

REGD. NO. JK6633



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Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT& HOME DEPARTMENT

Srinagar, 21st July, 2022.

S.O.-347. Whereas, on 03-8-2021, a tip-off was received by the Police Station, Pethkote, regarding presence of terrorists in Village Dardgund. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces. During the search, the terrorists, hiding, in the residential house of one Mohammad Saleem Khan S/o Kala Khan Gojer, fired indiscriminately upon the Search Party with their illegal arms/ammunition with the intention to kill them. The fire was retaliated, triggering an encounter ; and

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2. Whereas, based on the above, a Case FIR No. 36/2021 under section 307 IPC, 7/27 Arms Act, was registered in the Police Station, Pethkote and the investigation of the case was taken up. Subsequently, during the investigation Sections 18,19,20,23 and 39 of ULA (P) Act, Section 2/3 E, IMCO Act, were added in the case ; and

3. Whereas, during the investigation, one dead body was recovered from the encounter site who was later on identified as Abu Zarar @ Babar Ali R/o Pakistan. During the Search Operation, arms/ammunition viz. 01 AK 47 rifle, 02 AK Magazines, 40 AK rounds and other incriminating material, 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. Mohammad Saleem Khan was arrested in the case and during the investigation 02 matrix sheets of banned outfit af LeT were recovered from his possession. During the investigation, six other accused namely, Mohammad Amin Lone S/o Ab, Ahad Lone R/o Sumler, Bandipora, Muzaffar Mohi-ud-Din Lone S/o Gh. Mohi-ud-Din Lone, Zeya Begum @ Ziya Bandy, Javaid Ahmad Lone S/o Mohammad Ramzan Lone, Rizwan Qadir Lone S/o Gh. Qadir Lone and Imtiyaz Ahmad Lone S/o Mohammad Shafi Lone Residents of Watipora Aren, Bandipora, were found involved in the case ; and

6. Whereas, during the investigation, the accused viz. Mohammad Amin Lone, Muzaffar Mohi-ud-Din Lone, Javaid Ahmad Lone, Rizwan Qadir Lone and Imtiyaz Ahmad Lone, were arrested in the case, near Shokbaba, Bandipora, in a vehicle belonging to accused viz. Rizwan Qadir Lone, and during their personal search, the Police recovered 08 matrix sheets of LeT banned outfit from their possession, besides, during the search of the vehicle, the Police recovered 02 Hand Grenades, 02 Detonators and 15 AK rounds from the said vehicle. The accused viz. Zeya Begum @ Ziya Bandy escaped from the spot ; and

7. Whereas, during the investigation, it was established that the accused Mohammad Saleem Khan, Mohammad Amin Lone, Muzaffar Mohi-ud-Din Lone, Zeya Begum @ Ziya Bandy, Javaid Ahmad Lone, Rizwan

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 Qadir Lone and Imtiyaz Ahmad Lone, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particularly terrorist viz. Abu Zarar @ Babar Ali R/o Pakistan, and were providing logistic support to them and under a well knit criminal conspiracy procured the arms/ammunition from the said terrorist for carrying out the subversive activities in the area, besides, on 03.8.2021, the accused viz. Mohammad Saleem Khan, voluntarily harboured/ concealed the said terrorist in his residential house for carrying out the terrorist activities ; and

8. Whereas, the accused terrorist namely, Abu Zarar @ Babar Ali R/o Pakistan, got killed in the said encounter and the proceedings under the law would abate against him ; and

9. 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. No.	Name of accused	Offence
1	2	3
1.	Mohammad Saleem Khan S/o Kala Khan Gojer R/o Dardgund, Pethkote.	18,19,39 ULA(P)Act.
2.	Mohammad Amin Lone S/o Ab. Ahad Lone R/o Sumler, Bandipora.	18, 23, 39 ULA(P)Act.
3.	Muzaffar Mohi-ud-Din Lone S/o Gh. Mohi-ud-Din Lone R/o Watipora Arin, Bandipora.	
4.	Zeya Begum @ Ziya Banday W/o Mohammad Ramzan Lone R/o Watipora Arin, Bandipora.	
5.	Javaid Ahmad Lone S/o Mohammad Ramzan Lone R/o Watipora Arin, Bandipora.	
6.	Rezwana Qadir Lone S/o Gh.Qadir Lone R/o Watipora Arin, Bandipora.	
7	Imtiyaz Ahmad Lone S/o Mohammad Shafi Lone R/o Watipora Arin, Bandipora.	

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10. Whereas, the accused namely Imtiyaz Ahmad Lone, has been found juvenile during the investigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act; and

11. Whereas, the accused viz. Zeya Begum @ Ziya Bandy is absconding against whom proceedings under Section 299 Cr. PC has been proposed to be initiated ; and

12. 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 has come to the conclusion that a prima facie case is made out against the above accused ; and

13. 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 02 of Section 45 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mohammad Saleem Khan, Mohammad Amin Lone, Muzaffar Mohi-ud-Din Lone, Zeya Begum @ Ziya Bandy, Javaid Ahmad Lone and Javaid Ahmad Lone, for the commission of offences punishable under relevant Section of the Unlawful Activities (Prevention) Act, 1967, as indicated against each at Para (9) above, arising out of FIR No. 36/2021 of Police Station, Pethkote.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.