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JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Jammu, the 20th April, 2022.

S.O.-191.ô Whereas, on 09-12-2020, a tip-off was received by Police Station, Pulwama regarding presence of terrorists in Village Tiken, Batapora. Accordingly, jot cordon and search operation was launched by Police/Security Forces. During search, the terrorists hiding in the residential house of Mohammad Sadiq Lone S/o Gaffar Lone, Zameer Sadiq Lone and Sameer Sadiq Lone Ss/o Mohammad Sadiq Lone R/oTiken, Batapora, fired indiscriminately upon the search party with the intention to kill them. The fire was retaliated by the Security forces triggering an encounter; and

- 2. Whereas, based on the above, a case FIR No. 289/2020 under section 307 IPC, 7/27 Arms Act, 16, 18, 19, 20 of ULA(P) Act, came to be registered in Police Station, Pulwama and investigation of the case was taken up; and
- 3. Whereas, during investigation, dead bodies of three terrorists later identified as Mehraj Din Lone S/o Bashir Ahmad R/o Arigam, Pulwama, Umer Farooq Najar S/o Farooq Ahmad R/o Sugan, Shopian and Umar Ali Mir S/o Ali Mohammad R/o Dadsara, Tral who were affiliated with HM/ LeT and Al-Badr banned outfit, were recovered from the encounter site along with arms/ammunition viz. 01 AK-47 rifle with 5 Magazine, 140 AK rounds, 02 Pistol with 04 Magazines and 02 Pistol rounds; and
- 4. Whereas, during the course of investigation, site plan of place of occurrence and seizure memo were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 5. Whereas, during investigation, accused viz. Zameer Sadiq Lone was found involved in the case. Subsequently, the accused was arrested in connection with the case and it was established that on 09-12-2020, accused had voluntarily harboured the above three terrorists in his residential house and provided logistic support to them for carrying out the terrorist activities in the area; and
- 6. Whereas, during investigation, two other persons viz. Mohammad Sadiq Lone and his son Sameer Ahmad Lone have not been found involved in the commission of offence. Accordingly, both the persons were dropped from the case by giving benefit of section 169 Cr. PC; and
- 7. Whereas, accused terrorists Mehraj Din Lone, Umar Farooq Najar and Umar Ali Mir have been killed in the said encounter and proceedings under law would abate against them; and
- 8. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused for

- - 1. Zameer Sadiq Lone S/o Mohammad 19 of ULA(P) Act Sadiq Lone R/o Tiken, Batapora, Pulwama.
- 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 relevent documents relating to the case and has come to the conclusion that *prima facie* case is made out against the 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 his prosecution under the provisions of Law.

Now, therefore, in the exercise of 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 accused viz. Zameer Sadiq Lone for the commission of offence punishable under sections 19 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 289/2020 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary), Home Department.