

## THE

## JAMMU AND KASHMIR OFFICIAL GAZETTE

## PART I—B

Jammu and Kashmir Government—Notifications.

ôôôó

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K

## Notification

Srinagar, the 4th July, 2022.

SO-324.66Whereas, on 20-12-2020, Police Station, Achabal, received a reliable information to the effect that some unknown terrorists lobbed a grenade upon the Security Forces performing Naka Duty at Main Market, Achabal, resulting in injuries to one CRPF personnel and a civilian, besides, damage caused to a CRPF vehicle. The injured personnel were shifted to hospital for treatment; and

- 2. Whereas, based on the above, a Case FIR No. 97/2020 under Sections 3/5 ESA, 16, 20, 38 of ULA (P) Act, was registered in Police Station, Achabal and the investigation, of the case was taken up. Subsequently, during the investigation, Sections 18 and 39 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 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
- 4. Whereas, during the further investigation, a person namely, Fayaz Ahmad Wani @ Talak S/o Ab. Rashid Wani R/o Malaknag, Anantnag, was found involved in the commission of offence. Subsequently, the accused was arrested in the case and was found in contact with a terrorist of HM banned outfit namely, Junaid Ahmad Bhat S/o Gh. Mohammad Bhat R/o Hangulgund, Kokernag. During the questioning, some HM banned posters were recovered from the residential house of accused viz. Fayaz Ahmad Wani; and
- 5. Whereas, during the investigation, it was established that the accused viz. Junaid Ahmad Bhat, was member of HM banned outfit and on 20-12-2020, hurled a hand grenade upon the Naka Party at Main Market, Achabal. The accused viz. Fayaz Ahmad Wani, was working as Over Ground Worker (OGW) for the terrorists of HM banned outfit particularly, for terrorist viz. Junaid Ahmad Bhat and was providing logistic supports to him, besides, under a well knit criminal conspiracy facilitated the above terrorist for carrying out the attack upon the Naka Party at Main Market, Achabal on 20-12-2021; and
- 6. 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
- S. Name of accused Offence No.

- Fayaz Ahmad Wani @ Talak S/o Ab.
  Rashid Wani R/o Malaknag, Anantnag.
  ULA (P) Act.
- 2. Junaid Ahmad Bhat S/o Gh. Mohammad 16, 18, 20, 38 of Bhat R/o Hangulgund, Kokernag. ULA (P) Act.

- 7. Whereas, the accused viz. Junaid Ahmad Bhat, being active terrorist is absconding against whom the proceedings under Section 299 Cr. PC, have been proposed to be initiated against him; and
- 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 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. Fayaz Ahmad Wani @ Talak and Junaid Ahmad Bhat for the commission of offence punishable under relevant sections of ULA (P) Act, arising out of FIR No. 97/2020 of Police Station, Achabal.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.