

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 24th May, 2022.

SO-250.66Whereas, on 25-11-2021, Police Station, Awantipora, received a written docket to the effect that a joint Naka was established by Police/Security Forces at Awantipora. During the Naka checking, two persons while seeing the Naka party tried to escape but were chased down on the spot and identified as Muzamil Ayoub Bhat S/o Mohammad Ayoub Bhat and Suhail Manzoor Mohand S/o Manzoor Ahamd Mohand

- 2. Whereas, based on the above, a Case FIR No. 194/2021 under sections 7/25 Arms Act, 18, 38, 39 of ULA (P) Act and was registered in Police Station, Awantipora and the investigation of the case was set into motion. Subsequently, during the investigation, sections 20 and 23 of ULA (P) Act were added in the case; and
- 3. Whereas, during the course of the investigation, the site plan of the place of occurrence and seizure memos were prepared and the statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during the investigation, it was found that the accused viz. Muzamil Ayoub Bhat was in contact with a terrorist of HM banned outfit namely Shahid Ahmad Rather S/o Gh. Ahmad Rather R/o Larve Jagir, Tral, through the virtual mode and on the directions of said terrorist both the accused viz. Muzamil Ayoub Bhat and Suhail Manzoor Mohand procured ammunition from JVC, Srinagar, from an unknown person for further distribution among the terrorists of the said outfit; and
- 5. Whereas, during the further investigation, one more accused viz. Nadeem Ahmad Mantoo S/o Late Gh. Rasool Mantoo R/o Chakoora, Pulwama, was found involved in the case. Subsequently, the said accused was arrested in connection with the case and it was found that the said accused deposited an amount of Rs. 25500/- in the account of the accused viz. Muzamil Ayoub Bhat on the directions of the terrorist namely Shahid Ahmad Rather for procurement of ammunition from JVC, Srinagar, from an unknown person; and
- 6. Whereas, during the investigation, it was established that the accused viz. Muzamil Ayoub Bhat, Suhail Manzoor Mohand and Nadeem Ahmad Mantoo were working as Over Ground Workers (OGWs) for the terrorist namely, Shahid Ahmad Rather and were providing logistic support to him, besides, accused Muzamil Ayoub Bhat and Suhail Manzoor Mohand under a well-knit criminal conspiracy were facilitating the transportation of arms/ammunition for the terrorist Shahid Ahmad Rather from one place to another; and

- 7. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused in the commission of the offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô
- - 1 Muzamil Ayoub Bhat S/o Manzoor Ahmad 18, 23, 39 of Bhat R/o Shahabad, Awantipora. ULA (P) Act
 - Suhail Manzoor Mohand S/o Manzoor Ahmad Mohand R/o Shahabad, Awantipora.
 - 3 Shahid Ahmad Rather S/o Gh. Ahmad 18, 20, 38 of Rather R/o Larve Jagir, Tral. ULA (P) Act
 - 4 Nadeern Ahmad Mantoo S/o Late 39 of Gh. Rasool Mantoo R/o Chakoora, ULA (P) Act Pulwama.
- 8. Whereas, the accused Shahid Ahmad Rather being an active terrorist is absconding against whom proceedings under section 299 Cr. PC. have been proposed to be initiated; and
- 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 a *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. Muzamil Ayoub Bhat, Suhail Manzoor Mohand, Shahid Ahmad Rather and Nadeem Ahmad Mantoo for the commission of offences punishable under relevant sections of ULA (P) Act, indicated against each accused at para (7) above, arising out of FIR No. 194/2021 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.