on bail. However, accused No. 01 & 02 got killed in an encounter with the security forces at Hakoora Badasgam Anantnag and in this regard required documents were obtained from Anantnag Police and placed on record; and

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.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused persons namely Musaib Ahmad Dar S/o Mohammad Shafi Dar R/o Old Ahmad Nagar Soura and Likayat Hussain Dar S/o Mohammad Shafi Dar R/o Old Ahmad Nagar Soura for the commission of offences punishable u/s 13, 18, and 23 of the Unlawful Activities (Prevention) Act, 1967, in case FIR No. 10/2018 of Police Station Soura, Srinagar.

By Order of the Government of Jammu and Kashmir.

Sd/-

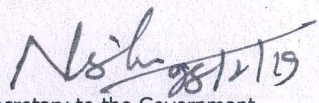
Principal Secretary to the Government  
Home Department

Dated:- .02.2019

No. Home/Pros/52/2018

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No(s)Legal/Sanc-37/S/2018/61193-94 dated 08.09.2018 and Legal/Sanc-37/S/2018/76078-80 dated 26.11.2018. 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. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.

  
Under Secretary to the Government  
Home Department