EXTRAORDINARY



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 18th November, 2020.

SO-352.ô Whereas, on 22-5-2020, Police, Pulwama received reliable information about the presence of terrorists in Village below Dargund. Subsequently cordon and search operation was launched ; and

2. Whereas, during search an underground hideout was unearthened in a shop and one compass (made in Japan) was recovered from the hideout ; and

3. Whereas, a Case FIR No. 39/2020 under sections 16, 18, 19, 20, 39 of Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Rajpora and investigation was set into motion ; and

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

5. Whereas, during investigation of case the accused shop owner namely Nazir Ahmad Wani (Naib Tehsildar by profession) was arrested in connection with the case ; and

6. Whereas, during the further course of investigation the son of accused namely Arif Nazir Wani was arrested. The accused disclosed that the compass seized from the hideout belonged to active foreign terrorist namely Faugi Bhai R/o Pakistan and he further disclosed that the hideout was erected for hiding of terrorists active in the area ; and

7. Whereas, during investigation accused Arif Nazir Wani disclosed the involvement of accused persons namely (1) Abid Muzaffer Dar S/o Muzaffar Ahmad Dar R/o Below Dargund, (2) Shahnawaz Rashid Bhat S/o Ab. Rashid Bhat R/o below Dargund and (3) Shahid Farooq Ahanger S/o Mohammad Ahsan R/o below Dardgund who were working as OGWs for the terrorists active in the area ; and

8. Whereas, the accused persons were arrested and during questioning they disclosed that they have been working as OGWs and providing logistic support/transportation to terrorists namely (1) Faugi Bhai R/o Pakistan, (2) Owais Ahmad R/o Shopian, (3) Zahid Nazir Bhat R/o Drubgam, (4) Rouf Ahmad R/o Samboora and (5) Yasir Ahmad Parray R/o Qasbayar ; and

9. Whereas, during investigation it was revealed that the accused Nazir Ahmad Wani and his son Arif Nazir Wani have been harbouring the terrorists in the hideout erected by them in their shop and after the attacks by these terrorists on the security forces, these terrorist were hiding in the said hideout ; and

10. Whereas, the terrorist namely Faugi Bhai R/o Pakistan, (2) Owais Ahmad R/o Shopian, (3) Zahid Nazir Bhat R/o Drubgam and (4) Rouf Ahmad R/o Samboora were eliminated during an encounters ; and

11. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has *prima facie* established involvement of below mentioned accused persons for commission of offences punishable under section as shown against each of Unlawful Activities (Prevention) Act, 1967 :ô

S. No.	Name of the Accused	Offence
<u> </u>		
1.	Nazir Ahmad Wani S/o Ab. Ahad Wani R/o	18, 19, 39
	below Dardgund	ULA (P) Act
2.	Arif Nazir Wani S/o Nazir Ahmad Wani	
	R/o below Dardgund	
3.	Abid Muzaffar Dar S/o Muzaffar Ahmad Dar	18, 39
	R/o below Dardgund	ULA (P) Act
4.	Shahnawaz Rashid Bhat S/o Ab. Rashid Bhat	
	R/o below Dardgund	
5.	Shahid Farooq Ahanger S/o Farooq Ahmad	
	Ahangar R/o below Dardgund	
6.	Yasir Ahmad Parray S/o Gh. Mohammad	16,20
	R/o Qasbayar (Active terrorist)	ULA (P) Act

12. Whereas, the accused Yasir Parray figuring at S. No. 6 above has absconded and proceedings under section 299 Cr. P. C. have been initiated against them; and

13. 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

14. 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 the above mentioned accused for the commission of offences punishable under sections 16, 18, 19, 20, 39 ULA (P) Act, in the case FIR No. 39/2020 of Police Station, Rajpora.

By order of the Government of Jammu and Kashmir.

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(Sd.)

Principal Secretary to Government, Home Department.