

EXTRAORDINARY

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as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 18th December, 2024.

SO-579.—Whereas, on 11-06-2024, an information through reliable sources was received by the Police Station, Hiranagar, to the effect that some unknown terrorists equipped with illegal arms/ammunition on the instigation of Pak based terrorist outfit, after crossing the International Border entered in the Village Saida Sohal,

Hiranagar, and started indiscriminate firing upon the civilians, resulting in injuries to one person namely, Omkar S/o Dina Nath R/o Sohal, Hiranagar, who was shifted to a local hospital for treatment ; and

2. Whereas, based on the above, a Case FIR No. 101/2024 under sections 307, 120-B, 121, 121-A, 122 IPC, 7/27 Arms Act, 13, 16, 18 and 23 of ULA(P) Act, was registered in the Police Station, Hiranagar, and the investigation of the case was set into motion ; and

3. Whereas, during the investigation, a Joint Cordon and Search Operation was launched by the Police/Security Forces in Saida Sohal area. During the search, the hiding terrorists fired indiscriminately upon the Search Party, with their illegal arms/ammunition, with the intention to kill them, resulting in injuries to one CRPF official, who was shifted to a hospital for treatment. The Fire was retaliated and in the ensuing gunfight, two unidentified terrorists were killed and one terrorist managed his escape from the spot ; and

4. Whereas, during the investigation, the dead bodies of two unidentified PaK based terrorists were recovered from the place of encounter alongwith arms/ammunition viz. 01 AK-56 rifle, 01 M-4 Assault Rifle, 10 Magazines, 382 rounds, 08 grenades and Indian currency notes of an amount of Rs. 2.10 lakhs ; and

5. Whereas, during the investigation, the statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law. During the investigation, the injured CRPF personal identified as namely Kabir Dass, succumbed to his injuries. Subsequently, the offences under Section 302, 201 IPC, 4/5 ESA, 19, 20 and 38 of ULA(P) Act, were added in the case ; and

6. Whereas, during the investigation, It was found that on 7/8-06-2024, three unknown PaK based terrorists of JeM, a banned outfit, crossed over the International Border in Samba Sector, on the instructions of their handlers identified as Maulana Masood Azhar alias Vali Adam Issa alias Maulana S/o Late Allah Baksh Sabir R/o Kauser Colony, Model Town, Bhawalapur, Punjab, Pakistan, Doctor alias Manan alias Abu Talab and Abdul Rehman, in order to promote terrorism in the UT of J&K ; and

7. Whereas, during the investigation, it was found that after infiltration, the three unknown PaK based terrorists, fired upon one

civilian namely Vasudev R/o Akhnoor, which resulted death of the said person, for which a separate Case stands registered in Police Station, Gagwal. After the incident the accused terrorists came in contact with two persons identified as Ashiq Ali alias Akhi S/o Sh. Shel Ali R/o Chann Charakhri, Hiranagar and Ashraf Ali alias Sheefu S/o Lal Din R/o Manohar Gopala, Samba, Rajpura, Samba, who facilitated their movement from Village Lala Chack, Bein Nalla, and later concealed the terrorists in the house of other accused namely, Lal Hussain S/o Waspa Din R/o Lala Chack Malani, Rajpura, Samba, for which the accused viz. Ashiq Ali alias Akhi and Ashraf Ali alias Sheefu, were provided an amount of Rs. 4000/- by the said terrorists ; and

8. Whereas, the investigation conducted by the investigating agency has *prima facie* established that on the date of occurrence, the three unknown PaK based terrorists entered into Village Sohal and fired indiscriminately upon the civilians, resulting in injuries to one Omkar, and after the commission of crime escaped from the spot, among which two unknown terrorists were later on killed in an encounter and one terrorist managed his escape, besides, the accused viz. Ashiq Ali alias Akhi, Ashraf Ali alias Sheefu and Lal Hussain, voluntarily harboured the terrorists in the residential house of accused viz. Lal Hussain, for carrying out the terrorists activities in the area ; and

9. Whereas, two unknown terrorists have been killed in the encounter and proceedings under the law would abate them. Further, the investigation, in respect of PaK based terrorists viz. Doctor alias Manan alias Abu Talab, Abdul Rehman, and unknown terrorist who escaped from the encounter site shall continue and Supplementary Charge Sheet against them would be filed in the competent Court of law ; and

10. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under Sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :—

S. No.	Name of the accused persons	Offence
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1.	Ashiq Ali alias Akhi S/o Sh. Sher Ali R/o Chann Charakhari, Hiranagar, Kathua.	19 of
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2.	Ashraf Ali alias Sheefu S/o Lal Din R/o Manohar Gopala, Samba.	19 of ULA (P), Act.
3.	Lal Hussain S/o Waspa Din R/o Lala Chack, Malani, Rajpura, Samba.	do.
4.	Maulana Masood Azhar alias Vali Adam Issa alias Maulana S/o Late Allah Baksh Sabir R/o Kauser Colony, Model Town Bhawalapur, Punjab, Pakistan.	13, 18, 20, 38 of ULA (P) Act. 121, 121-A, 122 IPC.

11. Whereas, the accused terrorist viz. Maulana Masood Azhar alias Vali Adam Issa alias Maulana, is absconding and proceedings under section 299 Cr. PC have been proposed to be initiated against him ; and

12. 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 a *prima facie* fo case is made out against the above accused : and

13. 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 Suffcient material and evidence available against the above mentioned accused for his prosecution, under the provision of law.

14. Whereas, the Government has independently examined the Case Diary 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 accused viz. Maulana Masood Azhar alias Vali Adam Issa alias Maulana under the aforementioned provision of the Indian Penal Code (IPC).

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 the Unlawful Activities (Prevention) Act, 1967 and Section 196 of the Code of Criminal Procedure, 1973, the Government hereby accord sanction for launching prosecution against the accused viz. Ashiq Ali alias Akhi, Ashraf Ali alias Sheefu, Lal Hussain and Maulana Masood Azhar alias Vali Adam Issa alias Maulana, for the commission of offences as indicated against the each accused at Para (10) above, arising out of FIR No. 101/2024 of Police Station, Hiranagar.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.