

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

NOTIFICATION  
Jammu, the 15th May, 2020

S.O. 159 Whereas, on 12-11-2019 Police Ganderbal, received information about the presence of terrorists in the house of Farooq Ahmad Sheikh S/O Gh. Rasool Sheikh R/O Kullary and

2 Whereas, cordon and search operation was launched. During search operation, terrorists hiding inside the house fired indiscriminately upon the search party with automatic weapon resulting in injuries to one Army Soldier of the search party, and

3 Whereas, in the retaliatory fire one terrorist of LeT outfit was killed, later identified as Zargam @ Talha R/O Pakistan and during search one AK-47 rifle along with sling 03 AK Magazines and incriminating material were recovered from the site of encounter and

4 Whereas, a Case FIR No. 69/2019 U/S 307 IPC 7/27 A.P. 16, 18, 19, 20 B.L.A. (T) Act was registered in Police Station Gurd and investigation was set on motion and

5 Whereas, during the course of investigation, it came to the notice that the concerned terrorist had managed to escape from the encounter site and

6 Whereas, during investigation, site plan of place of encounter and seizure list no. of recovered arms/ammunition was

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63  
prepared. Statement of witnesses acquainted with the facts and circumstances of the case were also recorded U/S 161 & 164-A Cr.PC.

7. Whereas, during the course of investigation one JIO agent namely Rayees Ahmad Lone S/O Ab. Qayoom Lone R/O Gund was found involved in aiding the terrorists in supplying SIM Cards. The accused was arrested in the case, and

8. Whereas, during further investigation it was revealed that the SIM cards being used by the killed terrorist were obtained by connivance and cheating by accused Farooq Ahmad Shekhh & accused Rayees; and

9. Whereas, during investigation the escaped terrorist was identified as Nisar Ahmad Dar @ Batchi of LeT outfit S/O Gh. Rasool Dar R/O Parray Mohalla Hajan and the said terrorist was arrested by Police Station Sadder, Srinagar after his escape from encounter site; and

10. Whereas, during investigation it came to the fore that the accused terrorist Nisar Ahmad Dar after escaping from encounter site was sheltered in the house of one OGW namely Tariq Ahmad Ganie S/O Late Abdul Rehman Ganie R/O Fraw Haknar (Tripper driver) who managed exit of the terrorist in his vehicle in the guise of carrying sand; and

11. Whereas, during further investigation an OGW namely Fawaz Ahmad Bhat S/O Ch. Mohammad Bhat R/O Check-i-Akhal Kangar was found involved in providing logistics support to the

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banned Lef outfit and he was subsequently arrested in the case. On his disclosure one hand grenade was recovered near Akhal Bridge, and

12. Whereas, on the basis of statement of material witnesses recorded and other evidence collected, the investigating officer has established prima facie case against the below mentioned accused persons for commission of offences punishable Under Section (s) shown against each of Unlawful Activities (Prevention) Act, 1967:

Sno	Name of accused	Offence
1.	Nisar Ahmad Dar @ Batchi S/O Gh. Rasool R/O Parray Mohalla Hajin	16,18,20 ULA (P) Act
2.	Farooq Ahmad Sheikh S/O Gh. Rasool R/O Kullar Gund	18,19 ULA (P) Act
3.	Fariq Ahmad Ganie S/O Ab. Rehman R/O Fraw Haknar Gund	18,19 ULA (P) Act
4.	Rayees Ahmad Lone S/O Ab. Qayoom R/O Kullar	18 ULA (P) Act.
5.	Fayaz Ahmad Bhat S/O Gh. Mohammad R/O check-i-Akhal Kangan	18,19 ULA (P) Act.

13. 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

14. 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

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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 of ULA (P) Act, 1967 in case FIR No. 69/2019 of Police Station Gund Ganderbal.

By order of the Government of Jammu & Kashmir.

Sd/-


Principal Secretary to Government  
Home Department.

No. Home/Prot-03/2020/

Dated:-15-05-2020

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 receipt of which may kindly be acknowledged.
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