

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

Srinagar, the 10th June, 2022.

SO-280.ôôWhereas, on 04-10-2018, a tip-off was received by the Police Station, Sogam, to the effect that some associates of terrorist namely, Manan Bashir Wani R/o Tekipora, equipped with illegal arms/ammunition were roaming at Tekipora near Higher Secondary, School in order to spread terror among the general public and were motivating youth of the area to join the terrorist ranks. Subsequently, a Joint Cordon and Search Operation was launched by the Security Forces ; and

[illegible]

2. Whereas, during the search operation, two persons, while seeing the Search Party tried to escape but were apprehended on the spot and identified as Gh. Mustafa Sheikh S/o Ab. Ahad Sheikh and Shakir Ahmad Wani S/o Mohammad Ramzan Wani R/o Tekipora, Lolab. On their disclosure, the Police recovered 01 Pistol with 02 Magazines and 13 Pistol rounds from a firewood Shed of the accused Shakir Ahmad Wani ; and

3. Whereas, based on the above, a Case FIR No. 77/2018 under section 7/25 Arms Act, 13, 18 and 39 of ULA (P) Act, came to be registered in Police Station, Sogam and the investigation of the case was taken up. Subsequently, during the investigation, section 23 of ULA (P) Act, was added and section 18 of ULA (P) Act, was dropped from the case ; and

4. 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

5. Whereas, during the investigation, it was established that both the accused viz. Gh. Mustafa Sheikh and Shakir Ahmad Wani were working as Over Ground Workers (OGWs) for the terrorists of HM banned outfit and were providing logistic support to them, besides, were facilitating the transpiration of arms/ammunition from one place to another for carrying out the terrorist activities in the area ; and

6. Whereas, during the investigation, accused viz. Gh. Mustafa Sheikh was released on bail under the orders of the Hon'ble Court and after his release he joined the HM banned outfit and later on, the said accused got killed in an encounter with the Security Forces and the proceedings under the law would abate against him ; and

7. 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 in the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967 as shown against his name :ô

S. No.	Name of the accused	Offence
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[illegible]

1. Shakir Ahmad Wani S/o Mohammad 13, 23, 39 of
Ramzan Wani R/o Tekipora, Lolab. ULA (P) Act.

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8. Whereas, on further perusal of 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 his prosecution under the provisions of the Unlawful Activities (Prevention) Act, 1967.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 45 of Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Shakir Ahmad Wani for the commission of offences punishable under sections 13, 23 and 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 77/2018 of Police Station, Sogam.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.