



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

NOTIFICATION  
Srinagar, the 26<sup>th</sup> July, 2019

SRO:- 478 Whereas, on 27.06.2017 one Mohd Amin Pir along with three other persons namely Gh. Rasool lone, Mohd Sultan Gojri and Urshad Ahmad Gojri R/o Gulgam lodged a written report in P/S Kupwara to the effect that their children namely Zeshanul Islam, Ubaid Ahmad Gojri, Wahid Ahmad Gojri and Shahid Amin Pir had gone missing since 26.06.2017. Accordingly a missing report vide DD Report No.09 dated 27.06.2017 was entered in the diary of P/S Kupwara and search of the missing was carried out. During the course of search all the four missing persons were traced out from LOC and were brought to P/S Kupwara. During questioning they revealed that they were motivated/instigated by Shahid Amin Pir and Faizan Mir to cross over to LOC for obtaining illegal Arms/ammunition training for carrying unlawful activities in the valley; and

2. Whereas, a case FIR No. 155/2017 U/S 13,18,18-B ULA (P) Act,1967, was registered in P/S Kupwara and investigation taken up; and

3. Whereas, during the course of investigation site plan of place of occurrence was prepared. Statement of witnesses acquainted with the facts and circumstances of case were recorded under relevant sections of law and placed on record. During investigation statements of these missing youths were recorded u/s 164-A Cr.PC before the Hon'ble court of law. The statements so recorded would inter alia reveal that in furtherance of criminal conspiracy, accused Shahid Amin Pir S/o Mohd Amin Pir and Mir Faizan Nazir S/o Nazir Ahmad Mir R/o Gulgam have instigated/motivated these boys to cross over to LOC for getting arms training from POK for strengthening of HM outfit. Investigation conducted has prima facie established commission of offences punishable u/s 13,18,18-B ULA(P) Act against accused persons namely 1. Shahid Amin Pir S/o Mohd Amin Pir and 2. Mir Faizan Nazir S/o Nazir Ahmad Mir R's/O Gulgam Kupwara who were arrested in the case and released on bail and investigation of case has been concluded as approved against them; and

4. 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

5. 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.

6. 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 person namely Shaid Amin Pir S/o Mohammad Amin Pir and 2. Mir Faizan Nazir S/o Nazir Ahmad Mir R's/o Gulgam Kupwara for the commission of offences punishable U/S 13, 18, 18-B of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.155/2017 of Police Station Kupwara.

By order of Government of Jammu and Kashmir.

Sd/-

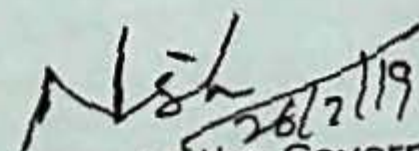
Principal Secretary to the Government  
Home Department

Dated: 26.07.2019

No. Home/Pros/37/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-125/S/2018/9782-84 dated 07/02/2019. 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.

  
26/7/19  
Under Secretary to the Government  
Home Department