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Separate paging is given to this part in order that it may be filed
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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 30th January, 2024.

SOï74.ð Whereas, on 13-07-2023 a reliable information was received by the Police Station, Shopian, to the effect that some unknown terrorists with the help of their OGWs fired indiscriminately upon some non-local laboures, who were putting up as tenants in a shop of one Arshid Aziz Sofi S/o Abdul Aziz Sofi R/o Largam, Shopian, with their illegal arms/ammunition with the intention to kill them, resulting

iniinjuries to some labourers, who were shifted to a local hospital for treatment. The unknown terrorists after the commission of crime escaped from the spot ; and

2. Whereas, based on the above, a Case FIR No. 126/2023 under Senctions 307 IPC, 7/27 Arms Act, and Sections 16,18, 20, 38 and 39 of ULA (P) Act, was registered in the Police Station, Shopian, and the investigation, of the Case was set into motion. Subesequently, during the investigation, the offences under Sections 120-B IPC, 7/25 Arms Act, and Section 23 of ULA (P) Act were added in the Case ; and

3. Whereas, during the course of investigation, four persons identified as Adnan Shafi S/o Mohammad Shafi Shah, Zahid Ahmad Shah S/o Abdul Gaffar Shah R/o Rawalpora, Shopian, Hazim Rashid Sheikh S/o Abdul Rashid Sheikh and Midhat Ahmad Dar S/o Mohd Yaqoob Dar R/o Bemnipora, Shopian, were found invoved in the commission of crime. Subsequently, the accused were arrested in the case and during the investigation, 01 hand Grenade was recovered at the instance of accused viz. Adnan Shafi ; and

4. Whereas, during the investigation, four persons identified as Adnan Shafi S/o Mohammad Shafi Shah, Zahid Ahmad Shah S/o Abdul Gaffar Shah R/o Rawalpora, Shopian, Hazim Rashid Sheikh S/o Abdul Rashid Sheikh and Midhat Ahmad Dar S/o Mohd Yaqoob Dar R/o Bemnipora, Shopian, were found involved in the commission of crime. Subsequently, the accused were arrested in the case and during the investigation, 01 Hand Grenade was recovered at the instance of accused viz. Adnan Shafi ; and

5. Whereas, during the investigation, it was found that the accused viz. Adnan Shafi, Zahid Ahmad Shah, Hazim Rashid Sheikh and Midhat Ahmad Dar, were in contact with two terrorists of LeT, a banned outfit, namely Hanzil Yaqoob Shah S/o Mohammad Yaqoob Shah R/o Rawalpora, Shopian and Danish Hameed Thoker @ Muslim Bai S/o Abdul Hameed Thoker R/o Chakora, Shopian, who carried out the attack upon the non-local labourers and provided a Hand Grenade to the accused viz. Adnan Shafi, in order to promote terrorist activities in the area ; and

6. Whereas, during the investigation, it was established that the accused viz. Adnan Shafi, Zahid Ahmad Shah, Hazim Rashid Sheikh and Midhat Ahmad Dar, were working as Over Ground Workers (OGWs) for the terrorists of LeT, a banned outfit, Particularly the terrorists viz. Hanzil Yaqoob Shah and Danish Hammeed Thoker @ Muslim Bai, and were providing logistic support to them, besides, on the date of occurrence under a well knit criminal conspiracy facilitated the said terrorists to carry out the attack upon the non-local labourers which resulted injuries to some labourers on the spot. The accused viz. Adnan Shafi, also procured a Hand Grenade from the terrorists for carrying out the terrorist activities in the area ; and

7. Whereas, the accused terrorists viz. Hanzil Yaqoob Shah and Danish Hameed Thoker @ Muslim Bai. have been killed in an 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 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 names :ð

S. No.	Name of the accused	Offence
1	Adnan Shafi S/o Mohammad Shafi Shah R/o Rawalpora, Shopian.	18, 23, 39 of ULA (P) Act.
2.	Zahid Ahmad Shah S/o Abdul Guffar Shah R/o Rawalpora, Shopian.	
3.	Hazim Rashid Sheikh S/o Abdual Rashid Sheikh R/o Bemnipora, Shopian.	
4.	Midhat Ahmad Dar S/o Mohd Yaqoob Dar R/o Bemnipora, Shopian.	18, 39 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 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 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. Adnan Shafi, Zahid Ahmad Shah, Hazim Rashid Sheikh and Midhat Ahmad Dar, 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 FIR No. 126/ 2023 of Police Station, Shopian.

By order of the Government of Jammu and Kashmir. .

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(Sd/-) R. K. GOYAL, IAS,

Financial Commissioner/

Additional Chief Secretary.