

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

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

NOTIFICATION

Jammu, the 24th December, 2020

S.O 395, -Whereas, on 20-01-2008 a specific information was received by Police Handwara through reliable sources that some unknown terrorists were hiding in the residential houses of Ashiq Hussain Parray and Mushtaq Ahmad Mir R/O Mandigam Handwara for carrying subversive activities; and

2. Whereas, cordon and search was launched and during search, the hiding terrorists fired upon the search party resulting in injuries to Satish Kumar of Army and Major Pamar of 22 RR; and

3. Whereas, Case FIR No. 02/2008 U/S 19 ULA (P) Act, came to be registered in Police Station Kralgund and investigation set into motion; and

4. Whereas, during the course of investigation site plan of place of occurrence was prepared, statement of witnesses acquainted with the facts and circumstances of the case were recorded under section 161 and 164-A Cr.PC. Injured Army personnel were referred to Hospital for medical treatment and injury memos were prepared; and

5. Whereas, during the course of investigation it was revealed that in the retaliatory fire three terrorists hiding in the house of above accused were killed in the encounter identified as Abu Osama @ Abdullah Gori (2) Abu Tufail @ Abu Eisa (3) Khalid @ Abu Jahidullah, all foreigners, and huge quantity of Arms/Ammunition were recovered from the encounter site. After completing medico/legal formalities the dead bodies were handed over to local Auqaf Committee for their burial; and

6. Whereas, on the basis of investigation, statement of witnesses were recorded and other evidence collected, the investigating officer has prima facie established case of harboring of terrorists against the accused namely Ashiq Hussain Parray S/O Ali Mohammad Parray R/O Mandigam and Mushtaq Ahmad Mir S/O Mohammad Afzal Mir R/O Mandigam for commission of offence punishable Under Section 19 of Unlawful Activities (Prevention) Act, 1967; and

7. 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 a case is made out against the above accused: and

8. 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 under section 19 ULA (P) Act in the case FIR No. 02/2008 of Police Station Kralgund.

By order of the Government of Jammu & Kashmir.

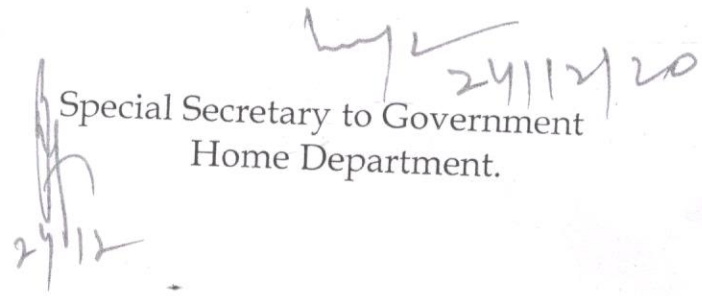
Sd/-
Principal Secretary to Government
Home Department.

Dated: 24-12-2020

No:-Home/Pros/215/2019/

Copy to the:-

1. Joint Secretary, J&K Ministry of Home Affairs, GOI
2. Director General of Police, J&K Jammu. The CD file in original is returned herewith.
3. Secretary to Government, Department of Law, Justice & PA (w.7 s.c.)
4. Private Secretary to Principal Secretary to the Government, Home Department.
5. Stock file.


Special Secretary to Government
Home Department.