



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

NOTIFICATION  
Srinagar, the 10<sup>th</sup> July, 2019

SRO: 441 Whereas, on 11-01-2019 Police Station Shopian on specific information apprehended two suspects who disclosed their identities as 01. Mohd Younis Wani @ Hafiz S/O Mushtaq Ahmad R/O Dunadoo Keller 02. Kifayat Ullah Bukhari S/O Mehraj-Ud-Din Bukhari R/O Chidren and one pistol along with Magazine and 09 live cartridges were recovered from the possession of accused No. 01 while as 05 live rounds of 9 mm were recovered from the possession of accused No. 02. On preliminary questioning they disclosed that they received arms/ammunition from an HM outfit Commander @ Naveed Babu to join the said outfit for carrying out subversive/terrorist activities in the District; and

2. Whereas, a case FIR No. 07 of 2019 U/S 352 RPC 7/25 A.Act,16,18,36,38,39 ULA(P) Act was registered at Police Station Shopian and investigation was set in motion; and

3. Whereas, during the course of investigation site plan of place of occurrence was prepared and seizure memo of arms ammunition recovered was prepared. Statement of witnesses acquainted with facts and circumstances of case were recorded u/s 161 & 164 Cr.PC. Investigation conducted revealed that the accused persons have received these arms / ammunition from an active militant namely Syed Naveed Mushtaq @ Naveed Babu S/O Mushtaq Ahmad Shah R/O Nazneenpora for committing subversive activities and subsequent joining the banned organization; and

4. Whereas, evidence collected has prima facie established commission of offences u/s 352 RPC, 7/25 A. Act, 18,39 ULA(P) Act against accused persons Mohd Younis Wani S/O Mushtaq Ahmad R/O Pehlipora Dunadoo Keller Shopian & Kifayat-Ullah Bukhari S/O Mehraj-Ud-Din Bukhari R/O Chidren Bala Nowpora Shopian and u/s 18,39 ULA(P) Act against accused Syed Naveed Mushtaq @ Naveed Babu S/O Mushtaq Ahmad Shah R/O Nazneenpora and accordingly investigation of case has been concluded as proved against them. It is further submitted that accused No. 01 & 02 have been arrested in the case and are presently under judicial custody at District Special Jail Pulwama, while as accused No. 3 is absconding against whom Proceedings u/s 512 Cr.PC have been Proposed;and

6. 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 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 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.

8. 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 Mohd Younis Wani S/O Mushtaq Ahmad R/O Pehlipora Dunadoo Keller Shopian 2. Kifayat-Ullah Bukhari S/O Mehraj-Ud-Din Bukhari R/O Chidren Bala Nowpora Shopian and 3. Syed Naveed Mushtaq @ Naveed Babu S/O Mushtaq Ahmad Shah R/O Nazneenpora for the commission of offences punishable U/S 18,39 of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.07/2019 of P/S Shopian

By order of the Government of Jammu & Kashmir.

Sd/-

Principal Secretary to the Government  
Home Department

No. Home/Pros/88/2019

Dated: 10.07.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No Legal/Sanction-16/S/2019/35959-61 dated 17/06/2019 No.Legal/San-07/J/2017/5221 dated 21.01.2019. 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.

Under Secretary to the Government  
Home Department