



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

NOTIFICATION
Srinagar, the 10th October, 2019

SRO:- 568 Whereas, on 25-03-2018 Police Station Beerwah received a written docket through Dy.SP Police Component, Budgam to the effect that on 24-03-2018 Police Station Budgam received an information through reliable sources that some militants are hiding in the residential house of Maqsood Ahmad Khan S/O Mohammad Maqbool Khan R/O Check Marg with arms and ammunition who want to carry out militancy related incident in the area. Accordingly Police Budgam/Srinagar with the assistance of 53 RR, 178 CRPF cordoned the said village during which the militants hiding in the house fired upon the security forces with the intention to kill them, the fire was retaliated by the search party in self defense; and

2. Whereas, a case FIR No.37/2018 U/S 307 RPC and 7/27 Arms Act was registered at Police Station Beerwah and investigation taken up; and

3. Whereas, during the course of investigation, it surfaced that in the ensuing firing 01 terrorist namely Shafat Hussain Wani, S/O Mohammad Akber Wani R/O Wagoora Baramulla got killed on spot and another terrorist namely; Mukhtar Ahmad Khan S/O Ab. Ahad Khan R/O Brass Tehsil Khansahib fled from the spot. During search huge quantity of arms and ammunition was recovered from incident site. Also during investigating it came to fore that the house owner namely Maqsood Ahmad Khan @ Jignu S/O Mohammad Maqbool Khan R/O Checkmarg Arizal has provided shelter to the above named militants voluntarily. Pertinent to mention that accused Mukhtar Ahmad Khan and Shafat Hussain Wani are now dead and sanction for launching prosecution is not required against them; and

4. Whereas, during the course of investigation, on the basis of statements of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused person namely Maqsood Ahmad Khan @ Jignu S/o Mohammad Maqbool

Khan R/o Checkmarg Arizal under section 19 of the Unlawful Activities (Prevention) Act 1967; 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 prosecution sanction against the said accused person; 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 person for his 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 person namely Maqsood Ahmad Khan @ Jignu S/O Mohammad Maqbool Khan R/O Checkmarg Arizal for the commission of offences punishable U/S 19 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.37/2018 of P/S Beerwah.

By order of Government of Jammu and Kashmir.

Sd/-

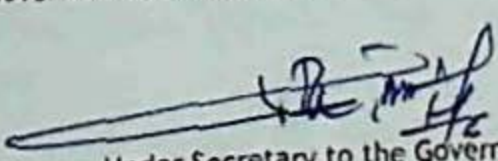
Principal Secretary to the Government
Home Department

Dated: 10.10.2019

No. Home/Pros/ 107/2018

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-69/S/2018/73205-07 dated 12/10/2018 and No. Legal/Sanc-69/S/2018/37102-03 dated 22.06.2019. 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