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## 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 16th June, 2022.

SO-293.óóWhereas, on 14-12-2021, a tip-off was received by the Police Station, Pulwama regarding hiding of unknown terrorists in the Village Uzrampatri, Pulwama, in order to carry out terrorist act. Subsequently, a joint cordon and search operation was launched in the said village by the Police/Security Forces. During the search the terrorists hiding in the residential house of one Nazir Ahmad Bhat S/o Gh. Hassan Bhat R/o Uzrampatri, Pulwama, fired indiscriminately upon the Search Party with their illegally acquired arms/ammunition with the intension

2. Whereas, based on the above, a Case FIR No. 337/2021 under sections 307 IPC, 16, 19, 20 of ULA (P) Act, was registered in Police Station, Pulwama and the investigation of the case was taken up. Subsequently, during the investigation, Section 23 of ULA (P) Act, and Section 7/27 Arms Act, were added in the case ; and

3. Whereas, during the investigation, the dead body of one terrorist of HM banned outfit, later identified, as Feroz Ahmad Dar S/o Ab. Khaliq Dar R/o Heff Shirmal, Shopian, was recovered from the encounter site along with arms/ammunition i. e. 01 AK-47 rifle, 03 AK Magazines, 43 AK rounds and 01 pouch ; and

4. Whereas, during the course of the investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and

5. Whereas, during the further investigation, the accused house owner viz. Nazir Ahmad Bhat, was arrested in the case and it was established that the said accused had been voluntarily harbouring the terrorists particularly the killed terrorist viz. Feroz Ahmad Dar in his residential house to carry out terrorist activities in the area ; and

6. Whereas, the accused terrorist viz. Feroz Ahmad Dar has been killed in the said encounter and the proceedings under the law would abate against him ; and

7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

1. Nazir Ahmad Bhat S/o Gh. Hassan Bhat19 ofR/o Uzrampatri, Pulwama.ULA (P) Act.

8. 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

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 Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient maetrial and evidence available against the above-mentioned accused for his 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. Nazir Ahmad Bhat for the commission of offence punishable under relevant Section 19 of ULA (P) Act, arising out of FIR No. 337/2021 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.