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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.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT& HOME DEPARTMENT

Notification

Srinagar, the 17th August, 2020.

SO-255.66Whereas, on 20-08-2019, Police Station, Baramulla received reliable information about the presence of terrorists in Old Town, Baramulla who were suspected to be carrying out terrorist activities ; and

2. Whereas, Cordon and search operation was carried by a joint team of security forces and during search, the hiding terrorists hurled

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grenades on the search party resulting in injuries to three Police Personnel
namely, SI Amardeep Parihar (2) Const. Ishfaq Ali Rather and SPO Bilal
Ahmed and a civilian, subsequently the SPO Bilal Ahmed succumbed
to injuries ; and

3. Whereas, the security forces retaliated the fire and during ensuing
encounter terrorist identified as Momin Rasool Gojree S/o Ghulam Rasool
Gorjee R/o Syed Kareem Old Town, Baramulla was neutralized and
during search one Pistol, one Pistol Magazine and five rounds were
recovered from the spot ; and

4. Whereas, during encounter two terrorists identified as Mohammad
Iqbal Naikoo S/o Ab. Ahad R/o Suhail Colony, Baramulla and Uzair
Amin Bhat S/o Mohd. Amin Bhat R/o Chasti Colony, Bagh-I-Islam,
Baramulla escaped from the encounter site along with one AK-47 rifle
of the injured SI Amardeep Parihar ; and

5. Whereas, a Case FIR No. 145/2019 under sections 13, 16, 18,
20, 23, 39 was registered in Police Station, Baramulla and investigation
was set into motion ; and

6. Whereas, during investigation the site plan of place of the
occurrence and seizure memo of recovered arms/ammunition was
prepared, statement of witnesses acquainted with the facts and circumstances
were recorded under the relevant provisions of law ; and

7. Whereas, the accused terrorist Mohammad Iqbal Naikoo was
arrested by Baramulla Police along with another terrorist Adil Ahmed
Dar R/o Ganie Maham, Baramulla in a separate case FIR No. 147/2019.
The AK47 rifle taken away from SI Amardeep Parihar was recovered
from his possession and one Chinese Pistol was recovered from the
possession of Adil Ahmad Dar ; and

8. Whereas, during investigation the custody of accused Iqbal
Naikoo was changed in the instant case and during investigation he
disclosed that he was an active terrorist of JeM outfit and disclosed
the involvement of another accused namely, Shakeel Ahmad Ganie
S/o Gh. Mohammad Ganie R/o Trikanjan, Boniyar ; and

9. Whereas, the accused Shakeel Ahmad Ganie was arrested in the
case and during investigation two grenades were recovered from his

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possession and it was revealed that he was in touch with one Pakistani
terrorist namely, Abu Talha who had provided him two pistols and two
grenades for carrying out the terrorist activities in the area ; and

11. Whereas, based on the investigation, statement of witnesses
recorded including material witnesses and other evidence collected during
the course of investigation, the investigating officer has established *prima
facie* case against the following accused persons for commission of
offences shown against each under Unlawful Activities (Prevention) Act,
1967 as under :

| S. No. | Name of the accused | Offence |
|-----------|--|-------------------------------|
| 1. | Mohammad Iqbal Naikoo S/o Ab. Ahad R/o Old Town, Baramulla | 16, 18, 20, 23, ULA(P) Act |
| 2. | Shakeel Ahmad Ganie S/o Gh. Mohammad Ganie R/o Bachee Tirkanja, Boniyaar | 13, 18, 23, 39 ULA(P) Act |

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 *prima facie* 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
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

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the above-mentioned accused for the commission of offences punishable
under sections 13, 16, 18, 20, 23, 39 of ULA(P) Act, 1967, in case
FIR No. 145/2019 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.