



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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Separate paging is given to this part in order that it may be filed
as a separate compilation.

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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 13th February, 2024.

SO—95.—Whereas, on 25-08-2023, the Police Station, Pethkote, received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Dardgund junction. During the checking, a suspect while seeing the Naka Party tried to escape but was chased down on the spot and identified as Shafayat Zubair Reshi S/o Habibullah Reshi

R/o Nesbal, Sumbal and during his personal search, the Police recovered 01 Chinese Pistol with Magazine and 08 Rounds from his possession ; and

2. Whereas, based on the above, a case FIR No. 37/2023 under Section 7/25 Arms Act and the Sections 18 and 23 of ULA(P) Act, was registered in the Police Station, Pethkote, and the investigation of the case was set into motion. Subsequently, during the investigation, the offence under Section 2/3 E&IMCO Act, 20, 38 and 39 of ULA (P) were added in the case ; and

3. Whereas, during the investigation, the site plan of the place of occurrence and the seizure memos were prepared and 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, one lady identified as Mst. Muneera Begum W/o Late Mohd Yousaf Chopan R/o Pazalpura, Bandipora, was found involved in the case. Subsequently, the said lady was also arrested and during the investigation, arms/ammunition viz. 01 AK-47 Rifle, 03 Magazine, 90 Rounds and 01 Pen Pistol, was recovered at her instance; and

5. Whereas, during the investigation, it was established that the accused viz. Shafayat Zubair Reshi and Mst. Muneera Begum, were in contact with a terrorist of Al- Badr, a banned outfit, namely Mushtaq Ahmad Mir, S/o Gh. Mohidin Mir R/o Nesbal, Sumbal A/P Pakistan, through virtual mode, who provided the recovered arms/ammunition to them through an unknown person in order to promote terrorist activities in the area; and

6. Whereas, during the investigation, it was established that the accused viz. Shafayat Zubair Reshi and Mst. Muneera Begum, were working as Over Ground Workers (OGWs) for the terrorists of Al-Badr, a banned outfit, particularly the terrorists viz. Mushtaq Ahmad Mir, and were providing logistic support to them, besides, under a well knit criminal conspiracy procured arms/ammunition from the said terrorist through an unknown person for carrying out the terrorist activities in the area ; and

7. Whereas, the investigation, in respect of unknown person who

handed over the recoveredarms/ammunition to the accused viz. Shafayat Zubair Reshi and Mst.Muneera Begum, shall continue to ascertain his identity and to bring out his role/involvement in the case and the supplementary charge sheet against him would be filed in the court of competent jurisdiction ; 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 belowmentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against theirnames:—

S.No.	Name of the accused person	Offence
1.	Shafayat Zubair Reshi S/o Habibullah Reshi R/o Nesbal, Sumbal.	18, 23, 39 ULA(P) Act.
2.	Mst. Muneera Begum W/o Late Mohd. Yousaf Chopan R/o Pazalpora, Bandipora.	
3.	Mushtaq Ahmad Mir S/o Gh. Mohidin Mir R/o Nesbal, Sumbal A/P Pakistan.	18, 20 , 38 ULA (P) Act.

9. Whereas, the accused viz. Mushtaq Ahmad Mir, is absconding and the proceedings under Section 299 Cr.PC have been proposed to be initiated against him ; and

10. 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* is made out against the above accused ; and

11. 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. Shafayat Zubair Reshi, Mst. Muneera Begum and Mushtaq Ahmad Mir, 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. 37/2023 of Police Station, Pethkote.

By order of the Government of Jammu and Kashmir.

(Sd/-) SANTOSH D. VAIDYA, IAS,

Principal Secretary to the Government,
Home Department.