

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

Phone.No. 0191-2547169-(J)
0194-2506262-(S)

NOTIFICATION

Jammu, the 16th December, 2020.

S.O-379 Whereas, on 20-5-2020 Srinagar Police received reliable information that some unknown terrorists had fired on two BSF personnel of 37 Bn at Old Pandach Road, Near Jamia Masjid, resulting in serious injuries to the BSF jawans. The terrorists also snatched one INSAS rifle and one AKM rifle with ammunition from the injured BSF personnel. The injured BSF jawans succumbed to their injuries subsequently; and

2. Whereas, a Case FIR No. 48/2020 U/S 16,18,19,20,23,39 Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station Soura and investigation was set into motion; and

3. Whereas, during investigation, site plan of place of occurrence and seizure memo was prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and

4. Whereas, during investigation, five OGWs, namely (1) Shahid Rasool Shalbaf S/O Gh. Rasool Shalbaf R/O Upper Soura, (2) Aijaz Ahmad Rah S/O Noor-ur-din Rah R/O Khalid Colony Soura, (3) Bilal Ahmad Ganie S/O Ab. Rehaman Ganie R/O Pandach (4) Jibran Reyaz Khan S/O Reyaz Ahmad Khan R/O Khalid Colony Soura & (5)

Moyeeb Shafi Ganie S/O Mohammad Shafi R/O Sabzi Mandi Soura (Juvenile) were arrested in the case; and

5. Whereas, during questioning two accused OGWs Moyeeb Shafi Ganie and Shahid Rasool disclosed that they had transported two terrorists namely Shakoor @ Abu Darda S/O Farooq Ahmad R/O Qamarwari and (2) Yawar @ Abul Talha R/O Hatigam Bijbehara affiliated with ISJK outfit from Bijbehara to Srinagar; and

6. Whereas, the accused disclosed that on 20-5-2020 the above two terrorists of ISJK outfit with the help of another terrorist namely Mosin Khandwov @ Abu Yehya Al-Kashmiri S/O Gh. Nabi R/O Dar Mohalla Soura had fired upon the BSF personnel at Pandach and snatched service rifles from BSF jawans. The accused disclosed that during the incident they were also present on spot and helped the terrorists in escaping after attacking the BSF personnel; and

7. Whereas, during the further course of investigation it was revealed that the three accused OGWs namely Jibran Reyaz, (2) Aijaz Ahmad Rah and (3) Bilal Ahmad Ganie arranged accommodation, food and other logistics for the terrorists. The accused Aija Ahmad Rah, after the terrorist attack, provided cash of Rs. 25,000/- to the terrorists for buying new cell phones and other logistics; and

8. Whereas, during investigation it came to the fore that after the attack on BSF personnel, terrorists hide in a room occupied by accused Aijaz Ahmad Rah on rent and Police during search recovered 03 hand grenades from the same rented room which was under occupation of the accused at the time of recovery of 03 grenades; and

9. Whereas, during the course of investigation it was revealed that the above five accused OGWs affiliated with the banned organization ISJK had performed vital role in execution of deadly terrorist attack at Pandach Soura on the BSF jawans and provided logistic support, besides facilitating the transportation for the terrorists to escape after committing the terrorist act and to run away along with the service rifles of the BSF jawans from the site of occurrence; and

10. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has prima facie established involvement of the below mentioned accused persons for commission of offences punishable under section(s) as shown against each of Unlawful Activities (Prevention) Act, 1967:-

S.No	Name of the accused	Offence
1.	Moyeeb Shafi Ganie S/O Mohammad Shafi Ganie R/O Sabzi Mundi Soura	18,19,39 ULA (P) Act
2.	Shahid Rasool Shalbaf S/O Gh. Rasool R/O Upper Soura.	
3.	Bilal Ahmad Ganie S/O Ab. Rehman Ganie R/O Pandach	
4.	Jibran Reyaz Khan S/O Reyaz ahmad Khan R/O Khalid Colony Soura.	
5.	Ajaz Ahmad Rah S/O Noor-Ur-Din Rah R/O Khalid Colony Soura.	

11. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently examined the case diary file and all the other relevant documents relating to the case and has come

to the conclusion that prima facie case is made out against the above accused; and

12. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the 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 Government hereby accords sanction for launching prosecution against the above mentioned accused for the commission of offences punishable under section 16,18,19,20,23,39 ULA (P) Act, in the case FIR No. 48/2020 of Police Station Soura.

By order of the Government of Jammu & Kashmir.

Sd/-


Principal Secretary to Government
Home Department.

No:-Home/Pros/207/S/2020

Dated:-16-12-2020

Copy to the:-

1. Joint Secretary, J&K Ministry of Home Affairs, GOI
2. Director General of Police, J&K alongwith CD file in original.
3. Secretary to Government, Department of Law, Justice & PA
4. Pvt. Secy to PS(H) for information of Principal Secretary Home.
5. Stock file.


Special Secretary to Government
Home Department.