



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

NOTIFICATION

Srinagar, the 16th October, 2019

SRO: - 569 Whereas, on 30-12-2018 P/S Rajbagh received information through reliable sources to the effect that three un-known suspected persons entered Government Quarter No J-37 allotted to Shri Muzaffar Parray, MLC of Congress Party at Jawahar Nagar & looted 04 Ak-rifles along with other arms/ ammunition etc.

2. Whereas, a case FIR No. 73/2018 U/S 392 RPC, 7/25 A. Act, was registered at Police Station Rajbagh Srinagar and investigation initiated, and

3. Whereas, during investigation, it came to light that MLC Shri Muzafer Parray was out of valley and three of his PSOs had left the quarter on their own and only one PSOs namely; Javid Ahmad Chichi Sgct. No. 676/Sec. EXK-035865 S/O Gh. Mohd Chichi R/o Katinawali Chandoosa Baramulla was present in the quarter at the time of incident. The Police personnel (PSO's) who were absent on the day of occurrence included Bashir Ahmad Bhat (Sgct), Aftab Parveez Ganie (Sgct) & Irshad Ahmad Bhat (Ct.) Also during investigation, it came to fore that on the day of occurrence Ex. PSO of the said MLC namely; Showket Ahmad Khan had come inside the quarter on the pretext of attending to natures call and after examining the situation inside and around the quarter went out. In the meantime, three unknown suspicious persons came inside the quarter identifying themselves from the Electric Department and on seeing the lone PSO namely Javid Ahmad Chichi, they showed Pistol and knife to him and took away 04 AK Rifles, 07 Magazines, 210 Rounds and the mobile phone of the PSO on Gun point. Also from the trunk of PSO Javid Ahmad Chichi, 22 Rounds of AK series, 02 empty cartridges, plastic Rifle Butt were recovered while as from the trunk of PSO Bashir Ahmad Bhat Sgct. 224/SPR, 02 Rounds of INSAS were recovered and none of the two PSOs could give any satisfactory justification for having possession of un-allotted ammunition in their trunks. It transpired that the PSOs of the protected person have shown carelessness, negligence and dereliction towards their legitimate duties, due to which the arms/ammunition allotted to them, were taken away by the anti national elements.

4. Whereas, on 01.03.2019 the accused namely Showkat Ahmad Khan S/o Abdul Hameed Khan R/o Arth Budgam an Employee in Police Department was also arrested from Bone & Joint Hospital in injured

condition. During questioning, he disclosed that he with other associates namely ;

1. Towheed Ahmad Bhat S/o Abdul Khaliq Bhat R/o Sozaith Narbal, Budgam.
2. Bashir Ahmad Bhat S/o Abdul Aziz Bhat R/o Sozaith Narbal Budgam.
3. Danish Hanief Wani S/o Mohammad Haneef Wani R/o Azad Basti Natipora (active militant of Let)
4. Abrar Ahmad Bhat S/o Mohammad Ramzan R/o Narbal.
5. Zia- ul Rehman Dar S/o Shakeel- ul Rehman R/o Arath Budgam.
6. Mohd. Yousuf Dar @ Kantroo S/o Ab. Gani R/o Chaki kausa Narbal have entered into conspiracy for looting weapons from PSOs of MLC Mohd Muzaffar Parray at Jawahar Nagar.

5. Whereas, in the facts and circumstances as well as the material on record, offence u/s 395 RPC has been invoked while as section 392 has been dropped. Besides sections 13, 18,20,38,39 ULAP Act were also invoked in the instant case. Further, during investigation of the case in hand, role of two more accused persons came to light, who were identified as Shaheen Ahmad Mir S/o Mohammad Kamal R/o Cherpora Narbal Budgam and Firdous Ahmad Khan S/o Ghulam Mohiudin R/o Zandpal Tangmarg. These two accused persons have provided logistic support including food, shelter and guidance to the main accused persons for moving from one place to another;and

