

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.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô HOME DEPARTMENT

Notification

Jammu, the 28th April, 2022.

SO-218.ôôWhereas, on 21-10-2021, a tip-off was received by Police Station, Sadder to the effect that some terrorists holding illegal arms/ammunition were noticed coming towards Rose Lane Colony, Chanapora in a vehicle. Subsequently, a joint Naka was established by Police/Security Forces at Rose Lane Colony, Chanapora and during Naka checking, the

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terrorists coming from Nowgam Bypass towards City, fired indiscriminately
upon the Naka party with their illegal weapons with intention to kill
them. The fire was retaliated triggering an encounter ; and

2. Whereas, based on the above, case FIR No. 185/2021 under
section 307 IPC, 7/27 Arms Act, 13, 38 of ULA (P) Act, came to be
registered in Police Station, Sadder and investigation was taken up.
Subsequently, during investigation section 13 of ULA (P) Act was dropped
and sections 16, 18, 19, 20, 39 of ULA (P) Act, were added in the
case ; and

3. Whereas, during course of 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

4. Whereas, during investigation, a person namely Unaib Naseer
Mir S/o Naseer Ahmad Mir R/o Dangerpora, Kanipora, who was injured
in the said firing incident was arrested in connection with the case and
it was established that he along with Muzafar Farooq Mir S/o Farooq
Ahmad R/o Dangerpora and a LeT banned terrorist Waseem Qadir Mir
S/o Gh. Qadir Mir R/o Shazadpora, Kanipora and two unknown Pakistani
terrorists proceeded towards Chanapora in an Alto vehicle to carry out
terrorist activity and after firing on the security forces terrorists fled away
from the spot. Subsequently, accused Muzafar Farooq was arrested in
the case ; and

5. Whereas, during investigation, one more accused viz. Mohammad
Ayoub Malik S/o Khazir Mohammad Malik R/o Tujan, Pulwama was
arrested in connection with the case and it was established that on
20-10-2021 a group of three terrorists reached his rented accommodation
at Ganjibagh and stayed for night. The terrorists left his accommodation
on 21-10-2021 in the morning ; and

6. Whereas, during investigation, it was established that the accused
viz. Unaib Naseer Mir, Muzafar Farooq and Mohammad Ayoub Malik
were working as Over Ground Workers (OGWs) for LeT banned terrorist
namely, Waseem Qadir Mir and two unknown Pakistani terrorists and
were providing logistic support to them and also facilitated their movement

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from one place to another. The accused were voluntarily harbouring the
above three terrorists, besides, under well knit criminal conspiracy
facilitated them for carrying out the attack upon the security forces on
21-10-2021 at Rose Lane Colony, Chanapora ; and

7. Whereas, accused terrorist Waseem Qadir Mir has been killed
in an encounter with the security forces and proceedings under law would
abate against him and investigation in respect of two unknown Pakistani
terrorists shall continue to ascertain their identification and to bring out
their role/involvement in the case ; 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 below mentioned accused for
the commission of offence punishable under section as shown against
each of the Unlawful Activities (Prevention) Act, 1967 :ô

S. No.	Name of the accused	Offence
1.	Unaib Naseer Mir S/o Naseer Ahmad Mir R/o Dangerpora, Kanipora.	18, 19, 39 of ULA (P) Act.
2.	Muzafar Farooq Mir S/o Farooq Ahmad Mir R/o Dangerpora.	
3.	Mohammad Ayoub Malik S/o Khazir Mohammad Malik R/o Tujan, 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 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 above-mentioned
accused for their prosecution under the 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 accused viz. Unaib Naseer Mir, Muzafar Farooq Mir and Mohammad Ayoub Malik for the commission of offences punishable under sections 18, 19 and 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 185/2021 of Police Station, Saddar.

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

Financial Commissioner
(Additional Chief Secretary), Home Department.