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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 29th October, 2024.

SO-527.—Whereas, on 25-04-2024, an information was received at Police Station, Sopore, regarding presence of some unknown terrorists equipped with illegal arms/ ammunition in Village Nowpora Kallan, who

are planning to carry out terrorist attack in order to disrupt the upcoming Lok Sabha Elections in the area ; and

2. Whereas, based on the above, a Case FIR No. 105/2024 Under Sections 7/25 Arms Act, 13,16,18,20 & 23 of ULA (P) Act, came to be registered in the Police Station, Sopore, and the investigation, of the case was set into motion. Subsequently, during the investigation, the Sections 307 IPC, 17, 19, 38, 39 and 40 of ULA(P) Act, were added in the case ; and

3. Whereas, during the investigation, Cordon and Search Operation was launched by the Police in collaboration with 22 RR Army and 179 Bn CRPF in Village Chickpea Nowpora. During the search, the terrorists hiding in the residential house of one Javid Ahmad Khan S/o Mohammad Subhan Khan R/o Checkpora, Nowpora, Sopore fired indiscriminately upon the Search Party, with their illegal arms/ammunition, with the intention to kill them, resulting in injuries to 02 Army personnel and a civilian, who were shifted to Hospital for treatment ; and

4. Whereas, during the investigation, the dead bodies of two terrorists of LeT, a banned outfit, who were later on identified as Abdul Wahab @ Abu Saifullah @ Saifullah and Sanan Zaffar @ Huzaiifa @ Abu Muslim @ Sultan @ Malik R's/o Pakistan were recovered from the place of encounter. During the investigation, the arms/ ammunition viz. 02 AK rifles, 08 magazines, 150 rounds, 03 hand grenades, Indian currency and other incriminating material were recovered from the place of occurrence ; and

5. Whereas, during the investigation, the accused viz. Javid Ahmad Khan was arrested in the case and involvement of his brother namely Bashir Ahmad Khan S/o Mohammad Subhan Khan R/o Checkpora Nowpora, Sopore, also came to fore in the commission of crime who was subsequently, arrested in the case. The accused viz. Javid Ahmad Khan and Bashir Ahmad Khan, were found working as OGWs for the terrorists and were providing logistic and other support including shelter/hiding

space to them, besides, were raising/distributing terror money for promotion of terrorist activities in the area ; and

6. Whereas, the investigation conducted by the investigating agency has *prima facie* established that the accused viz. Javid Ahmad Khan and Bashir Ahmad Khan were working as Over Ground Workers (OGWs) for the terrorists viz. Abdul Wahab @ Abu Saifullah @ Saifullah and Sanan Zaffar @ Huzaifa @ Abu Muslim @ Sultan @ Malik, and in furtherance of conspiracy were providing logistic support to them, besides, on the day of occurrence voluntarily provided shelter/hiding space to the terrorists in their residential house for promotion of terrorism in the area ; and

7. Whereas, the accused terrorists viz. Abdul Wahab @ Abu Saifullah @ Saifullah and Sanan Zaffar @ Huzaifa @ Abu Muslim @ Sultan @ Malik, have been killed in the said encounter with the Security Forces and the proceedings under the law would abate against them ; and

8. 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 Under Section of the Unlawful Activities (Prevention) Act, 1967, as shown against their names :—

S.No.	Name of the accused	Offence
1.	Javid Ahmad Khan S/o Mohammad Subhan Khan R/o Checkpora, Nowpora, Sopore.	13, 17, 18, 19, 39,
2.	Bashir Ahmad Khan S/o Mohammad Subhan Khan R/o Checkpora Nowpora, Sopore.	40 of ULA(P) Act.

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 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Javid Ahmad Khan and Bashir Ahmad Khan, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against the each accused at Para (8) above, arising out of FIR No.105/2024 of Police Station, Sopore.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.