

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Jammu, the 25th March, 2022.

S.O.-124. Whereas, on 19-05-2020, Police Station, Safakadal, Srinagar received reliable information regarding presence of some terrorists hiding in an unknown residential house near Women's College Nawakadal. Subsequently, joint cordon and search operation was launched by Police/Security forces in the area and during search terrorists lobbed hand grenade upon the search party followed by

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indiscriminate firing, resulting in injuries to some security personnel. The
fire was retaliated and encounter started ; and

2. Whereas, a Case FIR No. 67/2020 under sections 307 IPC,
7/27 Arms Act, 16, 18, 20, 38, 39 of ULA (P) Act, came to be registered
in Police Station, Safakadal and investigation was set into motion.
Subsequently, during investigation section 19 of ULA (P) Act was added
and section 39 of ULA (P) Act, was dropped from the case ; and

3. Whereas, during investigation, dead bodies of two terrorists
identified as Junaid Ahmad Khan @ Sahraie S/o Mohammad Ashraf
R/o Tekipora, Lolab A/P Gubarg Colony, Bhagat, Srinagar and Tariq
Ahmad Sheikh S/o Ab. Ahad R/o Dangerpora, Pulwama were recovered
from the encounter site along with arms/ammunition viz. 01 AK 56 rifle,
01 AK 56 Magazine, 23 AK rounds, 01 Pistol, 03 Pistol Magazines and
01 Pistol round ; and

4. Whereas, during investigation, site plan of place of
occurrence and 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 established that on the
date of occurrence the above terrorists were hiding in the residential
house of one Noor Mohammad Sheikh S/o Gh. Mohammad Sheikh R/o
Kani Mazar, Srinagar. Subsequently, the accused was arrested in
connection with the case and it was established that the accused had
voluntarily harboured the above terrorists in his residential house for
carrying out the terrorists activities in the area ; and

6. Whereas, the accused terrorists Junaid Ahmad Khan and Tariq
Ahmad Sheikh have been killed in the encounter and proceedings under
law shall abate against them ; and

7. Whereas, on the basis of investigation, statement of witnesses
recorded and other evidence collected, the Investigating Officer has
prima facie established involvement of the 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
1.	Noor Mohammad Sheikh S/o Gh. Mohammad R/o Kani Mazar, Srinagar	19 of ULA (P) Act

8. Whereas, the Authority appointed by the Government under
sub-section (2) of section 45 of the Unlawful Activities (Prevention)

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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 a *prima facie* case is made out against the accused ;
and

9. 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 the section 45 of ULA (P) Act,
1967, the Government is of the view that there is sufficient material
and evidence available against the accused for his prosecution under
the aforesaid provisions of law.

Now, therefore, in exercise of the powers conferred by sub-
section 2 of section 45 of the Unlawful Activities (Prevention) Act, 1967,
the Government hereby accord sanction for launching prosecution
against the above accused viz. Noor Mohammad Sheikh for the
commission of offence punishable under section 19 of the Unlawful
Activities (Prevention) Act, 1967, arising out of FIR No. 67/2020 of
Police Station, Safakadal.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner
(Additional Chief Secretary),
Home Department.