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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT, J&K.

Notification

Srinagar, the 25th October, 2024.

SO-522.—Whereas, on 24-04-2024, an information was received at Police Station, Aragam, regarding presence of some unknown terrorists in the Forest area of Chattibandy, Ranji Dhok. Accordingly, a Cordon

and Search Operation was launched by the Police in collaboration with 3rd Bn. CRPF and 13 RR Army in the said area. During the search, the hiding terrorists fired indiscriminately upon the Search Party, with their illegal arms/ammunition, with the intention to kill them. The fire was retaliated by the Police/Security Forces, triggering an encounter ; and

2. Whereas, based on the above, a Case FIR No. 15/2024 Under Sections 307 IPC, 7/27 Arms Act and Section 15 & 20 of ULA (P) Act, was registered in the Police Station, Aragam, and the investigation of the case was set into motion. Subsequently, during investigation, the offence under Section 15 of ULA(P) Act was dropped and Sections 16, 18, 19, 23,38 and 39 of ULA (P) Act, were added in the case ; and

3. Whereas, during the investigation, the statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during the investigation, involvement of 02 persons namely Mohammad Iqbal Gojar Guriyal S/o Karim Ullah Gojar Guriyal and Hilal Ahmad Gojar Guriyal S/o Karim Ullah Gojar Guriyal residents of Konshi Mohalla, Chattibandy, came to fore in the commission of crime. Subsequently, the accused were arrested in the case and were found in contact with 02 terrorists namely Mohammad Umar Lone @ Rehan @ Uzair S/o Mohammad Akbar Lone R/o Wussan Khoie, Pattan and Abu Huzaif @ Abu Huraira R/o Pakistan ; and

5. Whereas, the investigation conducted by the investigating agency has *prima facie* established that the accused viz. Mohammad Iqbal Gojar Guriyal and Hilal Ahmad Gojar Guriyal, were working as Over Ground Workers (OGWs) for the terrorists viz. Mohammad Umar Lone @ Rehan @ Uzair and Abu Huzaif @ Abu Huraira, and in well knit conspiracy were providing logistic support including shelter/hiding space to them for carrying out the terrorist activities; and

6. Whereas, the accused viz. Mohammad Umar Lone @ Rehan @ Uzair, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against them; and

7. Whereas on the basis of the investigation, the statements of witnesses recorded and the other evidence collected, the Investigating Officer, has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable in terms of the provisions of Unlawful Activities (Prevention) Act, 1967, as shown against their names :—

S.No.	Name of the accused	Offence
1.	Mohammad Iqbal Gojar Guriyal S/o Karim Ullah Gojar Guriyal R/o Konshi Mohalla, Chattibandy.	18, 19, 39 of ULA(P) Act.
2.	Hilal Ahmad Gojar Guriyal S/o Karim Ullah Gojar Guriyal R/o Konshi Mohalla, Chattibandy.	
3.	Abu Huzaif @ Abu Huraira R/o Pakistan.	16, 18, 20, 23, 38 of ULA (P) Act.

8. Whereas, the accused viz. Abu Huzaif @ Abu Huraira, is absconding and proceedings Under Section 299 Cr. PC. are proposed to be initiated against him ; and

9. 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 Dairy File and all the other relevant documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused ; and

10. 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 the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mohammad Iqbal Gojar Guriyal, Hilal Ahmad Gojar Guriyal and Abu Huzaif @ Abu Huraira, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against the each accused at Para (7) above, arising out of FIR No. 15/2024 of Police Station, Aragam.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.