

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

NOTIFICATION

Jammu, the 11th January, 2020.

S.O, 22 -Whereas, on 25.07.2019 Police Station Bandipora received a docket from SI Qaiser Bashir No. 69/PAU through Ct. Rizwan Ahmad No. 157/Bpr camp Turknadi Turkpora Bandipora stating therein that while performing search operation in Turknadi Turkpora Bandipora at about 1130 hrs two suspicious persons were seen in the Nalla side and both of them were apprehended tactfully by the CASO party present on the spot; and

2. Whereas, a case FIR No. 80/2019 U/S 18,19,20,23,38,39 & 40 ULA(P) Act, 7/25 A.Act, 2/3, 3-B of EIMCO, 34,120-B, 121,122,505,201 RPC was registered in Police Station Bandipora and investigation of the case was taken up; and

3. Whereas, during preliminary enquiry, the said suspicious persons disclosed their identity as Mohammad Saleem Gojer Banya S/O Ab. Aziz Gojer Banya R/O Dergund Bandipora and Mohammad Iqbal Khatana S/O Mohammad Ismail Khatana R/O Jhandari Rajouri. On searching their person, one pistol, 18 pistol rounds, 2 pistol magazine and 2 Chinese Hand grenades have been recovered from the possession of accused Mohammad Saleem and 01 Pistol, 9 Pistol rounds, 01 Pistol Magazine, 53 AK-47 rounds have been recovered from the possession of accused Mohammad Iqbal respectively. Also fund raising receipts counter files and rubber stamps were recovered and statement of independent witnesses recorded U/S 164-A Cr.PC corroborating contents of the case ; and

4. Whereas, Wajid Ali Khatana S/O Abdul Gani R/O Jhandari Rajouri, (2) Abdul Lateef S/O Raj Wali Khatana R/O Jhandari Rajouri, (3) Abdul Hamid Baniya Gojer @ Haris S/O Abdul Aziz Khatana R/O Dardgund Mantrigam (at present POK) have been actively associating with Mohammad Saleem Baniya Gojer S/O Ab. Aziz and Mohammad Iqbal Khatana S/O Mohammad Ismail in commission of crime and recoveries of incriminating documents etc have been made from their possession also, during investigation of the case.

5. Whereas, on the basis of the investigation and evidence collected, offences have been established against the accused persons and accordingly investigation of the case concluded as proved against following accused under various sections shown against each of Unlawful Activities (Prevention) Act, 1967:-

S.No	Name of accused	Offence
01	Mohammad Saleem Baniya Gojer S/O Abdul Aziz Baniya Gojer R/O Dardgund Mantrigam,	18,19,20,23,38,39,40 ULA(P) Act.
02	Mohammad Iqbal Khatana S/O Mohaammad Ismail Khatana R/O Jhandari Rajouri	
03	Wajid Ali Khatana S/O Abdul Gani R/O Jhandari Rajouri	18,38,39 ULA (P) Act.
04	Abdul Lateef S/O Raj Wali Khatana R/O Jhandari Rajouri	
05	Abdul Hamid Baniya Gojer @ Haris S/O Abdul Aziz Khatana R/O Dardgund Mantrigam , (A/P POK)	18,20,38,39 ULA (P) Act.

06. Whereas, the Authority appointed by the 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 the conclusion that prima facie case is made out against the said accused persons; and



07. Whereas, after perusing the Case Diary File, 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 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 Government hereby accords sanction for launching prosecution against the above named accused persons u/s 18,19,20,23,38,39,40 of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 80/2019 of Police Station Bandipora.

By order of the Government of Jammu & Kashmir.

-Sd/-

Principal Secretary to the Government
Home Department

No. Home/Pros/205/2019

Dated:-11.01.2020

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanc-123/S/2019/71848-50 dated 09.12.2019. 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.

(Umesh Sharma)

Under Secretary to the Government
Home Department