6. 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 persons namely; 1.Showkat Ahmad Khan S/o Abdul Hameed Khan R/o Arth Budgam 2. Bashir Ahmad Bhat S/o Abdul Aziz Bhat R/o Sozaith Narbal Budgam 3. Towheed Ahmad Bhat S/o Abdul Khaliq Bhat R/o Sozaith Narbal Budgam 4. Danish Wani S/o Mohammad Haneef Wani R/o Azad Basti Natipora 5. Abrar Ahmad Bhat S/o Mohd. Ramzan R/o Kali Mohalla Narbal 6. Zia-ul-Rehman S/o Shakeel -ul-Rehman Wani R/o Arth Budgam 7. Mohd. Yousuf Dar @ Kantroo S/o Ab. Gani R/o Chaki-Kausa Narbal under Sections 395, 120-B RPC, 7/25 A. Act, 13,18,20,38,39 ULAP Act 1967 and against accused 8. Shaheen Ahmad Mir S/o Mohammad Kamal R/o Charpora Narbal Budgam 9. Firdous Ahmad Khan S/o Ghulam Mohi-ud-din R/o Zandpal Tangmarg under sections 38, 39 ULAP Act 1967 and also against accused 10. Bashir Ahmad Bhat Sgct. 224/SPR EXK No. 022350 S/o Habib-ullah Bhat R/o Gori Akbar Wadipora Handwara 11. Javid Ahmad Chichi Sgct No. 676/Sec. EXK-035865 S/o Gh. Mohd Chichi R/o Katinawali Chandoosa Baramulla U/S 30 Police Act read with 03 PEPO, 7/25 A.Act and against accused 12. Aftab Parvaiz Ganie Sgct 837/11 Security ARP-012692 S/o Gh. Nabi Ganie R/o Kanihama Magam Budgam 13. Irshad Ahmad Bhat Ct. No. 679/Sec. ARP-075877 S/o Ab.

Rashid Bhat R/o Hardowail Budgam u/s 30 Police Act, read with 3 PEPO and against accused Umar Hassan Rather S/o Ghulam Hassan Rather R/o Achabal Sopore u/s 120-B RPC.

7 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

8. 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.

9. Whereas State Government after having examined the relevant records of the case is satisfied that prima facie a case u/s 30 of Police Act, 1988 read with 03 PEPO of 2005 is made out against the aforementioned accused Police personals on the basis of evidence collected during the course of investigation;

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, and in the exercise of powers conferred by section 5 of the Police Enhanced Penalties ordinance, 2005, the Government hereby accords sanction for launching prosecution against the following accused persons for the commission of offences shown against each, arising out of case FIR No. 73/2018 of Police Station Rajbagh;-

S.No	Particulars of the Accused	Sections of Law
1.	Showkat Ahmad Khan S/o Abdul Hameed Khan R/o Arth Budgam	13,18,20,38,39 ULAP Act.
2.	Bashir Ahmad Bhat S/o Abdul Aziz Bhat R/o Sozaith Narbal Budgam	13,18,20,38,39 ULAP Act.
3.	Towheed Ahmad Bhat S/o Abdul Khaliq Bhat R/o Sozaith Narbal Budgam	13,18,20,38,39 ULAP Act.
4.	Danish Wani S/o Mohammad Haneef Wani R/o Azad Basti Natipora	13,18,20,38,39 ULAP Act.
5.	Shaheen Ahmad Mir S/o Mohammad Kamal R/o Charpora Narbal Budgam	38, 39 ULAP Act.
6.	Firdous Ahmad Khan S/o Ghulam Mohiudin R/o Zandpal Tangmarg	38,39 ULAP Act.
7.	Bashir Ahmad Bhat Sgct. 224/SPR EXK No. 022350 S/o Habib-ullah Bhat R/o Gori	30 Police Act read with 03 PEPO

	Akbar Wadipora Handwara	
8.	Aftab Parvaiz Ganie Sgct 837/11 Security ARP-012692 S/o Gh. Nabi Ganie R/o Kanihama Magam Budgam	30 Police Act read with 03 PEPO
9.	Javid Ahmad Chichi Sgct No. 676/Sec. EXK-035865 S/o Gh. Mohd Chichi R/o Katinawali Chandoosa Baramulla	30 Police Acts read with 03 PEPO
10.	Irshad Ahmad Bhat Ct. No. 679/Sec. ARP-075877 S/o Ab. Rashid Bhat R/o Hardowail Budgam	30 Police Act read with 03 PEPO
11.	Abrar Ahmad Bhat S/o Mohd. Ramzan R/o Kali Mohalla Naral	13,18,20,38,39 ULAP Act
12.	Zia-ul-Rehman S/o Shakeel -ul-Rehman Wani R/o Arth Budgam	13,18,20,38,39 ULAP Act
13.	Mohd. Yousuf Dar @ Kantroo S/o Ab. Gani R/o Chaki-Kausa Narbal	13,18,20,38,39 ULAP Act

By order of the Government of Jammu and Kashmir.

Sd/-

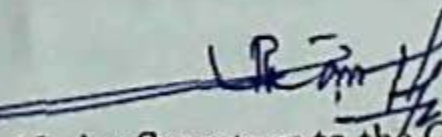
Principal Secretary to the Government
Home Department

No. Home/Pros/143/2019

Dated: 10.2019

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanction-68/S/2019/53903-05 Dated 05.09.2019 from PHQ. 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.


10.10.19
Under Secretary to the Government
Home Department