

EXTRAORDINARY

REGD. NO. JK-33



**THE  
JAMMU AND KASHMIR OFFICIAL GAZETTE**

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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.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 25th March, 2022.

SO-117.—Whereas, on 05-11-2020, a tip-off was received by Police Station, Pampore regarding the presence/hiding of prescribed terrorists of Let/JeM outfit in Village Chattram Meej, Pampore, intended to carry out terrorists activities in the area. Subsequently joint cordon and search operation was launched in the village. During search hiding terrorists fired indiscriminate upon the search party with their illegal acquired arms/ammunition, resulting in injuries to two unknown civilians. The fire was retaliated by the security forces in self defence and encounter started ; and

2. Whereas, upon this information, a Case FIR No. 90/2020 under section 307 IPC, 7/27 Arms Act, 16, 18, 20, 38 ULA(P) Act, came to be

registered in Police Station, Pampore and investigation of the case was taken up. During investigation, two JeM foreign terrorists identified as Umar Bhai and Huzaifa were killed in the encounter and one terrorists Khawar Sultan S/o Mohammad Sultan Mir R/o Drangbal was arrested on spot. During the search 02 AK-47 rifles, 09 AK Magazines, 108 AK rounds, 02 Pistols, 02 Pistol Magazines, 10 Pistol rounds and 03 Chinese Hand Grenades were recovered from the encounter site. Subsequently, during investigation sections 19, 23, 39 of ULA (P) Act were added in the case ; and

3. Whereas, during investigation two injured civilians were identified as Abid Hamid Mir S/o Ab. Hamid R/o Meej, Pampore and Kifayat Ahmad Bhat S/o Gulzar Ahmad R/o Lalpora Chattram and later on injured Abid Hamid succumbed to his injuries ; and

4. Whereas, during the course of investigation, site plane of place of occurrence was prepared and proper seizure memos were 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, it was found that on the date of occurrence the above terrorists were hiding in the residential house of Mursaleem Bashir S/o Bashir Ahmad Sheikh R/o Lalpora, Chattram. Accordingly, accused was arrested in connection with the case ; and

6. Whereas, during further investigation, it was established that the accused Umar Bhai @ Saifullah, Huzaifa @ Musaib and Khawar Sultan were members of banned JeM/LeT outfit and accused Mursaleem Bashir were working as Over Ground Workers (OGWs) for the above terrorists and voluntarily harbored/conceals the terrorists in his residential house for carrying out the terrorists activities in the area ; and

7. Whereas, accused terrorists Umar Bhai @ Saifullah, Huzaifa @ Musaib got killed in the encounter against whom proceeding them would abate ; and

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

S. No.	Name of the accused	Offence
1.	Khawar Sultan S/o Mohammad Sultan Mir R/o Drangbal , Pampore.	18, 20, 23, 38 ULA (P) Act
2.	Mursaleem Bashir S/o Bashir Ahmad R/o Lalpora, Chattlam.	19, 39 ULA (P) Act

9. 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

10. 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 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 accused viz. Khawar Sultan and Mursaleem Bashir for commission of offences punishable under sections indicated against each in para (8) above of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 90/2020 of Police Station, Pampore.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner (Additional Chief Secretary),  
Home Department.