



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

NOTIFICATION  
Srinagar, the 19<sup>th</sup> June, 2019

SRO:- 410 Whereas, on 04.12.2017 Police Station Qazigund received a docket from Dy.SP (Ops) Manzgam Camp Baderagund to the effect that Police Kulgam and 10 Sikh Regiment were on patrolling duty on NHW at Badergund. The Militants by their illegal acquired weapons fired indiscriminately upon the patrolling party of Police/security forces with the intention to kill them with the result one Army personnel of 10 Sikh got seriously injured. The Militant continued the firing and managed their entrance into a nearby house of Ab. Rashid Lone S/o Gh Hassan lone R/o Baderagund and the area was immediately cordoned by Police Kulgam, 9RR, 19RR, 10 Sikh army and 163 Bn CRPF. The fire was retaliated in self defense; and

2. Whereas a case FIR No. 333/2017 U/S 302,307,120-B RPC and 7/27 of Arms Act was registered in Police Station, Qazigund and investigation initiated; and

3. Whereas, during the course of investigation, the site plan of scene of occurrence was prepared and the arms ammunition recovered from the scene of occurrence were seized on spot and seizure memo was prepared. The seized arms/ammunition was sent to FSL Jammu for ballistic examination the opinion thereof is still awaited. That the samples, comprising of two Molars and hair with piece of scalp of each foreign Militant taken, by the team of doctors while conducting autopsy were sent to CFSL Delhi for DNA test report thereof, is also awaited; and

4. Whereas, during investigation four accused persons (OGWs) namely 1. Rayees Ahmad Dar S/o Gh Mohammad Dar R/o Chanpora Frisal. 2. Rashid Ahmad Allayi S/o Farooq Ahmad Allayi R/o Hamzapora Bijbehara 3. Sartaj Ahmad Alliyai S/o Ab Gani Allayi R/o Hawoora Mishipora Qaimoh 4. Umar Yousuf Rather S/o Mohd Yousuf Rather R/o Naibasti Chinigam Kulgam had been found involved and arrested in the case; and

5. Whereas, the statements of witnesses were recorded u/s 161 & 164-A Cr.PC wherein they have corroborated the contents of FIR. During further course of investigating two vehicles Taveera bearing registration No. JK03E/1715 of Rayees Ahmad Dar and Sumo bearing registration No. JK03B/6352 of Sartaj Ahmad Allayi mentioned above have been found used in



the commission of offences. Accordingly, both the vehicles had been seized and seizure memos were prepared; and

6. Whereas, on the basis of evidences collected and statements of witnesses recorded u/s 161, Cr.PC and 164 Cr.PC the offence U/S 302,307,120-B RPC, 7/27 A.Act, 13,16,18,20, 38 & 39 ULAP Act,1967 are made out against the accused killed militants 1. Abu Maviya 2. Abu Furqan R/o Pakistan 3. Yawar Bashir Wani S/o Bashir Ahmad Wani R/o Hablish Kulgam and prima facia case U/S 13,18,38,39 ULA(P) Act is made out against accused OGWs Rayees Ahmad Dar S/o Gh Mohd Dar R/o Chanpora Frisal, Rashid Ahmad Allayi S/o Farooq Ahmd Allayi R/O Hamzpora Bijbehara,Sartaj Ahmad Allayi S/o Ab. Gani Allayi R/o Hawoora Mishipora Qaimoh and Umer Yousuf Rather S/o Mohd Yousuf Rather R/o Naibasti Chinigm Kulgam;and

7. Whereas, the militants Abu Maviya, Abu Furqan R/os Pakistant and Yawar Bashir Wani S/o Bashir Ahmad Wani R/o Hablish Kulgam have been killed in different encounters and no sanction is required against them, whiles, two OGWs namely Rayees Ahmad Dar S/o GH Mohd Dar R/o Chanpora Frisal, Rashid Ahmad Allayi S/o Farooq Ahmad Allayi R/o Mamzapora Bijbehara, (Juveniles) have been bailed out by the Hon'ble Court of Chief Judicial Magistrate Anantnag;and

8. 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

9. 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 provision of law.

10. 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 following accused persons for the commission of offences shown against each arising out of FIR No.333/2017 of P/S Qazigund:-



S.No	Name of accused person	Offences under section,UAPA,1967
1.	Rayees Ahamd Dar S/o Gh. Mohd Dar R/o Chanpora Frisal	13, 18 ,38 & 39
2.	Sartaj Ahmad Allie S/o Ab. Gani R/o Hawoora.	13, 18, 38 & 39
3.	Umar Yousuf Rather S/o Mohd Yousuf R/o Chingam Frisal	13, 18, 38 & 39
4	Rashid Ahmad Allie S/o Farooq Ahmad R/o Hamzapora Bijbehra.	13,18, 38 & 39

By Order of the Government of Jammu and Kashmir.

Sd/-

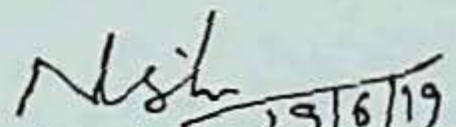
Principal Secretary to the Government  
Home Department

Dated: 19.06.2019

No. Home/Pros/ 51 /2018

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter(s) No.Legal/San-34/S/2018/59902-05 dated 31/08/2018 and No.Legal/Sanc-10/S/2018/14408-09 dated 02.03.2019. 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.

  
29/6/19  
Under Secretary to the Government  
Home Department