

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 7th July, 2020.

SO-211.óóWhereas, on 23-07-2019, Police Station, Bijbehara received reliable information that unknown terrorists gunned down a person namely Nazir Ahmad Bhat S/o Ghulam Qadir Bhat R/o Manzpora Wopzan and had left his dead body in a nearby orchard at Village Wopzan; and

- 2. Whereas, Case FIR No. 106/2019 under sections 364, 302, 34, 109 RPC, 7/27 A. Act, 16, 18, 19, 2038 Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Bijbehara and investigation was taken up; and
- 3. Whereas, dead body of the deceased Nazir Ahmad Bhat was recovered from the orchards and after completing formalities the dead body was handed over to legal heirs for last rites. Site plan of place of occurrence was prepared and the statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during the course of investigation it was established that on 22-7-2019 the deceased had gone to the house of one Rasim Ahmad Mir S/o Abdul Majeed Mir R/o Katoo where two terrorists of JeM outfit namely Shano Showkat S/o Showkat Ahmad R/o Ashwara and Fayaz Ahmad Thoker @ Fayaz Panzoo S/o Bashir Ahmad R/o Panzoo Tral were hiding; and
- 6. Whereas, the terrorists hiding in the house of Rasim Ahmad Mir had kidnapped the deceased with the help of accused Rasim Ahmad Mir S/o Ab. Majeed Mir R/o Katoo and Manzoor Ahmad Rather S/o Ghulam Mohi-Ud-Din Rather R/o Katoo in a vehicle Alto-800 belonging to accused Manzoor Ahmad Rather and took the deceased to outskirts of Village Katoo and fired upon him by their illegal weapon resulting in on spot death of the deceased Nazir Ahmad Bhat; and
- 7. Whereas, during the course of investigation it was also revealed that the accused Rasim Ahmad Mir S/o Abdul Majeed Mir R/o Katoo and Manzoor Ahmad Rather S/o Ghulam Mohi-ud-Din Rather R/o Katoo were working as OGWs for the JeM outfit and were providing logistic support to JeM terrorists namely Shanu Showkat and Fayaz Ahmad Thoker who hatched a criminal conspiracy with the active terrorists to kill the deceased; and
- 8. Whereas, the accused terrorists Shanu Showkat and Fayaz Ahmad Thoker have been killed in an encounter and therefore, dropped from the case; and

- 9. Whereas, on the basis of investigation, the investigating officer has established *prima facie* case against the below mentioned accused persons for commission of offences punishable under sections 18, 19 of Unlawful Activities (Prevention) Act, 1967:ô
- S. Name of the accused Offence No.

- 1. Rasim Ahmad Mir S/o Abdul Majeed 18, 19 ULA (P) Act Mir R/o Katoo.
- 2. Manzoor Ahmad Rather S/o Ghulam Mohi-ud-Din Rather R/o Katoo.
- 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* case 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 powers conferred by subsection (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above mentioned accused for the commission of offence punishable under sections 18, 19 of Unlawful Activities (Prevention) Act, 1967 in case FIR No. 106/2019 of Police Station, Bijbehara.

Ву	order	of	the	Government	of	Jammu	and	Kashmir.
						(Sd.)		
]	Prin	cipal S	ecreta	ary to Government,

Home Department.