



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

NOTIFICATION

Srinagar, the 24th October, 2019

SRO 644 .-Whereas, on 31-07-2018 PP Khurhama received a docket from HC Gh. Hassan No. 108/IRP to the effect that he along with Const. Mohamamd Ishaq No. 436/IRP and others were performing VIP duty at Cheepora Kandhar and were busy in clearing the traffic jam. Meanwhile, terrorist namely; Bilal Ahamd Shah and others travelling in a maruti car bearing No. JK09-5230 stopped and fired upon Const. Mohammad Ishaq No. 436 IRP with intention to kill him. However said Const. managed to escape, but the terrorists succeeded in snatching his INSAS service rifle and fled from the spot;-and

2. Whereas, a case FIR No.91/2018 U/S 392, 307 RPC and 7/27 A. Act was registered at Police Station Lalpora and investigation taken up;-and

3. Whereas, during investigation it came to fore that accused Adil Hussain Shah S/O Gh. Mohammad Shah R/O Shartmuqam was accompanying the terrorists namely; Bilal Ahmad Shah S/o Shamus din Shah R/O Shartmuqam and accused Zahoor Ahmad Mir S/O Mohammad Akbar Mir R/O Kalaroos and Owais Ahmad Shah S/O Gh. Ahmad Shah R/O Saiwan, Towseef Ahmad Shah S/O Maqsood Ahmad Shah R/O Shartmuqam and Firdous Ahmad Shah S/O Bashir Ahmad Shah R/O Shartmuqam aided/ assisted them by way of criminal conspiracy in snatching the weapon from the above mentioned constable. Among other things, the car used in the incident was recovered at the instance of Adil Hussain Shah, posters of Burhan Wani and other incriminating material was recovered from Owais Ahmad Shah. Also during investigation it was revealed that the vehicle used in the commission of the crime was arranged by Towseef Ahmad Shah; and

4. Whereas, during the course of investigation, on the basis of statement of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused persons namely; 1. Owais Ahamd Shah S/O Gh Ahmad Shah R/O Saiwan 2. Towseef Maqsood Shah S/O Maqsood Ahmad Shah 3. Adil Hussain Shah S/O Gh. Mohammad Shah 4. Firdous Ahmad Shah S/O Bashir Ahmad Shah 5. Bilal Ahmad Shah S/O Shamus din Shah (residents of Shartmuqam) 6. Zahoor Ahmad Mir S/O Mohd Akbar Mir R/O Kalaroos under Sections 120-B,392,307 RPC, 7/27 A Act, 13,18,20 of the Unlawful Activities (Prevention) Act 1967. However, the accused 5 and 6 namely; Bilal Ahmad and Zahoor Ahmad have been killed in an encounter. Besides, the snatched weapon INSAS has also been recovered

from the encounter site for which a separate Case FIR No. 54/2018 stands registered at Police Station Sogam; 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 persons; 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 persons for their 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 persons namely 1. Owais Ahamd Shah S/O Gh Ahmad Shah R/O Saiwan 2. Towseef Ahmad Shah S/O Maqsood Ahmad Shah 3. Adil Hussain Shah S/O Gh. Mohammad Shah 4. Firdous Ahamd Shah S/O Bashir Ahmad Shah (residents of Shartmuqam) for the commission of offences punishable U/S 13, 18 & 20 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.91/2018 of P/S Lalpora Kupwara.

By order of Government of Jammu and Kashmir.

Sd/-

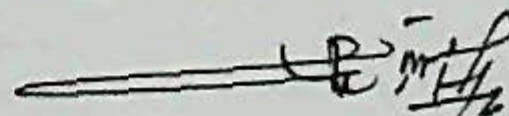
Principal Secretary to the Government
Home Department

No. Home/Pros/110/2018

Dated: 24.10.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-76/S/2018/75471-73-dated 24/11/2018 and No. Legal/Sanc-76/S/2018/37960-6 dated 26.06.2019. 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