

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 13th March, 2020.

SO-99.ô Whereas, on 26-08-2018, Police Station, Awantipora received an information through reliable sources that some terrorists of banned terrorist organization (HM) were hatching a criminal conspiracy in an orchard near Islamic University of Science and Technology, Awantipora for carrying out some terrorist activity in the area; and

2. Whereas, a case FIR No. 146/2018 under sections 7/25 Arms Act, 18, 20 & 38 ULA (P) Act, 1967, came to be registered in P/S, Awantipora and investigation taken up; and

- 3. Whereas, Police Station, Awantipora assisted by 42 RR and 130 Bn. CRPF cordoned the area and arrested the accused persons identified as (1) Shahid Manzoor Pinchoo S/o Manzoor Ahmad Pinchoo R/o Jawbrara, Awantipora, (2) Manzoor Ahmad Dar S/o Ghulam Hassan Dar R/o Nowpora, Frisal, Kulgam, (3) Zahid Ahmad Dar S/o Nisar Ahmad Dar R/o Hawoora, Redwani, Kulgam, (4) Rizwan Assad Pandith S/o Assadullah Pandith R/o Awantipora and (5) Mohammad Hussain Rather S/o Mohammad Abdullah Rather R/o Frisal, Nowpora; and
- 4. Whereas, during their personal search 01 Chinese Pistol, 01 Magazine, 08 Pistol Rounds, 03 Chinese Grenades and 01 UBGL thrower were recovered from their possession. The accused disclosed that they were working as OHWs under the influence of Rayas Naikoo and Altaf Kachroo self styled commanders of HM outfit, providing logistic support to these terrorists; and
- 5. Whereas, during investigation, it came to fore, that the above named terrorist of (HM) outfit namely Altaf Ahmad Dar alias Altaf Kachroo S/o Ghulam Mohammad Dar R/o Hawoora, Mishipora, Kulgam was killed during an encounter with the security forces in District Anantnag who had supplied arms/ammunition to the above named accused as recovered from their possession and accused Rizwan Assad Pandith S/o Assadullah Pandith R/o Awantipora died during the course of investigation; and
- 6. Whereas, on the basis of statement of witnesses, the seizure memos and other evidences, the Investigating Officer has established a *prima facie* case against the below mentioned accused persons under sections 18, 20 & 38 of the ULA (P) Act, 1967:ô
- Manzoor Ahmad Dar S/o Ghulam Hassan
 18, 20 & 38
 Dar R/o Nowpora, Frisal, Kulgam
 ULA(P) Act, 1967
- Zahid Ahmad Dar S/o Nisar Ahmad Dar 18, 20 & 38
 R/o Hawoora, Redwani, Kulgam ULA(P) Act, 1967

- Mohammad Hussain Rather S/o
 Mohammad Abdullah Rather R/o
 Frisal, Nowpora, Kulgam
 18, 20 & 38
 ULA(P) Act, 1967
- 4. Shahid Manzoor Pinchoo S/o Manzoor 18, 20 & 38 Ahmad Pinchoo R/o Jawbrara, Awantipora ULA(P) Act, 1967
- 7. Whereas, the Authority appointed by the Government under sub-section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a conclusion that *prima facie* case is made out against the above-mentioned accused persons; and
- 8. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/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 below mentioned accused persons for their prosecution under the aforesaid 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 accused persons for the commission of offences mentioned against each under sections 18, 20 & 38 of the ULA(P) Act, 1967, in case FIR No. 146/2018 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

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Principal Secretary to the Government, Home Department.