

REGD. NO. JKô 33



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Jammu and Kashmir Government—Notifications.

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Notification

Jammu, the 19th January, 2018.

SRO-24.66 Whereas, on 10-07-2017, a conspiracy was hatched by the accused persons at different places, who decided to commit terrorist act on behalf of Lashker-e-Toiba, which is a banned terrorist organization ; and

Whereas, in furtherance of this criminal conspiracy, on 10-07-2017, at around 08.10 P. M. accused militants attacked a bus, which was carrying

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yatries from Srinagar to Jammu, and indiscriminately fired on Yatra bus at
Botengo, Anantnag. The terrorist act resulted in death of seven yatries,
injuries to many others and damage to the yatra bus. One more injured
succumbed to injuries too, later on ; and

Whereas, upon this, information was recorded in the Daily Diary
of the concerned Police Post and subsequently case FIR No. 157/2017
V/s. 302, 307, 427 RPC, 7/27 Arms Act, was registered by Police Station,
Anantnag and the investigation was set into motion ; and

Whereas, the investigating agency visited site of occurrence, prepared
site plan and also recovered some fired cartridges and a live UBGL grenade
from the place of occurrence and, subsequently, sections 16, 18 and 20 of
Unlawful Activities (Prevention) Act, 1967, were added in the case ; and

Whereas, a Special Investigation Team was constituted by the PHQ
J&K, Srinagar vide Order No. 2318 dated 12-07-2017, headed by an ASP
rank officer, under the supervision of Deputy Inspector General of Police,
South Kashmir Range, Anantnag and the team took over the investigation
of the case ; and

Whereas, during the course of investigation, four accused
(A1, A2, A3 & A4) revealed all the information and admitted telephonic
conversations about the attack, in pursuance of conspiracy. These accused
persons further disclosed that they carried the militants from Khudwani to
Poshkredi on 09-07-2017, before day of occurrence and disclosed other
allied facts in connection with planning and providing logistic support to
militants. These accused persons in their disclosure statements have revealed
the names of other accused persons with whom they were in contact and
had provided necessary support to the militants for carrying out attack on
Yatra Bus at Botingoo, Anantnag ; and

Whereas, during the course of investigation, on the basis of disclosure
statements, the seizure memos and other evidence, *prima facie*, a case
under sections 16, 18 and 20 of the Unlawful Activities (Prevention)

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Act, 1967, has been made out by the Investigating Agency, apart from
other offences, against the following accused :

1. Aijaz Ahmed Wagay S/o Ghulam Qadir Wagay R/o Push Kreeri, Srigufwara. (A1)
2. Bilal Ahmed Reshi S/o Mushtaq Ahmad Reshi R/o Iqbal Market, Bijbehera. (A2)
3. Zahoor Ahmad Sheikh S/o Mohammad Maqbool Shiekh R/o Sheikh Mohalla, Khudwani, Kulgam. (A3)
4. Rasif Ahmad Wani S/o Zahoor Ahmad Wani R/o Wani Gund, Qaimoh, Kulgam. (A4) (Juvenile)
5. Khalid Muzaffar Dar S/o Gh. Qadir Dar R/o Rehpora, Khudwani, Kulgam. (A5)
6. Tanveer Ahmad Dar S/o Bashir Ahmad Dar R/o Rehpora, Khudwani, Kulgam. (A6)
7. Sarjeel Ahmad Sheikh S/o Ab. Hamid Shiekh R/o Khudwani. (A7)
8. Abu Ismail @ Haroon R/o Pakistan. (A8)
9. Yawar Bashir Wani Ayaan S/o Bashir Ahmad Wani R/o Hambilsh, Devser. (A9)
10. Maaviya R/o Pakistan. (A 10)
11. Furqan R/o Pakistan. (A 11)

Whereas, with regard to the accused number A5, A6 and A7 the accused persons are evading the arrest and have been absconding and thus further investigation needs to be conducted in relation to collection of more evidences against them (A5-A7). Further, the main accused in the instant case i. e. Abu Ismail (A8), has been killed in an encounter in

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Arigam, Nowgam, Srinagar and Yawar Bashir @ Ayaan (A9), Maaviya
(A10) and Furqaan (A11), have been killed in an encounter in Qazigund ;
and

Whereas, the accused persons in the instant case i. e. Zahoor (A3),
Aijaz (A1) and Bilal (A2), have been arrested and are presently in judicial
custody. Further, during the course of investigation, one of the accused
person was found juvenile, thus, supplementary final report shall have to be
filed against the juvenile in the instant case before the competent court
having jurisdiction in his case.

Whereas, the accused persons, A5, A6 and A7, are evading the arrest
and the case is under investigation and in due course of time, whenever
more evidences shall be gathered, supplementary final report in terms of
section 173 (8), shall be submitted before the Honøble Court ; and

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 accused
persons, namely, (1) Aijaz Ahmad Wagay S/o Ghulam Qadir Wagay
R/o Push Kreeri, Srigufwara, (2) Bilal Ahmad Reshi S/o Mushtaq Ahmad
Reshi R/o Iqbal Market, Bijbehara, (3) Zahoor Ahmad Sheikh S/o Mohd.
Maqbool Sheikh R/o Sheikh Mohalla, Khudwani, Kulgam and (4) Rasif
Ahmad Wani S/o Zahoor Ahmad Wani R/o Wani Gund, Qaimoh, Kulgam,
in terms of sections 18 and 20 of the Unlawful Activities (Prevention)
Act, 1967 ; and

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 provision of law.

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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 accord sanction for launching prosecution against the accused mentioned below for the commission of offences punishable under sections 18 and 20 of the Unlawful Activities (Prevention) Act, arising out of FIR No. 51/2017 in Police Station, Anantnag :ôô

1. Aijaz Ahamd Wagay S/o Ghulam Qadir Wagay R/o Push Kreeri, Srigufwara.
2. Bilal Ahmad Reshi S/o Mushtaq Ahmad Reshi R/o Iqbal Market, Bijbehara.
3. Zahoor Ahmad Sheikh S/o Mohd Maqbool Sheikh R/o Sheikh Mohalla, Khudwani, Kulgam.
4. Rasif Ahmad Wani S/o Zahoor Ahmad Wani R/o Wani Gund, Qaimoh, Kulgam.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.