

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Srinagar, the 18th July, 2022.

S.O.-339.ô Whereas, on 06-05-2020, a tip-off was received by the Police Station, Awantipora, regarding presence of terrorist namely, Reyaz Ahmad Naikoo @ Zubair-ul-Islam, a Self Styled Operational Commander of banned organization HM outfit, with his associate in the residential house of one Azad Ahmad Teli S/o Assadullah Teli R/o Beighpora, Awantipora, equipped with illegal arms/ammunition, conspiring to commit any terrorist act in the area. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces. During the search, the hiding terrorists started indiscriminate firing upon the Search Party with their illegal arms/ammunition with the intention to kill them. The fire was retaliate, triggering an encounter; and

- 2. Whereas, based on the above, a case FIR No. 58/2020 under Section 307 IPC, 7/27 Arms Act, 16, 18, 19, 20, 38 of ULA (P) Act, was registered in the Police Station, Awantipora and the investigation of the case was taken up; and
- 3. Whereas, during the investigation, two dead bodies were recovered from the encounter site who were later on identified as Reyaz Ahmad Naikoo @ Zubair-ul-Islam, a Self Styled Operational Commander of HM banned outfit S/o Assadullah Naikoo R/o Beighpora, Awantipora and Aadil Ahmad Bhat S/o Gh. Hassan Bhat R/o Panjran, Pulwama. During the search operation, arms/ammunition viz. 01 AK 47 Rifle, 01 AK 56 Rifle, 08 AK Magazines, 92 AK Rounds and 02 Pouch, were recovered from the encounter site; and
- 4. Whereas, during the course of 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 investigation, the accused house owner viz. Azad Ahmad Teli was arrested in the case and it was established that on the date of occurrence the accused voluntarily harboured the above terrorists viz. Reyaz Ahmad Naikoo @ Zubair-ul-Islam and Adil Ahmad Bhat in his residential house for carrying out the terrorist activities; and
- 6. Whereas, the accused terrorist namely, Reyaz Ahmad Naikoo @ Zubair-ul-Islam and Adil Ahmad Bhat, got killed in the said encounter and the proceedings under the law would abate against them; and
- 7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer has established *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 his name :ô
- - Azad Ahmad Teli S/o Assadullah Teli 19 of ULA (P) R/o Beighpora, Awantipora. Act.
- 8. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention)

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 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. Azad Ahmad Teli, for the commission of offences punishable under section 19 of ULA (P) Act, arising out of FIR No. 58/2020 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.