

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government-Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 28th April, 2020.

S. O.-142.ô Whereas, on 25-11-2010, Police Station, Rajpora received a reliable information about the presence of terrorists in Pachhar near Fruit Mandi. On this information a joint cordon by Pulwama Police and security forces was laid down ; and 2. Whereas, during cordon, security forces noticed movement of three vehicles leading towards Drubgam Village which were signaled to stop but the terrorists hiding in one of the vehicles (Tata Carrier-207) bearing registration No. JK13C-0745 started indiscriminate firing upon the naka party with the intention to cause causalities ; and

3. Whereas, the fire was retaliated and during ensuring encounter, two militants identified as Irfan Ahmad Rather S/o Azad Ahmad Rather R/o Litter, Rajpora and Irfan Ahmad Sheikh S/o Gh. Ahmad Sheikh R/o Naira Tahab, both affiliated with HM outfit were killed. On the place of occurrence 1 AK-47 Rifle, 02 AK-47 Magazines, 50 AK Rounds, 1 Wireless Set, 1 AK 56 Rifle, 2 AK 56 Magazines, 50 AK 56 Rounds were recovered ; and

4. Whereas, a Case FIR No. 93/2019 U/S 307 IPC, 7/27 A. Act 16, 18, 19, 20, 39 ULA (P) Act, came to be registered in Police Station, Rajpora and investigation was set into motion ; and

5. Whereas, during the course of investigation, the vehicle (TATA-207) bearing registration No. JK13C-0745 was seized and on search of the said vehicle 20 live Rounds of AK 47 and 02 empty cartridges were recovered. Site plan of scene of occurrence and the seizure memos of recovered arms/ammunition and TATA-207 vehicle were prepared. Statement of witnesses acquainted with the facts and circumstances of the case were recorded under section 161 Cr. P. C. ; and

6. Whereas, the driver of seized vehicle (TATA 207) namely Muzaffar Ahmad Wani S/o Ab. Gafar Wani R/o Braw Bandina in which the terrorists were travelling was arrested. During the investigation, it was revealed that the said accused driver Muzaffar Ahmad Wani accompanied by other accused persons namely (1) Arshid Ahmad Wani S/o Gh. Nabi Wani R/o Aliepora, (2) Abid Hussain Bhat S/o Ab. Gani Bhat R/o Braw Bandina, (3) Rameez Raja S/o Gh. Hassan Mir R/o Litter, Rajpora, (4) Basharat Yousuf Mir S/o Mohd Yousuf Mir R/o Litter, Rajpora were in close contact with terrorist outfit Hibzul Mujahdeen ; and

7. Whereas, during further investigation it was established that on the said date the accused persons had reached orchards of Wasoora (Sethar) 8. Whereas, during further, investigation it was also revealed that the accused persons were providing logistics support in terms of transportation to the terrorists in the area ; and

9. Whereas, on the basis of investigation, statement of material witnesses recorded and other evidence collected, the investigating officer has established *prime facie*, case against the below mentioned accused persons for commission of offences punishable under sections 16, 18, 19, 20, 39 of Unlawful Activities (Prevention) Act, 1967 :ô

S. No.	Name of accused	Offence
<u> </u>		
1.	Muzaffar Ahmad Wani S/o Ab. Gafar	16, 18, 19, 20, 39
	Wani R/o Braw Bandina	ULA (P) Act
2.	Arshid Ahmad Wani S/o Gh. Nabi	
	Wani R/o Aliepora	
3.	Rameez Raja S/o Gh. Hassan Mir	
	R/o Rajpora	
4.	Basharat Yousuf Mir S/o Mohd Yousuf	
	Mir R/o Litter, Rajpora	
5.	Abid Hussain Bhat S/o Ab. Gani Bhat	

R/o Braw Bandina

10. Whereas, the Authority appointed by the Government under subsection (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 *prima facie* case is made out against the above accused ; and

11. Whereas, after, perusing the Case 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 powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above-mentioned accused persons for the commission of offences shown against each in the case FIR No. 93/2019 of Police Station, Rajpora.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to Government, Home Department.